



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. LVII] TUESDAY, OCTOBER 25, 2016/KARTIKA 3, 1938

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

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, 21st October, 2016

Constitution of India.

No.GHL/2016/ 26 / MKM/112015/739252/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 conditions of service of persons directly recruited to the post of Social Welfare Inspector Class III or Assistant Social Welfare Officer Class III in so far as they relate to their Pre-Service training and passing of the post- training Examination, namely:-

1. Short title, extent and commencement.-

- (1) These rules may be called the Social Welfare Inspector Class III or Assistant Social Welfare Officer Class III (Conditions of Service relating to Pre-service Training and passing of Post-Training Examination) Rules, 2016.
- (2) They shall come into force from the date of their publication in the *Official Gazette*.
- (3) They shall apply to the persons directly recruited as Social Welfare Inspector Class III or Assistant Social Welfare Officer Class III in the Directorate of Developing Caste Welfare, Gujarat State.

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

- (a) "Appendix" means the Appendix appended to these rules;
- (b) "Director General" means the Director General of Sardar Patel Institute of Public Administration;
- (c) "direct recruit" means a person appointed on the post of Social Welfare Inspector Class III or Assistant Social Welfare Officer Class III in the Directorate of Developing Caste Welfare, Gujarat State on recommendation by the Gujarat Subordinate Service Selection Board through Competitive examination;

- (d) "Institute" means the Sardar Patel Institute of Public Administration or such other Institute as may be notified by the Government;
- (e) "Post- training Examination" means examination held by the Institute that has imparted the Pre service training to the direct recruits.

3. Institutional training and scheme of Examination. -

Every direct recruits shall require to undergo institutional training in the Institute and pass the post-training examination conducted by the Institute, in accordance with the following provisions, namely:-

- (1) The institutional training shall be for a period of eight weeks. This training shall be imparted by the Institute.
- (2) The direct recruit shall be under the control of the Institute during the period of their institutional training is held.
- (3) The post-training examination shall be held by the Institute after the institutional training period is over. The direct recruit who have completed the institutional training programme shall require to pass the post-training examination. After completion of the institutional training, the direct recruit shall require to work in their respective offices until their post-training examination.

4. Examination and Syllabus. -

- (1) The post-training examination shall consist of five papers. Each paper shall be of 100 (one hundred) marks. The syllabus of each paper shall be as specified in **Appendix-I**. The examination shall be referred to as post-training examination and shall be conducted by the Institute.
- (2) The examination shall consist of Multiple Choice Questions (MCQs) except Paper 4, which shall be descriptive. Answers in Paper 4 shall be required to be written in English or Gujarati, as per the instructions given in the question paper.
- (3) The candidate shall be allowed to answer the Question Papers 1 to 3 and 5 with the help of books except Paper 4 which shall be without books.

Explanation: "With books" means original book of the subject approved by the Government or the Institute from time to time which includes bare Acts and / or Rules without any commentaries or case laws and includes manuals issued under the Act published by the Government of Gujarat.

5. Attempts for passing Examination. -

- (1) The direct recruits shall be required to pass the post-training examination within three attempts during their probation period:

Provided that a person belonging to the Scheduled Castes or Scheduled Tribes or Socially and Educationally Backward Classes who is unable to pass the post- training examination within three attempts, shall be allowed an additional attempt which shall have to be availed of within a period of one year from the date of declaration of the result of the post- training examination of his third attempt.

- (2) If a direct recruit fails to pass the post- training examination in the prescribed attempts his services shall be terminated:

Provided that if, the State Government is satisfied that a person could not pass the post- training examination within prescribed attempts for reasons beyond his control, it may, after recording reasons in writing allow him not more than two additional attempts to pass

such post-training examination on payment of an examination fees as may be determined by the Government from time to time:

Provided further that, if a person passes the post-training examination after availing the additional attempts, he shall not be entitled to claim seniority over those persons who have passed such examination earlier than him within the specified attempts and specified period.

- (3) In the circumstances mentioned in sub-rule (1) and (2) above, if the Examination are not conducted in time or result thereof can not be declared before the contractual period of the direct recruits is over, his contractual period shall be deemed to have been extended till the declaration of the result of the Post-training Examination of his last additional attempt.
- (4) Not appearing in the examination, shall be considered as an attempt.

6. Publication of results. -

The Director General, shall declare the results of the examination and submit the result of each Post-training Examination to the Government. The Government shall publish the same in the *Official Gazette*.

7. Qualifying standard for passing the Examination.--

- (1) The standard for passing the post-training examination shall be of fifty per cent of the total marks assigned to each paper.
- (2) An unsuccessful candidate who secures sixty per cent or more marks in any one or more papers shall be exempted from appearing in that or those papers at the subsequent examinations.
- (3) The direct recruits shall not be entitled to any travelling allowance for the journeys performed by him to attend institutional training and/or to appear in the post-training examination.

8. Eligibility to appear in Examination.-

- (1) In order to qualify for appearing at the Post-training examination, a direct recruit shall be required to attend minimum of 85% of the total number of lectures in the institutional training otherwise he shall be disqualified for appearing in the post-training examination and shall be liable to be terminated from his contractual appointment.

Provided that if the Director General is satisfied that a candidate has failed to receive the training satisfactorily for the reasons beyond his control, such candidate may be allowed to undergo the training again.

- (2) During the period of institutional training, a direct recruit shall not be allowed any leave or absence for more than three days. If the direct recruit remains absent for more than three days and the Director General of the Institute is satisfied that his absence is not due to any unavoidable circumstances beyond his control, he may direct to deduct the pay of the direct recruit for the days of absence.

9. Books for Institutional training:-

The Institute shall provide books for institutional training and for post- training examination to the direct recruit without obtaining any security deposit during their institutional training in the Institute. The direct recruits shall be required to return the books as soon as the post-training examination is over. In case of their loss or damage, price of the books shall be recovered from the direct recruit by the Institute.

10. Prohibition to use certain devices in the Examination Hall:-

A direct recruit shall not be allowed to carry with him any type of communication devices like cellular phone, lap-top, i-pad, tablet, calculator etc. in the examination hall.

11. Security and surety bond. -

Every direct recruit shall require to execute a bond in the form as specified in Appendix-II.

12. Miscellaneous Prvisions:-

- (1) The Director General shall be entitled to change or alter training schedule of the Examination as per the prevailing circumstances.
- (2) After passing the Post-training Examination, the direct recruit shall be required to work as Social Welfare Inspector Class III or Assistant Social Welfare Officer Class III in the Head Office or District offices of the Directorate, Developing Castes Welfare.

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

BHAVIN PATEL,
Under Secretary to Government.

APPENDIX-I

(See rules 4(1))

Syllabus for Institutional Training and Post-training Examination for the direct recruits Social Welfare Inspector, Class III or Assistant Social Welfare Officer, Class III

Paper 1: Total—100 Marks, Duration 3 hours, With Books

Constitution of India, Panchayati Raj, Other important Legislation and office Procedure

- (1) Fundamental Rights.
- (2) Directive Principles.
- (3) Article 15,16,17,339,340 and 341 of the Constitution of India.
- (4) Union list, State list and Concurrent list.
- (5) Panchayati raj and structure of Panchayati raj in the Gujarat, its power and limitations.
- (6) The Prevention of Corruption Act-1988
- (7) The Right to information Act, 2005.
- (8) Office Procedure Manual.
- (9) Roster Manual.

Paper 2: Total—100 Marks, Duration 3 hours. With Books. Service Matters

- (1) The Gujarat Civil Services Rules, 2002 (Vol. I to VIII).
- (2) The Gujarat Civil Service (Conduct) Rules, 1971.
- (3) The Gujarat Civil Service (Discipline and Appeal) Rules, 1971.
- (4) The Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.

Paper 3 : Total—100 Marks, Duration 3 hours. With Books. Financial Matters

- (1) The Gujarat Financial Rules, 1971.
- (2) The Gujarat Treasury Rules, 2000.
- (3) Delegation of Financial Powers.

- (4) Purchase policy of Government of Gujarat.
- (5) The Bombay Contingent Expenditure Rules, 1959.

Paper 4: Total—100 Marks, Duration 3 hours. Without Books. Noting and Drafting

- (1) Noting in English and Gujarati.
- (2) Different types of Government orders and their utilization and importance (Notices, Office orders, GR, Notification, Circular)
- (3) Translation from Gujarati to English and English to Gujarati.
- (4) Essay in English and Gujarati.
- (5) Government Correspondence - Different types of letters.
- (6) Grammar English and Gujarati.

Paper 5 Total—100 Marks, Duration 3 hours, With Books.

- (1) Various state welfare schemes for SEBC/EBC/Minorities and NT/DNT and Centrally sponsored schemes.
- (2) A.R.Baxi Commission report and its recommendation.
- (3) Short note on B.P.Mandal Commission report and its recommendation.
- (4) Caste Certificate for SEBC and Provision of Scrutiny Committee.
- (5) Short notes on ideal Residential Schools.
- (6) Corporations for the welfare of Backward Classes and its functions.
- (7) Short notes on the judgment in the case of Madhuri Patil Vs Additional Commissioner, in Hon.Supreme Court of India.
- (8) Short notes on the judgment in the case of Indra Sawhney Etc. Vs Union of India in Hon.Supreme Court of India.

APPENDIX-II

(See rule 11)

SECURITY BOND

Know all men by these presents that I _____ a candidate selected for appointment to the post of _____ on contractual basis in accordance with the rules contained in Government Notification,..... Department, No. dated the (hereinafter referred to as "the rules") am held and firmly bound up; to the Governor of Gujarat exercising the executive power of the Government of the State of Gujarat (hereinafter referred to as "the Government" which expression shall, unless the context otherwise requires, include his successors in office and assigns) in the amount equal to pay and allowances paid to me by the Government during my training plus amount prescribed by the Government from time to time towards the cost of training imparted to me by the Institute, being an expenditure incurred by the Government to my training and which is to be paid to the Government for which payment, well and truly to be made I find myself, my heirs, executors, administrators and legal representatives by these presents... Whereas I am required under the rules to execute a bond for refund to the Government of the amount equal to pay and usual allowance drawn by me during the training in the event of my (a) failure to complete the institutional training, or (b) failure to appear in the examination, or (c) failure to comply with any of the provisions of the contractual rules, if any, to the satisfaction of the Government appointment (d) quitting service before the completion of the period of 3 years from the date of my regular appointment on satisfactory completion of the contractual period. Now, the condition of the above written bond is that, if, I shall

duly and faithfully observe and perform the stipulations and condition on my part to be observed and performed as contained in the said rules (Which rules shall be deemed to form part of these presents), then the above written bond shall be void, otherwise the same shall remain in full force and effect,:

Provided that without prejudice to other right or remedies, it shall be open to the Government to recover the amount payable under this bond as arrears of land revenue.

In witness whereof I have here to set my hand this day of 20

Signature of candidate

Signed and delivered by the above named in the presence of :-

1. Signature and full address.
2. Signature and full address.

SURETY

We and residing at in taluka District Declare ourselves sureties for the above (hereinafter referred to as "the candidate") and guarantee that the candidate shall do and perform all that he has undertaken to do and perform and in case of his (1) failure to complete the institutional training or (2) failure to appear in the examination, or (3) failure to comply with any of the provisions of the contractual appointment rules, if any, to the satisfaction of the Government, we hereby bind ourselves jointly and severally to forfeit to the Government of Gujarat exercising the executive power of the Government of the State of Gujarat (hereinafter referred to as "the Government") the amount equal to the pay and allowances paid to him by the Government during his training plus amount prescribed by Government from time to time towards the cost of training imparted to him by the Institute, being an expenditure incurred by the Government on his training in which the candidate has bound himself and we agree that the Government may, without prejudice to other rights or remedies available to the Government recover the said amount from us as an arrear of land revenue; and we also agree that any variation of the terms and conditions specified in the said rules shall not discharge us from our liabilities to pay the said amount and for the purpose of enforcement of our liability under this agreement, our liability shall be joint and several with that of the candidate.

Dated this day of 20 Signed and delivered by the said.

Date: Signature of Surety.
Place: Full address and occupation.

Date: Signature of Surety.
Place: Full address and occupation.

In the presence of:

1. Signature Full address and Occupation of witness:
2. Signature Full address and Occupation of witness:

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

BHAVIN PATEL,
Under Secretary to Government.