

**Government of West Bengal**  
**Public Works Department**  
**Establishment Branch**

No. 171

Date: 26. 12. 97

**NOTIFICATION**

In exercise of the power conferred by the proviso to article 309 of the Constitution of India, the Governor is pleased hereby to make the following rules :-

**Rules**

1. Short title and commencement. - (1) These rules may be called the West Bengal Subordinate Services of Engineers (Common Cadres) Rules, 1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application. - These rules shall apply to all Government employees holding (i) the posts of Sub-Assistant Engineer (Civil) in the Public Works Directorate, Public Works (Roads) Directorate and Housing Directorate under the Public Works Department, Public Works (Roads) Department and Housing Department, respectively, of the Government of West Bengal, and (ii) the posts of Sub-Assistant Engineer (Electrical) in the Public Works Directorate, Public Works (Construction Board) Directorate and Housing Directorate under the Public Works Department, Public Works (Construction Board) Department, and Housing Department, respectively, of the Government of West Bengal.

3. Definitions. - In these rules, --

- ( i ) “appointing authority”, (a) in relation to cadres, posts or grades of Sub- Assistant Engineers (Civil) [ borne in the revised scale of pay of Rs. 1390 – 2970/- ], shall be the Chief Engineer in the Civil Wing of the Public Works Department, Government of West Bengal, and (b) in relation to cadres, posts or grades of Sub-Assistant Engineers (Electrical) [ borne in the revised scale of pay of Rs. 1390 – 2970/- ], shall be the Chief Engineer in the Electrical Wing of the Public Works Department, Government of West Bengal;
- (ii) “Commission” means the Public Service Commission, West Bengal;
- (iii) “Common Cadre” means a cadre of same category of posts formed into a cadre under these rules;
- (iv) “Government” means the Government of West Bengal;

- (v) “revised scale” means the revised scale of pay referred to in the West Bengal Services (Revision of pay and Allowances) Rules, 1990.

4. Common Cadres. - (1) There shall be constituted separate cadres for each of the following categories of posts :-

- (i) West Bengal Subordinate Services of Engineers (Civil) consisting of posts of Sub-Assistant Engineer (Civil) in the Public Works Directorate, Public Works (Roads) Directorate and Housing Directorate under the Public Works Department, Public Works (Roads) Department, and Housing Department, respectively, of the Government of West Bengal; and,
- (ii) West Bengal Subordinate Services of Engineers (Electrical) consisting of posts of Sub-Assistant Engineer (Electrical) in the Public Works Directorate, Public Works (Construction Board) Directorate and Housing Directorate under the Public Works Department, Public Works (Construction Board) Department, and Housing Department, respectively, of the Government .

( 2 ) Any one holding on the date of commencement of these rules a post in any of the categories as are being constituted into Common Cadres under these rules shall belong to the respective Common Cadres with effect from the said date and shall come under the management and control of the Public Works Department of the Government.

5. Management and Control of Cadres. -- ( 1 ) Notwithstanding anything contained in any other rules, the Public Works Department shall manage and control the Common Cadres constituted under rule 4.

- ( 2 ) (i) The Public Works (Roads) Directorate / Housing Directorate shall report vacancies in the post of Sub-Assistant Engineer (Civil) occurring in that Directorate and Offices subordinate to them to the Chief Engineer in the Civil Wing of the Public Works Department.
- (ii) The Public Works (Construction Board) Directorate / Housing Directorate shall report vacancies in the post of Sub-Assistant Engineer (Electrical) occurring in that Directorate and Offices subordinate to them to the Chief Engineer in the Electrical Wing of the Public Works Department.
- (iii) The Public Works Department shall fill up such vacancies by making appointment through direct recruitment in consultation with the Commission.

( 3 ) The services of the incumbents so appointment in the respective Common Cadres shall then be placed at the disposal of the respective Directorates, which will issue orders posting the incumbents concerned against the respective vacancies under them.

( 5 ) Notwithstanding the provisions of the West Bengal Services (Classification, Control and Appeals) Rules, 1971 –

- (i) the competent authority of the directorate to which the incumbent is posted shall have the power of the appointing authority for the purpose of placing him under suspension and of the disciplinary authority for the purpose of taking disciplinary proceedings against him subject to subsequent intimation to the appointing authority of the circumstances leading to the order of suspension or the commencement of the disciplinary proceedings, as the case may be;
- (ii) the competent authority of the directorate to which the incumbent is posted may, in the light of the findings in the said disciplinary proceedings, impose any of the penalties specified in Clauses (i), (ii) and (iii) of rule 8 of the West Bengal Services (Classification, Control and Appeals) Rules, 1971, on the incumbent in consultation with the appointing authority but in the event of differences of opinion between the directorate authority and the appointing authority, and the directorate authority shall transmit to it the proceedings of inquiry and thereupon the appointing authority may pass such orders thereon including an order to commence the proceedings de novo, as it deems necessary, after complying with the provisions of rule 10 of the West Bengal Services (Classification, Control and Appeals) Rules, 1971;
- (iii) if the competent authority of the directorate to which the incumbent is posted is of opinion that any of the penalties specified in the clauses (iv) to (viii) of rule 8 of West Bengal Services (Classification, Control and Appeals) Rules, 1971, should be imposed on the incumbent, it shall replace the services at the disposal of the appointing authority and transmit to it the proceedings of inquiry and thereupon the appointing authority may pass such orders thereon including an order to commence the proceeding de novo, as it deems necessary, after complying with the provisions of rule 10 of the West Bengal Services (Classification, Control and Appeals) Rules, 1971;

Explanation. – The disciplinary authority may make an order under this clause on the record of inquiry transmitted by the competent authority of the directorate to which the incumbent is posted or after holding such inquiry as it deems necessary. The disciplinary proceedings commenced by the competent authority of the directorate to which the incumbent is posted shall be taken in consultation with the Commission, where such consultation is necessary.

6. Seniority. -- (i) For each of the Common Cadres constituted under rule 4 there shall be a common gradation list.

(ii) In the common gradation list referred to in sub rule (i), the seniority of a person shall be determined by the provisions of the West Bengal Services (Determination of Seniority) Rules, 1981.

7. Recruitment. -- Notwithstanding anything contained in any other rules for the time being in force, the recruitment to posts in Common Cadres constituted under rule 4 shall be made recruitment in consultation with the Commission.

Repeal and Savings. -- The provisions of any other rules, notifications and orders, in so far as they are repugnant to the provisions of these rules, shall stand repealed :

Provided that --

- (i) such repeal shall not affect the previous operation of the said rules, notifications and orders or anything done or any action taken there under;
- (ii) any promotion/confirmation or appointment to higher cadres, posts or grades and any other service benefit already granted on the basis of the rules and orders in force prior to the coming into effect of these rules shall not in any way be adversely affected.

By order of the Governor,

D. N. BANERJEE

Engineer-in-Chief and Ex-officio

Secretary, Public Works Department.

No. 1676 (8) – E

Date : 26. 12. 97

Copy forwarded to the Public Works (Roads) Department / Public Works (Construction Board) Department / Housing Department / Chief Engineer, Public Works Directorate / Chief Engineer (Electrical), Public Works Directorate / Chief Engineer, Public Works (Roads) Directorate / Chief Engineer, Public Works (Construction Board) Directorate / Chief Engineer, Housing Directorate for information and necessary action.

Deputy Secretary – I, PWD.

No. 1676 /1(3) – E

Date : 26. 12. 97

Copy forwarded to the Finance (Audit) Department / Law Department / Secretary, Public Service Commission, West Bengal for information.

Deputy Secretary – I, PWD.

No. 1676 /2(25) – E

Date : 26. 12. 97

Copy forwarded to the Additional Chief Engineer, Jalpaiguri, PWD / Superintending Engineer, PWD \_\_\_\_\_ Circle for information.

Assistant Secretary – II, PWD.

**Government of West Bengal  
Public Works Department  
Establishment Branch**

No. 172

Date: 26. 12. 97

**NOTIFICATION**

In exercise of the power conferred by the proviso to article 309 of the Constitution of India, the Governor is pleased hereby to make the following rules :-

**Rules**

1. Short title and commencement. - (1) These rules may be called the Rules regulating recruitment to the posts of (i) Sub-Assistant Engineer (Civil) and (ii) Sub-Assistant Engineer (Electrical) borne in the Common Cadre of West Bengal Subordinate Services of Engineers (Civil) and West Bengal Subordinate Services of Engineers (Electrical), respectively, constituted under rule 4 of the West Bengal Subordinate Services of Engineers (Common Cadres) Rules, 1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. - In these rules, --

- (i) “appointing authority”, (a) in relation to posts of Sub- Assistant Engineer (Civil) in the West Bengal Subordinate Services of Engineers (Civil), shall be the Chief Engineer (Civil), Public Works Department, Government of West Bengal, and (b) in relation to posts of Sub-Assistant Engineer (Electrical) in the West Bengal Subordinate Services of Engineers (Electrical), shall be the Chief Engineer (Electrical), Public Works Department, Government of West Bengal;
- (ii) “Government” means the Government of West Bengal;
- (iii) “Commission” means the Public Service Commission, West Bengal;

The method of, and the qualifications for, recruitment will be as detailed below : --

(1) Name of post : Sub-Assistant Engineer (Civil).

- (a) Method of recruitment : By direct recruitment on the results of a combined written test followed by interview to be conducted by the Commission.
- (b) Qualifications : Diploma in Civil Engineering from the State Council for Engineering and Technical Education, West Bengal, or its equivalent.

- (c) Age : Not more than 30 years on the 1st day of January of the year of advertisement. In the cases of candidate who are already in the employment of the Central Government or the State Government or the Damodar Valley Corporation or any other statutory body recognised for the purpose by the Government or who had been in such employment but are not out of such employment for more than a year on the said date, the age limit shall be relaxable to the extent of the actual period spent continuously in such employment. The age limit shall also be relaxable in the cases of Scheduled Caste and Scheduled Tribe and certain other reserved candidates as per Government rules.
- (d) Number of chances available for appearing at the examination : No candidate shall be allowed more than three chances, provided there shall be no chance limit for the candidates belonging to Scheduled Caste or Scheduled Tribe or certain other reserved categories as per Government rules. The departmental candidates shall also be eligible to apply, provided they possess the requisite qualifications.

(2) Name of post : Sub-Assistant Engineer (Electrical).

- (a) Method of recruitment : By direct recruitment on the results of a combined written test followed by interview to be conducted by the Commission.
- (b) Qualifications : Diploma in Electrical Engineering from the State Council for Engineering and Technical Education, West Bengal, or its equivalent.
- (c) Age : Not more than 30 years on the 1st day of January of the year of advertisement. In the cases of candidate who are already in the employment of the Central Government or the State Government or the Damodar Valley Corporation or any other statutory body recognised for the purpose by the Government or who had been in such employment but are not out of such employment for more than a year on the said date, the age limit shall be relaxable to the extent of the actual period spent continuously in such employment. The age limit shall also be relaxable in the cases of Scheduled Caste and Scheduled Tribe and certain other reserved candidates as per Government rules.

- (d) Number of chances available for appearing at the examination : No candidate shall be allowed more than three chances, provided there shall be no chance limit for the candidates belonging to Scheduled Caste or Scheduled Tribe or certain other reserved categories as per Government rules. The departmental candidates shall also be eligible to apply, provided they possess the requisite qualifications.

By order of the Governor,

D. N. BANERJEE

Engineer-in-Chief and Ex-officio

Secretary,

Public Works Department.

No. 1677 (8) – E

Date : 26. 12. 97

Copy forwarded to the Public Works (Roads) Department / Housing Department / Public Works (Construction Board) Department / Chief Engineer, Public Works Directorate / Chief Engineer (Electrical), Public Works Directorate / Chief Engineer, Public Works (Roads) Directorate / Chief Engineer, Public Works (Construction Board) Directorate / Chief Engineer, Housing Directorate for information and necessary action.

Deputy Secretary – I, PWD.

No. 1677 /1(3) – E

Date : 26. 12. 97

Copy forwarded to the Finance (Audit) Department / Law Department / Secretary, Public Service Commission, West Bengal with reference to his letter No. 186 P.S.C. (S&R)/1R – 32/85 Dt. 8.12.97 for information.

Deputy Secretary – I, PWD.

No. 1677 /2(25) – E

Date : 26. 12. 97

Copy forwarded to the Additional Chief Engineer, Jalpaiguri, PWD / Superintending Engineer, PWD \_\_\_\_\_ Circle for information.

Assistant Secretary – II, PWD.