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PART IV-A

Rule 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, 17th October, 2016.

Constitution of India.

GHM/2016/ 25 /No: MKM/112016/461034/A :- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Gujarat hereby makes the following rules to provide for regulating the method of examination for recruitment to the post of Assistant Social Welfare Officer, Class III, in the subordinate service of Directorate of Developing Castes Welfare, Gujarat State, namely:-

1. Short title and application .—

- (1) These rules may be called the Assistant Social Welfare Officer, class III, Competitive Examination Rules, 2016.
- (2) They shall apply to the persons, who are eligible to be appointed by direct recruitment to the post of Assistant Social Welfare Officer, Class III, in the subordinate service of the Directorate of Developing Castes Welfare, Gujarat State.

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

- (a) "Appendix" means an Appendix appended to these rules;
- (b) "Board" means the Gujarat Subordinate Services Selection Board, Gandhinagar or such Board as may be constituted by the state Government in this behalf;
- (c) "Department" means Social Justice and Empowerment Department. Gujarat State, Gandhinagar;
- (d) "Directorate" means the Directorate of Developing Castes Welfare, Gujarat State. Gandhinagar;

- (e) "Examination" means the competitive examination held by the Board under these rules for the purpose of direct recruitment to the post of Assistant Social Welfare Officer, Class III, in the subordinate services of the Directorate of Developing Castes Welfare, Gujarat State;
- (f) "Government" means the Government of Gujarat;
- (g) "relevant recruitment rules" means the recruitment rules prescribed by the Government for the post of Assistant Social Welfare Officer, Class III Competitive Examination Rules, 2016;

3. Educational Qualification and Age limit.—

- (1) The candidate possessing the requisite educational qualifications, other qualifications and requirements for appointment to the post of Assistant Social Welfare Officer, Class III, prescribed under the relevant recruitment rules of the said post shall be eligible for admission to the examination.
- (2) The candidate must have attained the minimum age and not have attained the maximum age as prescribed under the recruitment rules of the said post on the date as specified in the advertisement by the Board.

4. Procedure for preparing of requisitions .—

- (1) Every year, Directorate shall send the requisition indicating their requirements for appointments to the post of Assistant Social Welfare Officer, Class III, to the Department as specified in Appendix-B which shall be sent to the Board by the Department as specified in Appendix-B .
- (2) The Directorate shall also send the requirement for appointment to the post of Assistant Social Welfare Officer, Class III, for the next year in the manner as may be directed by the Government from time to time by general or special order in format as specified in Appendix-C which shall then be sent by the Department to the Board as specified in Appendix-C.
- (3) The estimate of anticipated requirements of selected candidates shall not depend merely upon the actual number of vacancies existing or likely to arise on some particular date. But the Directorate shall prepare an estimate of their probable recruitments by past experience depending upon the probable vacancies on account of resignations and other grounds and creation of new posts owing to anticipated developments etc. Thus, this estimate shall not merely be an estimate of exact available number of posts that may fall vacant during particular period as shown in sub-rule (2) of Rule 4 but shall be an exhaustive numerical estimate of anticipated requirements of Assistant Social Welfare Officer, class III, during that period. Utmost care should be taken that this estimate is not excessively beyond the actual requirement of one year.

5. Holding of Examination.—

- (a) The Board shall, on receiving the requisition from the Government, publish an advertisement in the prominent news papers widely circulated in the Gujarat State, inviting applications in the prescribed form, from the eligible candidates for the appointment to the post of Assistant Social Welfare Officer, Class III;
- (b) The procedure to call for application and scrutiny of the applications shall be decided by the Board;
- (c) The Board shall hold an examination for selection of candidates;
- (d) The date, time and the places for holding the examination shall be decided by the Board;

- (e) The candidate shall require to attend all the stages of examination at his own expenses.

6. Application for appearing in Examination .—

- (a) The candidate who desire to appear at the examination shall submit his application in such form, within such time limit as may be prescribed by the Board alongwith such fees as may be fixed by the Government.
- (b) The fees shall be paid in such manner as the Board may determine. The fees once paid shall not be refunded or held over for the subsequent examination.
- (c) The request of the candidate for withdrawal of application and refund of fees shall not be entertained in any circumstances.

7. Decision of Board shall be final .—

- (1) No candidate shall be allowed to appear at the examination unless the Board is satisfied that,-
- (a) The candidate possesses the requisite qualifications and fulfills other requirements under the recruitment rules of the post of Assistant Social Welfare Officer, Class III;
- (b) He has paid the requisite fees alongwith the application;
- (c) The candidate is eligible in all respect and complies with all the requirement.
- (2) The decision of the Board as to the eligibility of the candidate for admission to the examination shall be final.
- (3) Subsequently, if at any time, the candidate is found ineligible to appear at the examination, his candidature shall be treated as cancelled and if already selected and appointed, his appointment shall be treated as cancelled *abinitio* and his service shall be terminated forthwith:

Provided that such candidate shall be given an opportunity of being heard before terminating his service.

8. Conduct and Regulation of Examination .—

The Board shall regulate all matters relating to appointment of examiners, supervisors, remuneration payable to them and conduct of examination in accordance with the procedure adopted by it and in conformity with the Government's order in that behalf.

9. Mode of examination .—

- (a) the examination shall be Optical Marks Reader (OMR) Test as specified in the Appendix-A.
- (b) The Board shall after receiving the application from the candidates, verify the application in accordance with these rules and call the eligible candidates for examination.

10. Syllabus of Examination.—

The syllabus of the examination shall be as specified in Appendix-A.

11. Qualifying Standard and marks.-

The qualifying standard for examination shall be determined by the Board from time to time, if necessary separately for reserved and non-reserved categories of candidates. However, minimum qualifying standard determined by the Board shall not in any case be less than 40% of marks.

12. Medium of Examination.—

The medium of examination shall be Gujarati except the portion of English. The questions shall be answered by the candidates on an Optical Marks Reader (OMR) sheet.

13. Examination fees.—

- (1) Each candidate shall unless exempted under sub-rule (2) of this rule, shall pay an examination fee as fixed by the Government to the Board in such manner prescribed by the Board in respect of an application made by him under these rules and attach a document evidencing such payment along with such application.
- (2) The candidate who is a member of Scheduled Castes, Scheduled Tribes, Socially and Educationally Backward Classes or Nomadic and De-notified Tribes or Disabled persons, shall be exempted from the payment of fees prescribed under sub-rule (1) of above as per the Government orders issued.

14. Prohibition to use certain devices in examination hall.—

The candidate shall not allow to carry with him a cellular phone, calculator, pager, tablet, i-pad or any other electronics communication devices.

15. Disciplinary Actions .—

The candidate who is or has been declared by the Board, to be guilty of

- (a) obtaining support for his candidature by any means;
- (b) impersonating;
- (c) procuring impersonation by any person;
- (d) submitting fabricated documents or documents which have been tempered with;
- (e) making statement which are incorrect or false or suppressing material information;
- (f) resorting to any other irregular or improper means in connection with his candidature for the examination;
- (g) using unfair means during the examination;
- (h) writing irrelevant matter, including absurd language or pornographic matter in the scripts;
- (i) misbehaving in any other manner in the examination hall;
- (j) harassing or doing bodily harm to the staff employed by the Board for the conduct of the examination;
- (k) attempting to commit or, as the case may be, abetting of all or any of the acts specified in the foregoing clauses;
- (l) violating any of the conditions for admission to appear in the examination as prescribed and specified in the admission certificate to take the examination, may, in addition to rendering himself liable to criminal prosecution, be liable-
 - (i) to be disqualified by the Board from the examination for which he is a candidate, or
 - (ii) to be debarred either permanently or for a specified period,-
 - (a) by the Board, from appearing in any examination or candidature for the concerned post; or
 - (b) by the State Government from any employment under it:

Provided that no penalty under sub-clause (i) or (ii) shall be imposed except after giving the candidate an opportunity of making such representation in writing as he may wish to make in that behalf and with the prior approval of the Secretary of the General Administration Department (personnel); or

- (iii) to disciplinary action under the relevant rules, if he is already in the Government service.

16. Preparation of Select List and Waiting List .-

- (1) The result of all the candidates shall be arranged by the Board in the order of merit on the basis of marks finally awarded to each candidate in the examinations specifying their names, seat numbers and total marks obtained by him and the same shall be caused to be published on the notice board and /or on the website and the copy of the result so published shall be sent to the Government.
- (2) The Board shall cause to prepare a select list in accordance with this rule, in order of merit on the basis of aggregate marks finally awarded to each candidate in the examination to the extent of the number of vacancies requisitioned.
- (3) The Board shall also prepare a list of successful candidates belonging to the Scheduled Castes, Scheduled Tribes, Socially and Educationally Backward Classes and Women and Ex-Servicemen to the extent of the number of vacancies reserved for such categories.
- (4) The Board shall also prepare a waiting list showing the names, seat numbers and total marks of the successful candidates as per their category and the waiting list shall contain about 20% of total number of candidates requisitioned by the Department on demand.
- (5) The waiting list referred to in sub-rule (4) of this rule shall be operative for a period of two year from the date of publication of the result or till the date of publication of the result of the next examination whichever is earlier.

17. Result of Examination.—

The Board shall declare the result of the examination in two parts as under namely:-

- Part I
- (a) The Board shall declare the list of successful candidate in examination.
 - (b) The result shall be caused to be published in the *Official Gazette* by the Board and the copy of the result so published in the *Official Gazette* shall be sent to the Government.
 - (c) The Board shall communicate the result to the successful candidates individually in the manner as may be decided by the Board. The Board shall not enter into any further correspondence with the successful candidates after communication of the result.
- Part II
- The Board shall prepare a waiting list in accordance with sub-rule (4) of rule of 16. The waiting list of the successful candidates shall be arranged in the order of merit specifying their names, seat numbers and total marks obtained by the candidates and the same shall be published on the notice board and/ or on the website and in the *Official Gazette* by the Board.
- Part III
- The Board shall prepare a list of the unsuccessful candidates who are not included in Part I and Part II, specifying their names, seat numbers and total marks obtained by them and same shall be published on the notice board of the Board and / or on website.

- 18. Rechecking of marks.—** The candidate who desires to have his marks of written test to be rechecked may apply to the Board along with such Fees as may be determined by the Board within a period of 15 days from the date of declaration of the result of the examination.

- 19. Recommendation and Allocation .—** The Board shall recommend the candidates qualified for appointment to the Department according to its requirements shown in the requisition sent to the Board. The Department shall then allot the candidates to the Directorate. The

- Directorate thereafter shall issue orders of appointments of the candidates so allotted and such orders shall be sent to the concerned candidates by Register Post Acknowledgement Due. (R.P.A.D.)
20. **No right to appointment.**— Merely qualify in the examination shall not by itself confer upon a candidate any right to appointment and no candidate shall be appointed to the post unless the appointing authority is satisfied after such inquiries as may be considered necessary that the candidate is suitable in all respect for appointment to the post and public service.
21. **Medical Examination .-**
The candidate qualified for appointment shall require to pass the medical examination in accordance with the provisions of the Gujarat Civil Services (General Conditions of Services) Rules, 2002.
22. **Appointment .—**
Appointment of the selected candidates shall made strictly in order of their rank in the merit list prepared by the Board.
23. **Joining to post.—**
The selected candidates for appointment to the post of Assistant Social Welfare Officers, class III, shall require to join his posting within 30 days from the date of receipt of the appointment order. If the candidate fail to join his posting within 30 days, his appointment order shall be cancelled. However, if it is established that for the reasons beyond his control the candidate could not join the posting within 30 days, the competent authority may, for reasons to be recorded in writing, allow such candidate to join the posting even after expiry of 30 days. However, the seniority of such candidate shall determined with reference to his actual date of joining the post subject to provisions laid down under the Training and Examination Rules as may be prescribed by Government in this behalf.
24. **Pre-service Training.—**
(1) The candidates selected for the post of Assistant Social Welfare Officer, before his regular appointment, shall require to undergo pre-service training and pass the post-training examination in the specified period and chances in accordance with the training and examination rules as may be prescribed by the Government.
(2) The Director General, Sardar Patel Institute of Public Administration, Ahmedabad, shall arrange for imparting the pre-service training and examination for the candidates selected for appointment to the posts of Assistant Social Welfare Officer, class III, under these rules. The candidates shall require to be sent for training in the training centres under the Sardar Patel Institute of Public Administration by the respective offices in which they are appointed.
25. **Departmental Examination.—** The candidate selected for the post of Assistant Social Welfare Officer, class III, after his appointment, shall have to pass the departmental examination, if any within the time and chances specified in the departmental examination rules made by the Government from time to time.
26. **Controlling Authority.—**
The Director shall be the controlling and the coordinating authority for implementation of these rules.
27. **Interpretation in case of doubt.—**
If any question arises as to the interpretation of these rules, the question shall be referred to the Secretary, Social Justice and Empowerment Department for the decision and his decision in the matter shall be final.

[illegible]

APPENDIX-C

(See rule 4 (2))

The Statement showing the number of vacancies for the post of Assistant Social Welfare Officer, Class III, which may acquiring during next recruitment year in the Directorate of Developing Castes Welfare.

Sr. No.	Name of the post and scale of pay.	Anticipated vacancies.			Total No. of anticipated vacancies. (Column 3+4+5)	Breakup of the total No. of vacancies (column 6) in to General and reserved categories of posts.				No. of vacancies to be reserved from the total No. of vacancies (column 6) as per rules for.					
		Actual vacant posts.	New posts likely to be created during the recruitment year.	Posts which may fall vacant due to retirement promotion, resignation, etc.		General	SC	ST	SEBC	Women.				Physically Handicapped.	Ex. Servicemen
										General	SC	ST	SEBC		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1															

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

BHAVIN PATEL,
Under Secretary to Government.
