

बिहार सरकार
स्वास्थ्य विभाग
अधिसूचना

संख्या-15/खा0-15-05/18 / अधिसूचना संख्या 742(L.S.) दिनांक 02/07/19 का निम्नलिखित अंगरेजी अनुवाद, बिहार-राज्यपाल के प्राधिकार से, एतद् द्वारा प्रकाशित किया जाता है, जो भारत का संविधान के अनुच्छेद 348 के खंड (3) के अंतर्गत अंग्रेजी भाषा में उक्त अधिसूचना का प्राधिकृत पाठ समझा जायेगा।

बिहार राज्यपाल के आदेश से,

सरकार के संयुक्त सचिव

GOVERNMENT OF BIHAR
HEALTH DEPARTMENT

NOTIFICATION

Patna, Dated 02/07/19

No. 742(L.S.) / In exercise of powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Bihar is pleased to make following Rules to regulate appointment and service conditions in the Drugs Control Laboratory Technical Personnels Cadre under the Health Department. -

1. Short title, extent & commencement. - (1) These Rules may be called as the "Bihar Drugs Control Laboratory Technical Personnels Cadre Rules, 2019."

(2) It shall extend to the whole State of Bihar.

(3) It shall come into force at once.

2. Definitions. – Unless otherwise required in the subject or context, in these Rules –

- (i) 'Government' means Government of Bihar;
- (ii) 'Department' means Health Department;
- (iii) 'Act' means Drugs & Cosmetics Act, 1940;
- (iv) 'Rules' means Drugs & Cosmetics Rules, 1945;
- (v) 'Directorate' means Drugs Control Directorate under the Department;
- (vi) 'Director-in-Chief' means Director-in-Chief, Health Services;
- (vii) 'Cadre' means Bihar Drugs Control Laboratory Technical Personnels Cadre; and
- (viii) 'Appendix' means Appendix appended to these Rules.
- (ix) "Comminssion" means Bihar Tehnical Services Commission;

3. Constitution of Cadre. – (1) The Drugs Control Laboratory Technical Personnels Cadre shall be state level and shall comprise of following 4 (four) Sub-cadres :-

- (i) Government Analyst Sub-cadre;
- (ii) Bacteriologist Sub-cadre;
- (iii) Senior Scientific Assistant Sub-cadre;
- (iv) Technician (Bench Chemist) Sub-cadre.

(2) The number of each Category wise posts in each sub-cadre of this cadre and the total number of posts in this cadre shall be Such as may be sanctioned by the Government.

(3) The pay-scale of posts of each Category of each sub-cadre of this cadre shall be the same as may be determined by the Government, from time to time.

4. Recruitment/Promotion. – The direct recruitment/promotion in each sub-cadre of this cadre shall be according to the provisions as specified in the Appendix.

5. After preparing merit list for direct recruitment according to column 6 of the Appendix but before making recommendation, preliminary scrutiny of the certificates and medical examination shall be conducted by the Commission with the cooperation of the Department/Appointing Authority, and thereafter, reservation categorywise final recommendation, in accordance with the requisitioned vacancies, shall be sent to the Department/Appointing Authority. At the level of Department/Appointing Authority also, antecedents of candidates shall be caused to be verified after scrutiny of certificates. After receipt of recommendation from the Commission, compliance of instructions issued by the Government, from time to time, with respect to procedure of appointment, shall be necessary.

6. (1) Subject to availability of vacancy, personnels Confirmed in Service may be considered to be promoted on the posts mentioned in the chain of posts in column-15 of the Appendix, according to seniority-cum-merit.

(2) It shall be necessary to comply instructions issued by the Government (General Administration Department), from time to time, regarding 'KALAWADHI' for promotion.

(3) Compliance of instructions issued by the Government, from time to time, with respect to conditions regarding promotion and character Roll/P.A.R., allegation, departmental proceeding/criminal proceeding etc shall be required at the time of consideration of promotion.

7. Reservation. – It shall be necessary to comply the Reservation Act of the Government and reservation roster for direct recruitment and promotion issued by the Government, from time to time,

8. The personnels appointed/promoted and working (if any) on the posts of this cadre, mentioned in Appendix, from before coming into force of these Rules, shall be deemed to be automatically included in this cadre.
9. **Residue matters.** – For the subjects for which provisions have not been made in these Rules, provisions of the concerned Codes/Rules/Resolutions/Instructions of the Government shall apply.
10. **Interpretation.** – If any doubt arises with respect to interpretation of any provision of these Rules, it shall be referred to the Department and in this respect in consultation with the Law Department, the decision taken by the Department shall be final.
11. **Removal of difficulties.** – If any difficulty arises in implementation of provisions of these Rules, it shall be referred to the Department and the Department shall have powers to remove any such difficulty in consultation with the Law Department
12. **Repeal & Savings.** – (1) The Rules and all Resolutions, Instructions, Orders, etc issued earlier, from time to time, by the Department, with respect to this cadre, are here by repealed.
(2) Notwithstanding such repeal, any work done or any action taken in exercise of powers conferred by the said Rules, Resolutions, Instructions, Orders, etc shall be deemed to be done or taken under these Rules, as if these Rules were in force on the date on which such a work was done or such an action was taken.

	<p>graduate experience in the testing of drugs in a laboratory under the control of Government Analyst appointed under the Act, or (ii) the head of an institution or testing laboratory approved for the purpose by the appointing authority or has completed two years' training on testing of drugs, including items stated in Schedule C, in Central Drugs Laboratory, or</p> <p>(b) possesses a post-graduate degree in Medicine or Science or Pharmacy or Pharmaceutical Chemistry of a University established in India by the law or has an equivalent qualification recognized and notified by the Central Government for such purpose or</p>	<p>the vacancies and invite applications and shall prepare merit list on basis of Eligibility (degree) and work experience.</p>	<p>be recorded in writing if the service is not found satisfactory during extended period also, then the probationer may be removed from service.</p>	<p>the Directorate. Revenue Board, Bihar, Patna. The confirmatory syllabus of the departmental examination shall be determined by the department, taking advice from central examination board, Revenue Board, Bihar, Patna.</p>	<p>on board, the probationer may be</p>	<p>Cadres of the Service Departments; Provided that the meeting of the Departmental promotion Committee to consider promotion in the maximum pay shall be presided over by the Chairman or any Member of the Bihar Public</p>
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<p>Provided that -</p>	<p>(i) for the purpose of examination of items in Schedule C, -</p>	<p>(ia) the persons appointed under clause (a) or (b) and</p>	<p>having degree in Medicine, Physiology, Pharmacology,</p>	<p>Microbiology, Pharmacy</p>	<p>should have experience or training in testing of said</p>	<p>items in an institution or laboratory approved by</p>	<p>the appointing authority for a period of not less</p>	<p>than six months;</p>
<p>(ib) the person appointed under clause (a) or (b) but</p>	<p>not having degree in the above subjects should</p>	<p>have experience or training in testing of the</p>	<p>said Schedule 'C' drugs for a period of not less than</p>	<p>three years in an institution or laboratory</p>	<p>approved by the</p>			

2.	Bacteriologist Sub-cadre	Assistant Bacteriologist	Bihar Technical Service Commission	M.D in Microbiology or M. Sc in Microbiology or M. Pharma	As above	25 years	As above	Government	As above	As above	As above	As above	As above	As above	As above	As above	As above	As above
3.	Senior Scientific Assistant Sub-	Scientific Assistant	Bihar Technical Service Commission	B. Sc in Chemistry or B. Pharma from Recognized University or	As above	21 years	As above	Direct or in-Chief	As above	As above	As above	As above	As above	As above	As above	As above	As above	The Departmental Promotion

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महालेखाकार, बिहार, पटना को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

माननीय मुख्यमंत्री, बिहार के प्रधान सचिव/माननीय मंत्री, स्वास्थ्य विभाग, बिहार, पटना के आत सचिव/विशेष सचिव, स्वास्थ्य विभाग, बिहार, पटना के आत सचिव/प्रधान सचिव, स्वास्थ्य विभाग, बिहार, पटना के आत सचिव/प्रधान सचिव, स्वास्थ्य विभाग, बिहार, पटना के आत सचिव एवं आवश्यक कार्रवाई हेतु प्रेषित।

राज्य औषधि नियंत्रक, बिहार, पटना/प्रभारी पदाधिकारी, बिहार औषधि नियंत्रण प्रयोगशाला, अगमकुआँ, पटना को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

निदेशक प्रमुख, स्वास्थ्य सेवाएँ बिहार, पटना/सभी क्षेत्रीय उप निदेशक स्वास्थ्य सेवाएँ, बिहार/सभी असैनिक एवं शाल्य चिकित्सक-सह-मुख्य चिकित्सा पदाधिकारी/सभी अधीक्षक, चिकित्सा महाविद्यालय अस्पताल को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

विशेष सचिव मंत्रिमंडल सचिवालय विभाग, बिहार, पटना को सूचनार्थ प्रेषित।
वित्त विभाग, बिहार, पटना/वित्त (वै0 दा10 नि0 को0) विभाग को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

राज्य औषधि नियंत्रण प्रशासन के सभी पदाधिकारियों को सूचनार्थ प्रेषित।
सचिव, बिहार तकनीकी सेवा आयोग, बिहार, पटना को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
आई0 टी0 मैनेजर, स्वास्थ्य विभाग को वेबसाईट पर प्रकाशित करने प्रेषित।

सरकार के संयुक्त सचिव,
स्वास्थ्य विभाग, बिहार, पटना।