



GOVERNOR'S SECRETARIAT, BIHAR
RAJ BHAVAN, PATNA-800022

Letter No. BSU(Statute)-19/2019 - 225 /GS(I), Dated- 28-01-2020

From,
R V S Parmar
Law Officer

To,
The Vice Chancellors'
All Universities of Bihar
(Except BASU, Patna & BAU, Sabour)

Sub:- Regarding rendering opinion/ suggestions on the draft Statute framed for making provisions for transfer of Non-Teaching Staffs in the Universities of Bihar and modalities to be adopted for new appointment of Non-Teaching Staffs in Colleges and University Department.

Sir,

With reference to the subject cited above. This is to inform that the three member Vice Chancellor's Committee consisting of Vice Chancellors of Patna University, Patna, Nalanda Open University, Patna and M M H Arabic & Persian University, Patna have prepared a draft Statute for making provisions for transfer of Non-Teaching Staffs in the Universities of Bihar and modalities to be adopted for new appointment of Non-Teaching Staffs in Colleges and University Department.

As per provision contained in clause 36(7) of Bihar State Universities Act, 1976 and Patna University Act, 1976 as amended upto date, I am directed to send draft Statute prepared by the aforesaid Committee, for rendering your kind opinion within ten days from the date of its receipt, failing which it will be assumed that the University is in agreement with the prepared draft Statute.

Please treat it as urgent.

Yours faithfully,

RVS
(R V S Parmar)
Law Officer
A.K.A.

Encl.-As above.

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07.02.2020

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Pl. constitute a committee consisting of Prof. R. Kumar, DSN, DR to study the report minutely. I have no objection about it on my part. I have already sent it to you. The section may be sent to me. If needed

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SO. Estab
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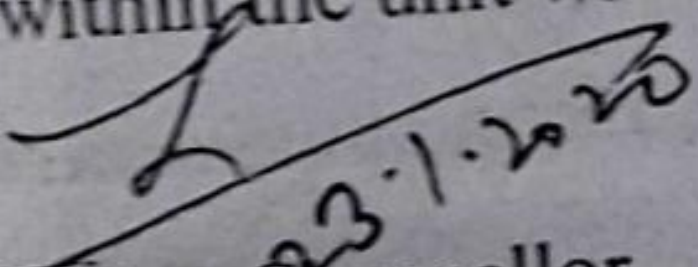
Proceedings of the meeting of Statutes Committee constituted vide Governor's Secretariat memo no. BSU (Statute)-19/2019-1709/GS (1) dated 31-05-2019, held on 21-01-2020 in Raj Bhavan, Patna to discuss the transfer of non-teaching staff in the Universities of Bihar

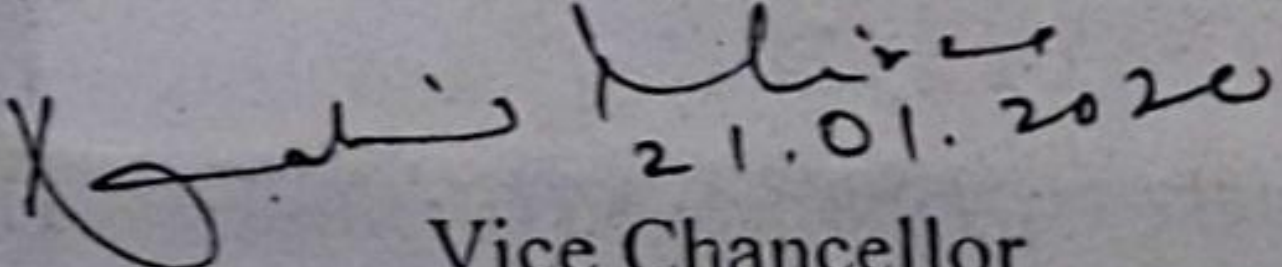
1. Title:- This Statutes shall be called as "Statutes for the transfer of non-teaching staff in the Universities of Bihar"
2. Definitions- Unless there is anything repugnant to the subject or context the terms used in these Statutes, shall have the meaning as set forth below:-
 - (i) Universities stand for the Universities managed and maintained by the Government of Bihar. It includes Patna University, Patna, BRA Bihar University, Muzaffarpur, Magadh University, Bodh Gaya, T.M. Bhagalpur University, Bhagalpur, L.N. Mithila University, Darbhanga, KSD University, Darbhanga, VKS University, Ara, JP University, Chapra, BN Mandal University, Madhepura, Munger University, Munger, Purnea University, Purnea, Patliputra University, Patna, MMHAP University, Patna and Nalanda Open University, Patna.
 - (ii) The term college includes all constituent Colleges.
 - (iii) Non-teaching staff means all those employees of the University, who are not teachers.
3. As per the Statutes of General Conditions of Service of employees in the Universities of Bihar (BSU-41/2013-429/GS (1) dated 04-03-2014), they are divided into two cadres, namely:-
 - (i) Cadre I- University office and Post Graduate Department in respective Universities
 - (ii) Cadre II- Constituent Colleges in respective Universities
4. Both cadres have identical salary bands for respective grades of service but grade pay has been different.
5. Notwithstanding the existing statutory provision of two cadres, the present statute is drafted to the statutory provision for the transfer of non-teaching staff within the respective cadres.
6. There are broadly eight categories of non-teaching employees. They are:-
 - (i) Sectional Head
 - (ii) Assistant
 - (iii) Upper Division Clerk (UDC)
 - (iv) Lower Division Clerk (LDC)
 - (v) Auditor
 - (vi) Accountant
 - (vii) Non-teaching Technical Staff
 - (viii) 4th Grade employees

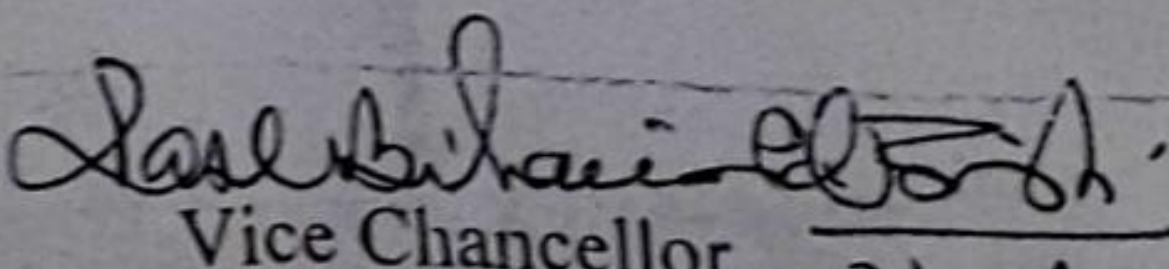
23.1.2020

[Signature]
21.01.2020

7. Every employee shall be liable for transfer from the working office/section/place to other offices/section/place under the existing scale and grade pay, say, one Section head will be transferred only to the post of Section head and so on.....
8. University and allied offices and Post Graduate Department office employees shall be liable for transfer from the Post Graduate Department to University and allied offices and vice-versa. Post Graduate Department employees may also be transferred from one Post Graduate to another Post Graduate Department.
9. In no case, College cadre employees shall be transferred to University and its allied offices and Post Graduate Department and vice-versa.
10. Employees under College cadre shall be liable for transfer within the College office units and also to other constituent College under the territorial jurisdiction of the Universities.
11. Any employee after getting promotion shall be liable for transfer to other unit office/college. However, the transfer shall not affect their seniority in the cadre he/she belongs.
12. Normal tenure of working at one table/place shall be three years in continuation for non-teaching employees.
13. They may be transferred even before completing three years provided the Vice Chancellor considers it necessary in the interest of the functioning of the University. The Vice Chancellor may keep he/she for more than three years in exceptional cases.
14. There shall be a transfer committee of non-teaching employees in each University, which must meet two times in a year, preferably in the month of June and December. The Committee shall consist of Vice Chancellor as Chairman and pro Vice Chancellor and one member of syndicate as members of the committee. The Registrar will act as member secretary.
15. All 4th grade employees including Drivers, Lab. Bearers, Sweepers, Mali and Multi Task Force (proposed by UGC) shall be liable for transfer only within the unit without changing the station of placement.


 Vice Chancellor
 Nalanda Open University, Patna


 Vice Chancellor
 M.M.H. Arabic & Persian University, Patna


 Vice Chancellor
 Patna University, Patna

Suggestion for Modalities for the appointment of non-teaching staffs in the Universities and allied units and Colleges in Bihar

The committee discussed in detail about the modalities with regard to the appointment of non-teaching staff in the Universities and allied units and Colleges in Bihar in the light of Governor's Secretariat memo no. BSU (Statute)-19/2019-1709/GS (1) dated 31-05-2019.

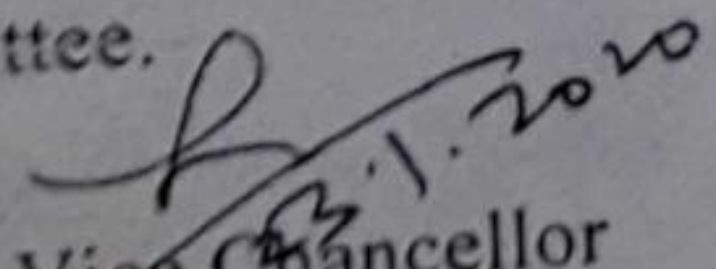
The committee found that the present modalities for the appointment of non-teaching employees in each University headed by the Vice Chancellor as per Governor's Secretariat notification bearing No. BSU-41/2013-429/GS (1) dated 04-03-2014 has not been able to meet the need of Universities.

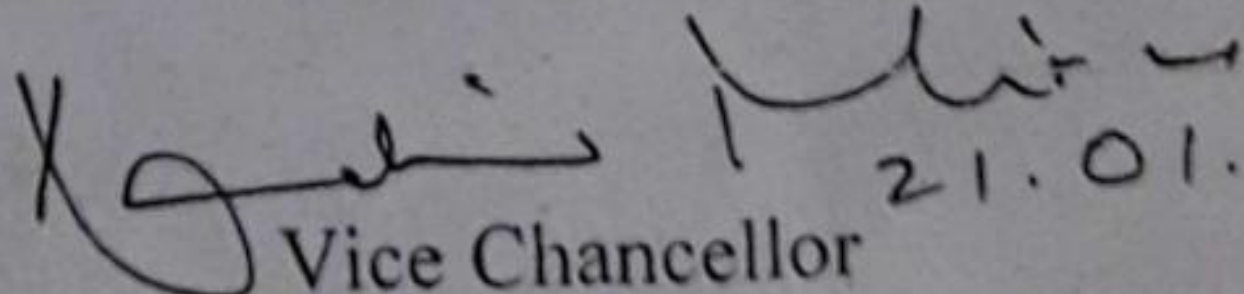
The committee went through the present Statute for the appointment of non-teaching employees in the Universities of Bihar as per Governor's Secretariat notification bearing No. BSU-41/2013-429/GS (1) dated 04-03-2014. As per existing provision, there shall be Selection Committee headed by the Vice Chancellor in each University independently.

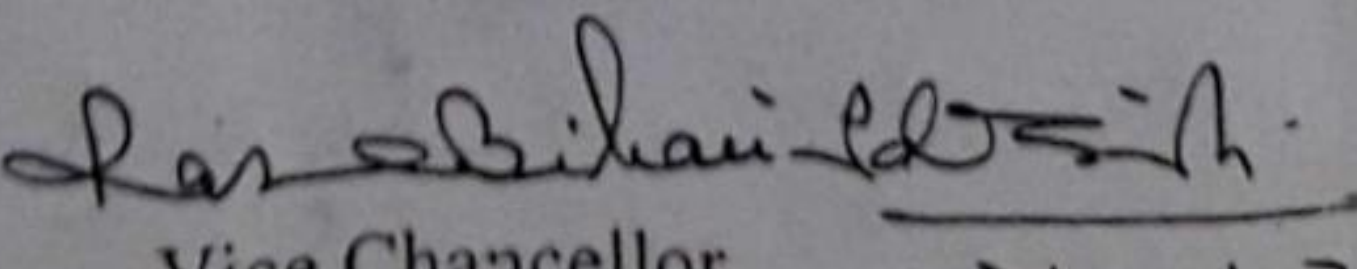
As the service conditions and eligibility conditions are similar for non-teaching employees of the Universities of Bihar, so the present statutory provision seems impractical as every candidate has to apply for different Universities separately and that consumes more time, more expenses and the repeatative process brings frustration to candidates.

Hence, in order to make the appointment process more transparent and smooth, the Committee recommends for the constitution of University Staff Selection Committee consisting of a minimum of five members for the recruitment of all non-teaching staff in the Universities of Bihar. The recruitment may also include appointment on the compassionate ground based on screening and recommendations from respective Universities. The statutory provision of the Selection Committee may be similar to that of Bihar State Staff Selection Committee.

Committee.


Vice Chancellor
Nalanda Open University, Patna


Vice Chancellor
M.M.H. Arabic & Persian University, Patna


Vice Chancellor
Patna University, Patna