

Government of Bihar
Appointment Department

Memo No. III/R1-1019/61A. 10270

Patna, the 3 Sravana, 1884 (S)

25th July, 1962.

To

All Departments of Government
All Head of Departments

Subject : -Relaxation of statutory rules in certain cases of exceptional hardship.

The undersigned is directed to invite a reference to orders contained in Appointment Department Memo No. III/R1-2031/59-14813 dated the 20th Nov., 1959 (copy enclosed) wherein it has been laid down that before any order of relaxation of any statutory rule is passed the department concerned should consult the Appointment Department and Finance Department and also take the approval of the Council of Ministers. Doubts have been expressed as to whether the above order should be made applicable in all cases of relaxation of rules.

It is, therefore, clarified that the provision made under the proviso to Article 309 of the constitution published with Appointment Department Notification No. III/R1-2010/55A-11505 dated the 28th November, 1956 (enclosed) is intended to apply only to such rules relating to service condition in which there are no express provisions for relaxation. Where there is a provision for relaxation in the relevant rule itself, the procedure envisaged in the Memo No. III/R1-2031/59-14813 dated the 20th November, 1959 of this Department will not apply. Also for relaxation of the rules enumerated in the annexed schedule the procedure outlined in the above mentioned memo will not apply.

Sd/B. L. Das
Under Secretary to Government.

Memo No. III/R1-1019/61A 10270

Patna the 3 Sravana, 1884 (S)
25th July, 1962.

Copy forwarded to All Collectors for information.

Sd/B. L. Das
24. 7. 62
Under Secretary to Government,

SCHEDULE

The Bihar Service Code,

Rules 85, 155 and 243

The Bihar General Provident Fund Rules.

Rules 11 and 16.

Part XXV—Resettlement/Rehabilitation

Memo No. A-1566

Government of Bihar,

Dated Patna, the 11th February, 1956.

To

All Departments of Government
 All Heads of Departments
 All District Officers (including the A.D.C. Dhanbad and Chaibassa).

Subject :—Re-settlement in Government service of State Government employees discharged on account of affliction with T. B.

The undersigned is directed to say that the question of the re-settling in Government service of ex-T.B. patients who were formerly in Government service has been under consideration of the Government for some time. It has been decided as follows :—

- (i) Such ex-T.B. patients as have been declared non-infective, really cured and medically fit for Government service by a Medical Board consisting of two T. B. Specialists will be deemed eligible for re-appointment to the posts previously held by them. If vacancies exist, or to equivalent posts in their own Department, the usual condition regarding age limit not being enforced in their cases.
- (ii) If such persons cannot be re-employed in the Department concerned for want of vacancies, they may submit applications for employment under other Departments through the officer incharge of the department under which they were working before their discharge on account of affliction with T. B. For this purpose they will be treated as retrenched employees of the State Govt.:
- (iii) On re-employment of such a person in the same post from which he was discharged, the actual previous service rendered by him will be treated as qualifying service for purposes of pension and seniority. For purposes of pay he will be placed in the same position in which he was at the time of discharge from service. The break in service between the date on which he was discharged from service and the date of his re-employment, would not count for any purpose, but the service would otherwise be regarded as continuous.
- (iv) In cases where such persons apply for posts to which direct appointments are made in consultation with the Public Service Commission, the Commission will be consulted as to the suitability of such persons for appointment. For this purpose all available records of such persons will be referred to the Commission who will make their recommendations after interviewing the candidates, if they consider necessary. It is requested that these instructions may be brought to the notice of all subordinate officers.

Sd/— V. Balasubrahmanyam,
 Adl. Deputy Secretary to Government.

Memo No. III/R1—2022/56A—2382
 Government of Bihar,
 Appointment Department.

Patna, the 2nd March, 1957.

To

All Departments of Government
 All Heads of Departments
 All District Officers.

Subject :—Re-settlement in Government service of the State Government employees discharged on account of affliction with Pleurisy.

In continuation of Government Order No. 1566-A, dated the 11th February, 1956, the undersigned is directed to say that the State Government have decided that the concessions granted in the matter of resettling in Government service of ex—T. B. patients should also be extended under the same conditions as are specified in the aforesaid Government Order to ex-pleurisy patients, who were formerly in Government service but whose services were terminated on account of affliction with pleurisy.

2. These orders may be communicated to all subordinate officers for their information and guidance.

Sd/—V. V. Nathen,

Addl. Under Secretary to Government.

D. N. P. 25/7/75.

Government of Bihar
 Appointment Department.

Memo. N. III/R1—2028/58A—13409,

Patna, the 11th November, 1958.

To

All Departments of Government
 All Heads of Departments
 All District Officers.

Subject :—Re-settlement in Government service of the State Governments employees discharged on account of their affliction with LEPROSY.

In Continuation of Government Order No. 1566—A. dated the 11th February, 1956 (Copy enclosed) the undersigned is directed to say that the State Government have decided that the concessions granted in the matter of re-settling in Government service, of ex—T. B. patients should also be extended under the same conditions as are specified in the aforesaid Government order to ex—Leprosy patients, who were formerly in Government service but whose services were terminated on account of affliction with leprosy.

2. These orders may be Communicated to all subordinate officers for their information and guidance.

Sd/ R. B. Lal

Addl. Under Secretary to Govt,

Government of Bihar
Appointment Department

Memo No. III/R1—305/68 नि० 2872

Patna—15, the Phalgun, 1890
24 February, 1969

To

All Departments of Government.

Subject :—Rehabilitation of displaced persons of Pakistan and the repatriates of Burma and Cylone.

The under signed is directed to say that the question of rehabilitation of displaced persons from Pakistan and the repatriates of Burma and Cylone is national problem. It is necessary to give them adequate opportunity to seek employment in this country.

2. State Government have, therefore, decided that in all Class III and Class IV appointments in the public undertakings and corporate bodies under the State Government, the displaced persons from Pakistan and the repatriates of Burma and Cylone should be called for interview if they are otherwise suitable and other things being equals, displacement should be regarded as an additional qualification and they should be given preference over the open market candidates but not over the candidates who are retrenched employees of Government or public undertakings. The upper age limit and knowledge of Hindi as a pre-condition for appointment should also be waived subject to the condition that the displaced persons acquire the minimum requisite proficiency in Hindi within a period of one year from the date of appointment.
3. All public undertakings and corporate bodies under the State Government may be requested to give effect to the above decision of Government.

By order of the Governor of Bihar,

(B. K. Dubey)
Deputy Secretary to Government.

Memo No. III/R1—305/68—2872

Patna—15, the Phalgun, 1890

24 February, 1969

Copy forwarded to the :— Director of Man Power
All Regional Employment Exchanges
Director of Public Relations

for information.

4. D. P. R. is requested to give wide publication in the Press.

(B. K. Dubey)
Deputy Secretary to Government.

Pandey. 24. 2/