

**Part X—Duties and functions of officers delegating of powers.**

No. I/ P 1-105/52A-8375

Government of Bihar  
Appointment Department

From

B, N, Sinha, Esqre, I. A. S.,  
Deputy Secretary to Government,

To

All Departments of Government

All Heads of Departments,

The Registrar, Patna High Court-

Dated Patna, the 9th September, 1952,

Sub: —

Posting of officers in their home-districts.

Sir,

I am directed to say that Government have decided that officers belonging to the Services noted on the margin should not as a rule be employed in their home-districts.

Indian Civil Service,  
Indian Administrative Service,  
Superior Judicial Service,  
Indian Police,  
Indian Police, Service,  
Bihar Civil Service  
( Executive Branch )  
Bihar Public Service,  
Subordinate Civil Service

where it becomes absolutely necessary to post an officer to his home-district, the special circumstance under which such posting has been ordered should be recorded in writing and an attempt should be made to move the officer to another district as soon as possible. This principle would not, however, apply to the cases of officers belonging to the district of Patna employed in the Secretariat and attached offices, An exception may also be made in case of an officer on the verge of retirement who requests for posting to his home-district. If there are no special reasons for

not acceding to his request, such an officer may be posted to his home-district,

Yours faithfully,

Sd/—B. N. Sinha,  
Deputy Secretary to Government.

Government of Bihar,  
Appointment Department,

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Memo No. III/I2-3015/524 780, Dated, Patna, the 27 January, 1953.

To

All Departments of Government,

An instance has come to the notice of Government where the Private Secretary to a minister made a recommendation on a petition submitted to the Minister and endorsed it to the Secretary of the department concerned, The department treated the recommendation of the Private Secretary as final orders of the Minister and took necessary action without putting up the petition to the Minister for his orders,

2. Private Secretaries to Minister are not empowered to make recommendations on petitions addressed to Ministers. the proper course for them is to submit the petitions to the Minister concerned for his orders or to endorse them to the department concerned for disposal without any comments whatsoever on the request made there in. It is also not regular for departments of Government to take action on recommendations of private Secretaries without obtaining orders of the Minister concerned.

The undersigned is directed to request that the above instructions may be carefully followed in future,

Private Secretaries to Ministers are being informed direct.

(B. N. Sinha),  
Deputy secretary to Government.

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Mem No. III/I2-3015/52A 740 Dated, Patna, the 27th January, 1953,

Copy forwarded to Private Secretaries to Ministers for information and guidance,

(B. N. Sinha),  
Deputy Secretary to Government.

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Government of Bihar.  
Appointment Department,

Memo No. A 7500

Patna, the 29 August, 1953.

To

All private Secretaries to Ministers,

Subject :— Duties and functions of Private

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In supersession of all previous orders on the subject, the State Government have been pleased to decide that a private Secretary to a Minister should perform the following duties and functions :—

(i) He may receive papers and files sent to the Minister from the different departments of Government, place them before the Minister for orders, etc, and return them to the appropriate department or officer as soon as the Minister has disposed them of.

(ii) He will assist the Minister on the personal side of his duties, such as making arrangements for his tours, notifying his tour programmes, making reservations for him in trains, aeroplanes and circuit houses, fixing up his engagements ect.

(iii) He will assist the Minister in regulating interviews. He may for example, find out from the interview-seekers the business on which they wish to see the Minister and may, after consulting the Minister, fix a date and time for the interview, and inform the person concerned.

(iv) He may prepare precis of petitions etc. addressed to the Minister and submit them to the Minister for orders. He may make suggestions about the manner of disposal of a petition, and if the Minister accepts his suggestions, he may endorse them to the Secretary of the department concerned for necessary action. A private Secretary shall not, however, endorse any letter or petition to a department of the Secretariat or a Head of department with his own recommendations, or suggestions, unless the Minister has approved of those recommendations or suggestions. No department of Government or Head of a Department will take action on recommendations or suggestions of Private Secretaries on petitions etc. without obtaining orders of the Minister concerned.

2. A Private Secretary shall not correspond with other State Government or note on files sent to the Minister by any department of the Secretariat or attached office.

3. Government desire that above instructions should be carefully followed in future.

(L. P. Singh,)

Chief Secretary to Government.

Patna, the 29 August, 1953.

Copy forwarded to all Departments Government.

All Heads of Department for information and necessary action.

( L. P. Singh- )

Chief Secretary to Government.

B/

No. I/C1=102/55A (part) 6828.

GOVERNMENT OF BIHAR  
Appointment Department.

From

M. S. Rao, Esqr. I. C. S.  
Chief Secretary to Government.

To

All Departments of Government.  
The Development Commissioner.  
All Divisional Commissioners.  
All Heads of Departments.  
All District officers (including the Additional  
Deputy Commissioner, Dhanbad)

Patna, the 1st September 1955.

SUBJECT—Redefinition of the duties and functions of District Officers.

Sir,

I am directed to say that with the increasing expansion of the activities of Government in all spheres, and particularly of development and welfare activities, it has become necessary to redefine the duties and responsibilities of the District officer. By virtue of his influence as Magistrate and Collector the District officer is best equipped to enlist the active support of the people in the successful implementation of any major programme of development, such as those under the FIVE—Y E A R PLANS; and he can effectively co-ordinate the development and welfare activities of different departments. Government have, therefore, decided that all development and welfare duties should be squarely entrusted to the District officer, and that his responsibilities in this regard should be clearly defined.

2. The District officer's control over development and welfare activities in the district will generally conform to the pattern of District Magistrate's control over the police. The organisational and professional control of the police, up to the district level, is exercised by the Superintendent of Police; and above the district level, by the Deputy Inspector General of Police, and then by the Inspector General of Police. But, subject to certain restrictions, the general functional control over the Superintendent of Police is that of the District Magistrate and in the exercise of this control, the District Magistrate is

guided by the Divisional Commissioner and by Government, and not by the police hierarchy. Similarly, while the organisational, and professional or technical, control over Development Officers of district rank will be that of the departmental superiors, the functional control in non-technical matters will be exercised, within certain limits, by the District Officer. The District Officer will not be burdened with routine matters, establishment duties and technical matters of which he might have little knowledge. he will only be responsible for ensuring :

- (a) that the development and welfare schemes are such as would meet the needs of the people;
- (b) that the time-tables for various schemes are adhered to, and targets reached in time;
- (c) that there is no corruption;
- (d) that there is proper co-ordination and difficulties in the execution of schemes are removed; and
- (e) that wherever necessary, people's co-operation is secured.

3. The District Heads of all development and welfare departments should remain in close touch with the District Officer, and seek his guidance and assistance; and on his part the District Officer should take keen interest in their work and help them in every way. The District Officer's guidance should, however, be confined to the administrative field; and in technical matters the views of the technical officers should prevail, and supervision must come from their own technical superiors. All Heads of Departments should play an active role in establishing successfully these arrangements, and in calculating their subordinates the right attitude towards the District Officer. The anxiety for safeguarding departmental rights, privileges, or prestige should give place to anxiety for furthering the objects of Government as a whole and for speedy progress of work, seeking from and offering to officers of other departments, all the co-operation needed for fulfilling the object.

4. The extent of the District Officer's control over the Development Officers is defined in the succeeding paragraphs. In these paragraphs the term "Development Officer" means an officer of district rank, serving in a district under the control of Government in any of the following departments, and having to deal with development and welfare schemes in the district :—

- |                            |                                |                   |
|----------------------------|--------------------------------|-------------------|
| (a) Development,           | (b) Education,                 | (c) Electricity,  |
| (d) Gram Panchayat,        | (e) Health,                    | (f) Irrigation,   |
| (g) Local Self Government, | (h) Public Health Engineering, | (i) Public Works, |
| (j) Welfare,               | (k) Revenue.                   |                   |

5. The District Officer will have the following powers of administrative and disciplinary control over the Development Officers :—

- (i) A Development Officer, while sending his tour programme for approval to the Head of Department or Divisional Officer as the case may be, for approval, will forward a copy so as to reach the District Officer at least 10 days in advance. The District Officer will be competent to suggest changes in the tour programme, or to instruct the Development Officer to perform a particular tour for a particular purpose. Such instructions as the District Officer may issue, regarding changes in the tour programme of the Development Officer, shall be incorporated in the tour programme and reported by him to the Head of Department or Divisional Officer concerned. If a Development Officer has to proceed on tour at short notice in connection with urgent work, he will report his intention to the District Officer. The District Officer, for reasons to be recorded by him, may require the Development Officer to remain at headquarters.

- (ii) A Development Officer's application for casual leave will be forwarded through the District Officer to the authority competent to grant such leave; and the District Officer's concurrence would be necessary before the leave is granted. After such leave is granted, the Development Officer will have to obtain the permission of the District Officer before leaving the district.

A Development Officer's application for regular leave will be forwarded through the District Officer, who will record his views for the information of the authority competent to sanction the leave.

- (iii) The District Officer may move a Head of Department for the transfer of an officer of that department working in the district, either within the district or outside. If the Head of Department concerned does not wish to accept the recommendation of the District Officer, he will state his reasons, and obtain orders of Government. The District Officer will also have the power to require a Development Officer to transfer within the district, a subordinate officer, who can be transferred by the Development Officer. But before the issue of such an instruction the District Officer will consult the Development Officer.
- (iv) The District Officer will have the power to call for periodical progress reports from the Development Officers in his district, to make observations on them, and to issue such instructions as he may consider necessary. He will, however, confine his observations to administrative matters, and will send copies of his instructions to the Divisional Officer or Head of Department concerned. If the Divisional Officer or Head of Department, as the case may be, has anything to say in regard to the instructions, he will write to the District Officer; and thereafter the matter should be settled by mutual consultation, or if necessary referred to Government for orders.
- (v) The District Officer will be competent to call for a report, in the nature of an explanation, from a Development Officer in respect of any administrative matter; but if he wishes any further action to be taken he will report the matter to the Head of Department concerned.
- (vi) The District Officer will write annual confidential reports on the work and conduct of Development Officers in his district and forward the reports to the Heads of Departments concerned.
- (vii) Copies of all correspondence between the Heads of Departments and their subordinate officers, except those which deal with purely technical or unimportant matters, will be sent to the District Officer. Similarly the District Officer will send to the Heads of Departments concerned copies of all the important instructions issued by him to the Development Officers in the district.

6. Where the jurisdiction of a Development Officer of district rank extends over more than one district, the District Officers of all the districts covered by the jurisdiction of the Development Officer will exercise the powers mentioned in sub-paragraphs (iii), (iv), (v) and (vi) of paragraph 5. The other powers will be exercised with the following modification :—

- (i) A Development Officer of district rank whose jurisdiction extends over more than one district will send copies of his tour programmes to all the District Officers in his jurisdiction and also to the Commissioner of the Division. If a particular District Officer desires any change in the tour programme of the Development Officer, he will move the

Commissioner of the Division, who will issue necessary directions and also inform the Head of Department or Divisional Officer concerned.

- (ii) Casual leave will be granted to the Development Officer subject to the concurrence of the Divisional Commissioner. Applications for regular leave will be forwarded through the Divisional Commissioner.

7. The District Officer is already responsible for the maintenance of law and order and the collection of revenue. Now that all Development and Welfare duties are also being squarely entrusted to the District Officer, it is necessary to ensure that the burden does not become too heavy for one man to carry. Government is taking steps to relieve the District Officer of part of his burden by divesting him of his responsibilities in the matter of administration of criminal justice. This has already been brought about in six districts, where the judicial and executive functions have been separated. This separation will soon be introduced in the remaining districts also. The question of reducing the size of some of the existing districts, and interesting their number, is also under the consideration of Government. There is an Additional Collector posted in every district to assist the District Officer. Government are examining the question of clearly defining the duties of the Additional Collector, so that he may be fully utilised for relieving the burden of the District Officer. Orders on all these points will be issued separately in due course.

Yours faithfully,

Sd./— Illigible,

Chief Secretary to Government.

BSP (P&A)-18-5,000-RP-5.9.55 G.

No I/M1-1067/56-A-4434.

Government Of Bihar  
Appointment Department.

From

V. Balasubrahmanyam, Esq., I. A. s.  
Additional deputy secretary to Government

To

The Accountant-General, Bihar. Ranchi

Consulted unofficially.

(Through the Finance Department)  
Dated Patna, the 27 th April 1956.

Subject:—Delegation of powers to the officers connected with the Anchal Adhikari Scheme and Land Reforms Work.

Sir.

I Am directed to convey the sanction of the State Government to the delegation of the powers as detailed in the enclosed statements I and II of the 'schedule of Powers; to the officers mentioned there in.

2. The incurring of expenditure according to powers delegated is subject to the budget provision being available for purpose.

Yours faithfully,

V. Balasubrahmanyam,  
Additional Deputy Secretary to Government

Memo. No. I/MI-1067/56.A-4434.

Dated Patna, the 27 th April 1956.

Copy forwarded to all departments of Government (excluding Finance Department)/ all  
( ) For Subdivisional officers Commissioners of Divisions/Development Commissioner, Bihar/  
only with spare copies all District Officers (including the Additional Deputy Commis-  
sioner, Dhanbad) /all Subdivisional Officers/all Treasury Officers  
for information (and communication to all Anchal Adhikaris/Circle Officers working under them)

By order of the Governor of Bihar,

V. Balasubrahmanyam,  
Additional Deputy Secretary to Government.

Memo. No. I/MI-1067/56-A-4434

Dated Patna, the 27 th April 1956.

Copy (with enclosure) in triplicate forwarded to the Finance Department/ Appointment Department (Cabinet Section), for information.

By order of the Governor of Bihar,

V. Balasubrahmanyam,  
Additional Deputy Secretary to Government.



# STATEMENT SCHEDULE OF POWERS

Delegated to Anchal Adhikaris Circle Officers and other officers including Block Development Officers connected with the Anchal Adhikari Scheme and Land Reforms Work.

Serial no.	Nature of power,	Authority to which delegation is	Extent of delegation.
1	2	3	4
1	Powers of the head of an office (Rules 289 and 137 of the Bihar Treasury Code, Vol. 1)	(i) Anchal Adhikaris, (ii) Circle Officers. (iii) B. D Os in charge of Revenue work	Full powers. they are declared drawing and disbursing officers in respect of pay and travelling allowance bill of their establishments and office contingent bills of their offices.
2	To sanction casual leave and quarantine leave (Under Appendix 13 to the Bihar Service Code),	(i) Anchal Adhikaris. (ii) Circle Officers (iii) B. D Os. in charge of Revenue work	Full powers of a head of an office in respect of the nongaz. t. Government servant working under them.
3	Powers to grant leave as described against item 18 of Appendix j to the Bihar Service Code.	(i) Anchal Adhikaris, (ii) Circle Officers. (iii) B. D. Os in charge of Revenue work.	Full powers to grant leave up to a period not exceeding three months to the nongazetted Government servants working under them, provided necessary arrangements can be made for carrying on the absentee's duties without reference to the higher authorities and without enhancing the pay of any other Government servant. The higher authorities will have power to revoke the leave granted at any time in exigencies of public service. This power will not extend to the grant of leave to Revenue (Circle) Inspectors.
		Subdivisional Officers,	Full powers including grant of leave to the Revenue (Circle) and the Development and Welfare Inspectors and other nongazetted Government servants working under the Anchal Adhikaris, Circle Officers or Block Development Officers, if substitute is necessary.

4

To make appointments to  
salaried posts.

Commissioners of  
Divisions.

Full powers in respect of the posts of Revenue (Circle) Inspectors and Development and Welfare Inspector subject to the procedure for recruitment prescribed by Government.

District Officers

Full powers in respect of all posts of class III sanctioned under the Anchal Adhikari and Land Reforms Schemes except the posts of Revenue (Circle) Inspectors and Development and Welfare Inspectors subject to the procedure of recruitment prescribed by Government.

Subdivisional  
Officers

Full Powers in respect of all posts of class IV (whose maximum pay excluding C. L. A. does not exceed Rs. 35) sanctioned under the Anchal Adhikari and the Land Reforms Schemes subject to the procedure of recruitment prescribed by Government.

5

Powers to impose penalties of dismissal, removal, or reduction to a lower post or time scale or to a lower stage in time scale ( Rule of the Bihar and Orissa Subordinate Services Discipline and Appeal Rules 1935. )

Commissioners of  
Divisions

Full powers in respect of the Revenue ( Circle ) Inspectors and the Development and welfare Inspectors.

District Officers,

Full powers in respect of the non-gazetted Government servants of class III [ other than the Revenue ( Circle ) Inspectors and the Development and Welfare Inspectors ] who are appointed by him.

**Subdivisional  
Officers**

Full powers in respect of the non-gazetted Government servants of class IV who have been appointed by them.

6

powers to impose penalties prescribed in rule 2 of the Bihar and Orisa Subordinate Services Discipline and Appeal Rules, 1935 other than the dismissal, removal or reduction.

**District officers**

Full powers in respect of the Revenue ( Circle ) Inspectores and the Development and welfare Inspectors.

**Subdivisional  
Officers,**

Full powers in respect of all class III staff employed in Anchals and Circles, except the Revenue ( Circle ) Inspectors and the Department and welfare Inspectors.

(i) Anchal Adhikaris.

Full powers in respect of the class IV staff employed in Anchals and Circles.

(ii) Circle officers

(iii) B. D. Os,  
in charge of  
Revenue work.

7

To sanction ordinary earned increments in respect of salaried posts according to the prescribed rules ( Rule 278 of the Bihar Treasury Code, Vol. I )

(i) Anchal Adhikaris.

Full powers in respect of the non-gazetted Government servants working under them, except the Revenue ( Circle ) Inspectors and the Development and welfare Inspectors.

(ii) Circle Officers.

(iii) B. D. Os.  
in charge of  
Revenue works

**Subdivisional  
Officers.**

Full powers in respect of Revenue ( Circle ) Inspectors and the Development and welfare Inspectors.

- |   |   |   |
|---|---|---|
| 8. To allow mileage allowance to be calculated on the route actually used other than the shortest or the cheapest route.          | District officers   | Full powers in respect of the Anchal Adhikaris and the Circle Officers.   |
| Rule 43 of the Bihar T. A. Rules.)  | Subdivisional Officer,  | Full powers in respect of the non-gazetted staff employed in the Anchals and the Circles.                           |
| 9. To act as Controlling officers under the Bihar T. A. Rules for travelling allowance claims (Rule 157 of the Bihar T. A. Rules) | Subdivisional Officers,   | Full powers in respect of the Anchal Adhikaris and the Circle Officers.   |
|   | (i) Anchal Adhikaris.<br>(ii) Circle Officers,<br>(iii) B. D. Os. in charge of Rev. work. | Full powers in respect of the non-gazetted staff employed under them.   |
| 10. To permit halting allowance to be drawn for a continuous halt to more than 10 nights at any one place.                        | District Officers.  | Full powers in respect of the Anchal Adhikaris and the Circle Officers up to a limit of 30 nights.                  |
| Rule 67 of the Bihar T. A. Rules read with item 6 of Appendix I there to)   | Subdivisional Officers.   | Full powers in respect of the non-gazetted staff working in the Anchals and the Circles up to a limit of 30 nights. |
| 11. To fix wages of daily rated workers.  | Subdivisional Officers.   | Full powers subject to the market condition, but not exceeding Rs. 5 per day per worker.                            |
|   | (i) Anchal Adhikaris.<br>(ii) Circle Officers,<br>(iii) B. D. Os. in charge of Rev. work. | Full powers subject to the market conditions but not exceeding Rs. 2-8-0 per day per worker.                        |
| 12. To fix the piece rate of individual workers on works other than constructional.   | Subdivisional Officers,   | Full powers within the sanctioned estimates.  |
| 13. To sanction contingent expenditure on items not specifically mentioned elsewhere.   | Subdivisional Officers.   | Up to Rs.300 for a single item of non-recurring nature subject to budget provision.                                 |

	(i) Anchal Adhikaris.	Up to Rs. 100 for a single item of non-recurring nature subject to budget provision.
	(ii) Circle Officers	
	(iii) B. D. Os. in charge of Rev. work.	
14. To sanction expenditure on advertisement charges,	Subdivisional Officers.	Full powers subject to budget provision and further subject to an annual expenditure of Rs. 200,
	(i) Anchal Adhikaris.	Not exceeding Rs. 25 in each case subject to a maximum of Rs. 50 per year.
	(ii) Circle Officers	
	(iii) B. D. Os. in charge of Rev. work.	
15. To sanction expenditure on demurrage charges,	Subdivisional Officers,	Charges for demurrage should not ordinarily arise. If in any case, a Subdivisional Officer is satisfied that the amount payable is unavoidable he may sanction payment up to Rs. 100 in each case. If the amount of demurrage exceeds Rs. 100 or if it is found that the demurrage charges are due to the negligence of any Government servant which the Subdivisional Officer concerned should, in the first instance, pay the demurrage to avoid further charges accruing, he should report the matter to the District Officer for further action.
16. To sanction expenditure on local purchase of stationery.	Subdivisional Officers,	Subject to limits in rule 14 of the Bihar Stationery Manual.
17. To sanction expenditure on purchase of non-official publications.	District Officers	Up to Rs. 250 per annum. subject to budget provision for his own office.
	Supd'visional Officers.	Up to Rs. 100 per annum subject to budget provision.

- |   |   |   |
|---|---|---|
| 18. To sanction expenditure on liveries, clothings and other articles.                                  | Subdivisional Officers.   | According to the scale prescribed by the State Government from time to time.  |
| 19 To sanction expenditure on repairs of motor vehicles.  | District Officers   | Full powers subject to budget provision and subject to the condition that the vehicles is inspected by the Motor Vehicles Inspector in case of major repairs costing more than Rs. 500 in each case. Such inspection will not be necessary for minor repairs, distinction between major and minor repairs to be made on the basis of expenditure. |
|   | Subdivisional Officers.   | Up to Rs. 500 per vehicle per annum subject to budget provision.  |
|   | (i) Anchal Adhikaris<br>(ii) Circle Officers.<br>(iii) B. D. Os. in charge of Rs. venue work. | Up to Rs. 100 per vehicle per annum subject to budget provision.  |
| 20. To sanction expenditure on upkeep of typewriters.   | Subdivisional Officers.   | According to prescribed rates.  |
| 21. To sanction expenditure on repairs, erection and removal of machinery. equipments and and fixtures. | District Officers,  | Full powers within detailed estimate to be sanctioned by competent Authority, vide Statement II attached.   |
|   | Subdivisional Officers.   | Full powers within sanctioned detailed estimate, subject to budget provision.   |
|   | (1) Anchal Adhikaris.<br>(ii) Circle Officers,<br>(iii) B. D. Os. in charge of revenue work.  | Up to Rs. 50 in each case of repairs, erection, removal etc.  |

## 22. Repairs of furniture.

District Officers

Full powers, subject to budget provision.

Subdivisional Officers.

Rs. 200 annually, subject to budget provision.

(i) Anchal Adhikaris

Rs. 50 annually, subject to budget provision.

(ii) Circle Officers.

(iii) B. D. Os. in-charge of Revenue work.

## 23. To sanction expenditure on the purchase of furniture and fixtures.

District Officers

Full powers according to prescribed scale subject to budget provision.

## 24. To sanction and purchase of tents and camp equipages.

District Officers

Full powers subject to budget provision.

## 25. To sanction expenditure on—

Subdivisional Officers.

Ditto.

(i) replacement or renewal of parts of a motor vehicle.

(i) Anchal Adhikaris.

Up to Rs. 50 in each case subject to a limit of Rs. 200 in a year according to the scale prescribed and subject to budget Provision in respect of each vehicle.

(ii) Circle Officers.

(iii) B. D. Os. in-charge of Revenue work.

(ii) Tools and accessories for motor vehicles.

Subdivisional Officers.

Full powers subject to budget provision.

(i) Anchal Adhikaris.

Up to Rs. 50 in a year subject to budget provision.

(ii) Circle Officers

(iii) B. D. Os. in-charge of Revenue work.

## 26. Hiring of houses for office accommodation.

District Officers.

UP to Rs. 100 per month in each case subject to a certificate of fairness of rent from the appropriate authority and subject to budget provision.