

Bihar College Service Commission (Repeal) Act, 2007

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Bihar College Service Commission (Repeal) Act, 2007

An Act To repeal the Bihar College Service Commission Act, 1976 (Bihar Act 26, 1976). Be it enacted by the Legislature of the State of Bihar in the fifty eighth year of the Republic of India as follows:-

1. Short Title, Extent And Commencement :-

(1) This Act may be called the Bihar College Service Commission (Repeal) Act, 2007 (2) It shall extend to the whole of the State of Bihar. (3) It shall come into force at once.

2. Definitions :-

In this Act, unless there is anything repugnant in the subject or context :- (a) "Committee of Secretaries" means committee of secretaries constituted under sub section (ii) of section 4.

3. Repeal Of Bihar Act 26, 1976 :-

Bihar College Service Commission Act 1976 (Bihar Act 26, 1976) is hereby repealed.

4. Adjustment Of Employees Of Bihar College Service Commission :-

(i) On and from the date of repeal of the Act, all employees of the Commission, shall remain in employment, as if the Act has not been repealed and they shall continue to be paid same salary and allowances as was payable on the date of repeal of the Act till such time State Government takes such final decision as provided hereinafter. (ii) The State Government shall constitute a Committee of Secretaries consisting of three Secretaries to the State Government, who shall prepare a detailed scheme of absorption,

retirement, compulsory retirement or voluntary retirement, other service conditions of employees of the Commission. Scheme prepared by the Committee of Secretaries shall be placed before the State Government within three months from the date of enforcement of the present Act for its approval. It shall be open to the State Government to modify, amend or suggest modification or amendment in the scheme and the scheme there after shall be made operational in such form and intent as finally approved by the State Government. The scheme approved by the State Government shall be considered as statutory scheme framed under this Act. (iii) After the scheme approved by the State Government is enforced it shall be fully implemented in its form and intent within three months from the date of its enforcement. (iv) The Committee of Secretaries constituted under Sub Section (ii) above shall be competent to decide utility and deployment of employees of the Commission during transit period and it shall not be open to any employee to question decision of the Committee of Secretaries. Provided that the State Government shall be competent to amend, modify, alter or substitute the scheme so framed for removal of the difficulties in implementation of the scheme.

5. Assets And Liabilities :-

All the assets and properties of Bihar College Service Commission whether movable or immovable including lands, building, stores, vehicle, books, cash balance, reserve fund, investments, furnitures and others shall stand transferred and vested on, and be deemed to have come into the possession of the State Government and all the liabilities and obligations of the commission under any agreement or contract entered into bonafide before the commencement of this Act shall devolve and shall be deemed to have been devolved on the State Government.

6. Bar Of Law Suit :-

No law suit and proceedings shall lie in civil courts with respect to the implementation of the provisions of this Act.

7. Savings :-

Notwithstanding repeal of Bihar College Service Commission Act, 1976 (Bihar Act 26, 1976), anything done or any action taken in accordance with the provision of the said Act, if pending shall be decided under the provision of the said Act as if this Act is not repealed for this purpose.