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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts

SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 11th November, 2019.

CONSTITUTION OF INDIA

No. GHL/2019/06/SSP/152009/501445/A:- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and in supersession of all the rules made in this behalf, the Governor of Gujarat hereby makes the following rules to provide for regulating the conditions of service of persons appointed to the post of Deputy Director, Class I or Social Welfare Officer, Class II or Assistant Social Welfare Officer, Class III in the Directorate of Developing Castes Welfare, Gujarat State, in so far as they relate to the passing of departmental examination for promotion to the respective post of Joint Director, Class I or Deputy Director, Class I or Social Welfare Officer, Class II, namely:

1. Short title, extent and commencement -

- (1) These rules may be called the Joint Director, Class I or Deputy Director, Class I or Social Welfare Officers, Class II (Departmental examination) Rules, 2019.
- (2) They shall come into force from the date of their publication in the Official Gazette;
- (3) They shall apply to the persons appointed as Deputy Director, Class I or Social Welfare Officer, Class II or Assistant Social Welfare Officer, Class III in the Directorate of Developing Castes Welfare whether by promotion or otherwise.

2. Definitions - In these rules, unless the context otherwise requires, -

- (a) "Appendix" means an Appendix appended to these rules;
- (b) "appointed date" means the date on which these rules shall come into force;
- (c) "Departmental examination" means the departmental examination prescribed under these rules.

- (d) "Direct recruit" means a person appointed as Deputy Director, Class I or Social Welfare Officer, Class II or Assistant Social Welfare Officer, Class III otherwise than by promotion.
- (e) "Government" means the Government of Gujarat.
- (g) "Institute" means Sardar Patel Institute of Public Administration (SPIPA) or such institute as may be specified by the Government;
- (h) "Old Rules" means the rules prescribed under the Government of Gujarat, (i) Education and Labor Department vide notification No. Gh/SH/256/BCE /1666/82018-J dated 30th January, 1971 (ii) Social Justice and Empowerment Department notification no. GH/SH/42009/MKM/102004/948/J dated 03/02/2009 and (iii) Social Justice and Empowerment Department notification no. GH/SH/5/2011/MKM/102007/948/J dated 28/07/2011.
- (i) "Relevant Departmental examination" means the Departmental examination prescribed under the old rules.
- (j) "specified chances" means the number of chances specified in these rules within which a person is required to pass the examination.
- (k) "specified period" means the period specified in these rules within which a person is required to pass the examination;

3. Eligibility to appear in the examination -

- (1) To be eligible for promotion to the post of Joint Director, Class I or Deputy Director, Class I or Social Welfare Officer, Class II, a person appointed to the respective post in the feeder cadre i.e. Deputy Director, Class I or Social Welfare Officer, Class II or Assistant Social Welfare Officer, Class III shall be required to pass the departmental examination within a period of three years and within three chances from the date of his completing three years' continuous service after his appointment on the respective post in the feeder cadre unless he has passed the relevant departmental examination or has been exempted from passing the relevant departmental examination:

Provided that a person belonging to the Scheduled Castes or Scheduled Tribes may be given one additional chance to be availed of within a period of one year from the date of expiry of the period specified in these rules.

Provided further that the chances for passing the relevant departmental examination shall be deemed to have been provided under these rules and a person who has been provided any chance under the old rules shall be allowed to avail the remaining chances under these rules:

Provided also that where the period of passing the departmental examination expires before providing the person the chances available to him under these rules, the said period shall be deemed to have been extended up to the result of the examination.

- (2) If a person, fails to pass the departmental examination, referred to in these rules within the specified period and within the specified chances, he shall, notwithstanding such failure, be eligible to appear in the departmental examination at any time on payment of an examination fees as may be determined by the Government from time to time in this behalf and on passing the departmental examination, he shall be eligible for promotion:

Provided that such person shall not be entitled to claim seniority over those persons who have passed the departmental examination earlier than him and also have been promoted before he become eligible for such promotion on passing such departmental examination after Specified chances;

- (3) No person shall be eligible to appear at the departmental examination unless he has passed the post-training examination for existing post except he has been exempted from the post-training examination, if any.

4. Syllabus and scheme of Departmental examination -

- (i) The syllabus for the departmental examination for promotion from Assistant Social Welfare Officer, Class III to Social Welfare Officer, Class II shall be as specified in Appendix "A".
- (ii) The syllabus for the departmental examination for promotion from Social Welfare Officer, Class II to Deputy Director, Class I shall be as specified in Appendix "B".
- (iii) The syllabus for the departmental examination for promotion from Deputy Director, Class I to Joint Director, Class I shall be as specified in Appendix "C".
- (iv) The departmental examination shall consist of five papers having hundred marks each. The examination shall consist of Multiple Choice Questions(MCQs).
- (v) The candidate shall be allowed to answer the papers of all the subjects with the help of books.

Explanation:- "With books" means original book of the subjects approved by the Government or the institute which includes bare Acts and/ or Rules without any commentaries or case laws and manuals issued under the Act published by the Government.

5. Holding of Examination -

- (1) The departmental examination shall be held ordinarily twice in a year by the Institute.
- (2) The tentative programme of the Departmental examination shall be communicated by the Institute to the Social Justice and Empowerment Department and to the office of the Director of Developing Castes Welfare, Gujarat State at least ninety days before the provisional date prescribed by the Institute.

6. Application for appearing in the Departmental Examination -

- (1) A person who desires to appear at the Departmental examination under these rules shall send his application for enlisting his name as a candidate for such examination to the Director General, Sardar Patel Institute of Public Administration, through the Director Developing Castes Welfare, Gujarat State, in the form as prescribed in Appendix "D" at least sixty days before the date of the commencement of the examination.
- (2) The Director, Developing Castes Welfare shall scrutinize the application and after ascertaining the eligibility of the applicants to appear at the departmental examination in accordance with these rules. The Director, Developing Castes welfare shall forward the same alongwith the Certificate of Eligibility as specified in these rules to the Director General, Sardar Patel Institute of Public Administration.
- (3) If the applicant subsequently decides not to appear at the departmental examination, he shall give an intimation thereof to the Director General, Sardar Patel Institute of Public Administration, through the Director of Developing Castes Welfare at least thirty days before the date of commencement of the departmental examination.
- (4) In the event of any person failing to appear at the examination after having enlisted his name as a candidate for appearing as such but without intimating as aforesaid, he shall be deemed to have lost one chance to pass the Departmental examination:

Provided that the Government may condone such failure on the part of the concerned person to give intimation as referred to in sub-rule (3) and the consequence arising there from if it is satisfied that the person has failed to give intimation within time for the reasons beyond his control.

- (5) The Director General, Sardar Patel Institute of Public Administration shall admit candidates to the examination on the strength of the eligibility certificate issued by the Director of Developing Castes Welfare that they are eligible to appear at the Departmental examination.

7. Standard of passing Departmental Examination:

- (1) The standard for passing the departmental examination shall be fifty percent, of total marks assigned to each paper.
- (2) A unsuccessful candidate who has secured 60% (sixty percent.) or more marks in any one or more papers shall be exempted from appearing in those papers at the subsequent examination:

Provided that any exemption obtained by such candidate in any paper under the old rules shall be deemed to have been obtained in the corresponding paper under these rules.

- (3) A candidate who has secured 80% (eighty percentage) or more aggregate marks in the examination in the first chance shall be paid cash amount as an incentive as determined by the Government.

8. Medium of examination -The medium of the written examination shall be Gujarati or English as per instruction, given in the question paper.

9. Publication of Result - The result of the examination shall be published by the Director General, Sardar Patel Institute of Public Administration in the Official Gazette and shall forward to the Director, Developing Castes Welfare, Gujarat State under the intimation to the Social Justice and Empowerment Department. The Director, Developing Castes Welfare, Gujarat State shall intimate the result to the candidates.

10. Prohibition to use certain devices in the Examination hall - A candidate shall not be allowed to carry with him any other electronic communication devices like cellular phone, calculator, pager, etc.

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APPENDIX 'A'**Syllabus of the Departmental Examination for Social Welfare Officer, Class II****(see rule 4(i))****Paper I: Service Matters****Time: 3 Hours (with Books)****Marks: 100**

1. The Gujarat Civil Service (Conduct) Rules, 1971
2. The Gujarat Civil Service (Discipline and Appeal) Rules, 1971
3. The Gujarat Civil Services [Classification and Recruitment (General)] Rules, 1967.
4. The Prevention of Corruption Act, 1988.

Paper II: Financial Matters**Time: 3 Hours (with Books)****Marks: 100**

1. An introduction to Indian Government Accounts and Audit Whole Book except the following:
Chapters: 7.9 Part C, D, E. Chapters 18,21,22,23,31,32,33,34,36, (Paras 76 to 776 to 785) Chapter 37,38,39.
2. The Gujarat Budget Manual, Part I and II
3. The Bombay Contingent Expenditure Rules, 1959
4. The Financial powers (Delegation) Rules, 1998

Paper III: Financial Matters**Time: 3 Hours (with Books)****Marks: 100**

1. (a) The Gujarat Civil Services (Leave) Rules, 2002
(b) The Gujarat Civil Services (joining Home, Foreign Service, Deputation out of India, payment during suspension, dismissal and removal) Rules, 2002.
(c) The Gujarat Civil Services (Occupation of Government Residential accommodation) Rules, 2002
(d) The Gujarat Civil Services (Pay) Rules, 2002
(e) The Gujarat Civil Services (General conditions of Services) Rules, 2002
(f) The Gujarat Services (Traveling Allowance) Rules, 2002
(g) The Gujarat Civil Services (Additions to Pay) Rules, 2002
(h) The Gujarat Civil Services (Pension) Rules, 2002.

Paper IV: Minor Acts/Rules**Time: 3 Hours (with Books)****Marks: 100**

1. The Gujarat Primary Education Act 1947, (Bom. LXI of 1947.)
2. The Gujarat Co-operative Societies Act 1961 with rules.

3. The Gujarat Money Lenders Act, 2011 (Guj.14 of 2011)
4. The Right of Children to Free and Compulsory Education Act, 2009
5. The Protection of children from Sexual Offences Act (POCSO), 2012
6. The Right to Information Act, 2005.
7. The Office Procedure Manual(Non Secretariat)

Paper V: Backward Classes and Their Amelioration

Time: 3 Hours (with Books)

Marks: 100

1. Welfare schemes for S.E.B.C, EBC, Minority, NTDNT.
 2. SEBC Commission Report and action taken by the Government
 3. Provisions for Reservation for SEBC and list of the Back ward class communities.
 4. Caste certificate, Definition of Creamy layer, and scrutiny committee and its function.
 5. Corporation for Backward classes and its functions.
 6. Ideal Residential Schools and Government Hostels.
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APPENDIX 'B'**Syllabus of the Departmental Examination for Deputy Director, Class I****(see rule 4(ii))****Paper I: Service Matters****Time: 3 Hours (with Books)****Marks: 100**

1. The Gujarat Civil Service (Conduct) Rules 1971
2. The Gujarat Civil Service (Discipline and Appeal) Rules, 1971 and its manual.
3. The Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.
4. The Prevention of Corruption Act, 1988.
5. The State Emblem of India (Prohibition of improper use) Act, 2005
6. Panchayati Raj and Structure of Panchayati Raj in Gujarat.

Paper II: Financial Matters**Time: 3 Hours (with Books)****Marks: 100**

1. An introduction to Indian Government Accounts and Audit Whole Book except the following:
Chapters: 7.9 Part C,D,E. Chapters 18,21,22,23,31,32,33,34,36, (Paras 76 to 776 to 785) Chapter 37,38,39.
2. Gujarat Budget Manual, Part I and II
3. The Bombay Contingent Expenditure Rules, 1959
4. The Financial powers (Delegation) Rules, 1998
5. The Gujarat State Procurement Policy, 2016.
6. The Gujarat Financial Rules, 1971.

Paper III: Financial Matters**Time: 3 Hours (with Books)****Marks: 100**

1. (a) The Gujarat Civil Services (Leave) Rules, 2002
(b) The Gujarat Civil Services (Joining Home, Foreign Service, Deputation out of India, payment during suspension, dismissal and removal) Rules 2002.
(c) The Gujarat Civil Services (Occupation of Government Residential Accommodation) Rules, 2002
(d) The Gujarat Civil Services (Pay) Rules, 2002
(e) The Gujarat Civil Services (General conditions of Services) Rules, 2002
(f) The Gujarat Services (Traveling Allowance) Rules, 2002
(g) The Gujarat Civil Services (Additions to Pay) Rules, 2002
(h) The Gujarat Civil Services (Pension) Rules, 2002.

2. Existing Higher Pay Scale Scheme/Rules**Paper IV: Minor Acts/Rules****Time: 3 Hours (with Books)****Marks: 100**

1. The Gujarat Primary Education Act, 1947, (Bom. LXI of 1947.)
2. The Gujarat Co-operative Societies Act 1961 with rules.
3. The Gujarat Money Lenders Act, 2011(Guj.l4 of 2011)
4. The Right of Children to Free and Compulsory Education Act, 2009
5. The Protection of children from Sexual Offences Act (POCSO), 2012
6. The Right to Information Act, 2005.
7. Rules of Business and instructions there under.
8. Instructions of Roster Manual(How to prepare, maintain roster register and allocation of roster points)
9. Recruitment Rules
10. Channel of Submission.

Paper V: Backward Classes and Their Amelioration**Time: 3 Hours (with Books)****Marks: 100**

1. Welfare schemes for S.E.B.C, EBC, Minority, NTDNT.
 2. SEBC Commission Report and action taken by the Government
 3. Provision for Reservation for SEBC and list of the Back ward class communities.
 4. Caste Certificate, Definition of Creamy Layer, and scrutiny committee and its function.
 5. Corporation for Backward classes and its functions.
 6. Residential Schools and Government Hostels.
 7. The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act 1979)
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APPENDIX 'C'**Syllabus of the Departmental Examination for Joint Director, Class I****(see rule 4(iii))****Paper I: Service Matters****Time: 3 Hours (with Books)****Marks: 100**

1. The Gujarat Civil Service (Conduct) Rules, 1971
2. The Gujarat Civil Service (Discipline and Appeal) Rules, 1971 and its manual.
3. The Gujarat Civil Services [Classification and Recruitment (General)] Rules, 1967.
4. The Prevention of corruption Act, 1988.
5. The State Emblem of India (Prohibition of Improper Use) Act, 2005
6. The Constitution of India.
7. The Gujarat Public Service Commission (Consultation) Regulation, 1960.

Paper II: Financial Matters**Time: 3 Hours (with Books)****Marks: 100**

1. An introduction to Indian Government Accounts and Audit Whole Book except the following:
Chapters: 7.9 Part C,D,E. Chapters 18,21,22,23,31,32,33,34,36, (Paras 76 to 776 to 785)
Chapter 37,38,39.
2. Gujarat Budget Manual
3. The Bombay Contingent Expenditure Rules, 1959
4. The Financial Powers (Delegation) Rules, 1998
5. The Gujarat State Procurement Policy, 2016.
6. The Gujarat Treasury Rules, 2000.

Paper III: Financial Matters**Time: 3 Hours (with Books)****Marks: 100**

1. (a) The Gujarat Civil Services (Leave) Rules, 2002
(b) The Gujarat Civil Services (Joining Home, Foreign Service, Deputation out of India, payment during suspension, dismissal and removal) Rules 2002.
(c) The Gujarat Civil Services (Occupation of Government Residential Accommodation) Rules, 2002
(d) The Gujarat Civil Services (Pay) Rules, 2002
(e) The Gujarat Civil Services (General conditions of Services) Rules, 2002
(f) The Gujarat Services (Traveling Allowance) Rules, 2002
(g) The Gujarat Civil Services (Additions to Pay) Rules, 2002

(h) The Gujarat Civil Services (Pension) Rules, 2002.

2. Purchase policy of Government of Gujarat

Paper IV: Minor Acts/Rules

Time: 3 Hours (with Books)

Marks: 100

1. The Gujarat Primary Education Act, 1947, (Bom. LXI of 1947.)
2. The Gujarat Co-operative Societies Act 1961 with rules.
3. The Gujarat Money Lenders Act, 2011(Guj.14 of 2011)
4. The Right of Children to Free and Compulsory Education Act 2009
5. The Protection of children from Sexual Offences Act (POCSO), 2012
6. The Right to Information Act, 2005.
7. Confidential Report Rules and Guidelines.
8. Performance Appraisal Report.
9. Examination Rules
10. Loksabha/Rajyasabha Questions-their types and procedure

Paper V: Backward Classes and Their Amelioration

Time: 3 Hours (with Books)

Marks: 100

1. Welfare schemes for S.E.B.C, EBC, Minority, NTDNT.
 2. SEBC Commission Report and action taken by Government
 3. Provision for Reservation for SEBC and list of the Back ward class communities.
 4. Caste certificate, Definition of Creamy layer, and scrutiny committee and its function.
 5. Corporation for Backward classes and its functions.
 6. Residential Schools and Government Hostels.
 7. Scheduled Castes and Scheduled Tribes (Prevention of Atrocity) Act 1979
 8. The Protection of Civil Rights Act, 1955
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APPENDIX 'D'**(see rule 6(1))****Application Form**

Application for appearing at examination to be held by the Sardar Patel Institute of Public Administration in 20....

1.	Applicant's name in full (surname first) (in English and Gujarati)	
2.	Designation (in English and Gujarati)	
3.	Name of the Office in which at present serving	
4.	Birth date and age at the time of this examination	
5.	Date of appointment and total year of service (Gazetted / Non-Gazetted)	
6.	Whether the candidate has appeared at the examination previously? If so.	
	a) Month and Year of examination at which appeared	
	b) Whether any exemption is earned? If so, details of marks, year of examination and subject should be given.	
	c) Whether the candidate intends to avail of exemption earned? State 'Yes' or 'No'.	
7.	Authority or the rule under which candidate has to appear for the examination	
8.	Number of chances and time limit within which a candidate is required to pass the examination (dates of eligibility)	
9.	Whether additional (Special) chances has been granted (Number and date of orders under which the additional (special) change has been granted to candidate should be specified and accept thereof should be sent)	
10.	No, and date of orders relaxing age and/or service limits from competent authority (copies of order should be sent)	
11.	Purpose of passing the examination (e.g. confirmation, retention in Government Service, promotion etc.)	
12.	Whether he is eligible to appear at the examination according to rules of the Departmental examination.	
13.	Whether candidate intends to answer all papers in English or in Gujarati if not, give details regarding papers which he desires to answer in English and Gujarati.	
14.	Remarks if any.	

Place:

Date:

(Signature of the Applicant)

CERTIFICATE OF ELIGIBILITY

Certified that -

- (1) The above particulars are verified and found correct. Shri/Smt./Kum.....is eligible to appear at the Lower level/Higher Level Departmental examination for promotion to the post of to be held in
- (2) * Necessary fee is paid, copy of Challan is attached herewith.
- (3) * Candidate is granted additional chance, a copy of order is attached.

Place:

Date:

* Strike out whichever is not applicable.

(Signature and designation of the
Head of Department/Office)

By order and in the name of the Governor of Gujarat,

I. M. GHANCHI,
Under Secretary to Government.
