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PART IV-A

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

SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 16th August, 2016.

CONSTITUTION OF INDIA

NO.GH/SH/21/2016/MKM/10/2000/583(251915)/CHH:-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 directly recruited to the post of Chief Officer, Probation Officer and Head Master / Principal of homes for disabled, 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 Chief Officer, Probation Officer and Head Master / Principal of homes for disabled, 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 persons directly recruited on the post of Chief Officer, Probation Officer and Head Master / Principal of homes for disabled, Class III in the Directorate of Social Defence Department, Gujarat State otherwise than by promotion from a lower post.

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

- (a) "Appendix" means the Appendix appended to these rules;
- (b) "Contractual post" means the post of Chief Officer, Probation Officer and Head Master / Principal of homes for disabled, Class III in the Directorate of Social Defence Department, Gujarat State on which direct recruits are appointed on contractual basis;

- (c) "Director General" means the Director General of Sardar Patel Institute of Public Administration (SPIPA);
- (d) "direct recruit" means a person appointed on contractual basis on the post of Chief Officer, Probation Officer and Head Master / Principal of homes for disabled, Class III in the Directorate of Social Defence Department, Gujarat State through the Competitive examination;
- (e) "examination" means the post-training examination held by the Institute that has imparted pre-service training to the direct recruits to the post specified in appendix "A", in the Directorate of Social Defence Department, Gujarat State;
- (f) "Institute" means the Sardar Patel Institute of Public Administration (SPIPA);
- (g) "Specified chances" means number of chances specified in these rules within which a person is required to pass the examination.

3. Institutional training and scheme of Examination.- Every direct recruit 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 six weeks. The training shall be imparted by the Institute.
- (2) The direct recruit shall be under the control of the Director General of Institute during the period of their institutional training.
- (3) The examination shall be held by the Institute after the institutional training period is over. The direct recruits who have completed the institutional training programme shall require to pass the examination. After completion of the institutional training, the direct recruits shall require to work in their respective offices until their examination.

4. Examination and Syllabus.-

- (1) The post-training examination shall consist of four papers. Each paper shall be of 100 (one hundred) marks. The syllabus of each paper shall be as specified in Appendix-A.
- (2) The examination shall consist of Multiple Choice Questions (MCQ) except Paper-4, which shall be descriptive type.
- (3) The candidate shall be allowed to answer the question papers with the help of books. Answer of question Paper-4, shall require to give 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 manual issued under the Act and published by the Government of Gujarat.

5. Attempts for passing Examination. -

- (1) The direct recruits shall be required to pass the examination within three attempts and within five years of their contractual period:

Provided that a person belonging to the Scheduled Castes or Scheduled Tribes who is unable to pass the 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 examination of his third attempt.

- (2) If a direct recruit fails to pass the examination in the prescribed attempts as required under these rules, his services shall be terminated.

Provided that if, the State Government is satisfied that a person could not pass the examination within prescribed attempts for the reasons beyond his control, it may, after recording the reasons in writing allow him not more than two additional attempts to pass such examination on payment of an examination fees as may be determined by the Government from time to time;

Provided further that, if a person has not passed the examination in prescribed attempts and passes the examination of 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 sub-rule(2) above, if the examination is not conducted in time or result thereof cannot 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 examination of his last attempt.
 - (4) Not appearing in the examination, shall be considered as an attempt.
6. **Publication of result.-** The Director General, shall declare the results of the examination and submit to the Government. The Government shall publish the same in the *Official Gazette*.
7. **Qualifying standard for passing of examination.-**
- (1) The standard for passing the examination shall be of fifty percent, of the total marks assigned to each paper.
 - (2) An unsuccessful candidate who secures sixty percent, 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 recruit shall not be entitled to claim any travelling allowance for the journeys performed by him to attend the institutional training and for appearing in the examination.
8. **Eligibility to appear in examination.-**
- (1) In order to qualify for appearing at the examination, a direct recruit shall require to attend minimum of 85% of the total number of lectures in the institutional training otherwise he shall be disqualified for appearing in the examination and shall be liable to be terminated from his contractual appointment.
 - (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 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 the Institutional training.-** The Institute shall provide books for institutional training and for the examination to the direct recruits without obtaining any security deposit during their institutional training in the Institute. The direct recruit shall require to return the books as soon as the examination is over. In case of their loss or damage, price of the books shall be recovered from the direct recruits by the Institute.
10. **Prohibition to use certain device in the Examination Hall.-**No direct recruit shall be allowed to carry with him any other electronic communication devices like pager, cellular phone, lap top, i-pad, calculator etc. in the examination hall.

11. Security and surety Bond.-

- (1) Every direct recruit shall be required to execute a bond in the form as specified in Appendix-B.
- (2) After passing the examination, the direct recruit shall be required to work as the post of Chief Officer, Probation Officer and Head master /Principal of homes for disabled, Class III in the Department of the Directorate of Social Defence Departments, Gujarat State.

12. Miscellaneous Provisions.- The Director General shall entitle to change or alter the training schedule of the examination as per the prevailing circumstances.**APPENDIX - A***(See rule 4 (I))*

Syllabus for Institutional Training and Post-training Examination for the direct recruits the post of Chief Officer, Probation Officer and Head Master / Principal of homes for disabled, Class III.

Paper 1: Office Procedure

Total-100 Marks, Duration 2 hours, (With Books)

- (1) Office procedure in the Department of the Secretariat.
- (2) Office Procedure of Heads of the Departments and offices under their administrative control.
- (3) General information about administrative setup in the Departments of the Secretariat and in the offices of Heads of Departments and offices under their administrative control, (including panchayats).
- (4) Channel of submission.

Paper 2: General Administrative Knowledge (General Idea)

Total-100 Marks, Duration 2 hours, (With Books)

- (1) The Gujarat Civil Services Rules, 2002 (Vol. I to VIII).
- (2) The Gujarat Budget Manual.
- (3) The Gujarat Financial Rules.
- (4) The Bombay Contingent Expenditure Rules, 1959.
- (5) The Gujarat Treasury Rules, 2000.

Paper 3: Service Matter

Total-100 Marks, Duration 2 hours, (With Books)

- (1) The Right to Information Act, 2005.
- (2) The Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.
- (3) Confidential Report Rules and Guidelines.
- (4) Roster Manual (How to prepare, maintain roster register and allocation of Roster points).
- (5) The Gujarat Civil Services (Conduct Rules), 1971 (General Idea).
- (6) The Gujarat Civil Services (Discipline and Appeal) Rules, 1971.

Paper 4: English and Gujarati language

Total-100 Marks, Duration 3 hours (Without Books)

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| (1) | Re-writing para with particular reference to noting and Drafting Correspondence with public and other agencies. | 20 Marks |
| (2) | Translation from English to Gujarati. | 10 Marks |
| (3) | Translation from Gujarati to English. | 10 Marks |
| (4) | Gujarati Grammar. | 10 Marks |
| (5) | English Grammar. | 10 Marks |
| (6) | Government Correspondence Different types of letters and difference between them. Government Letter-DO letters etc | 20 Marks |
| (7) | Administrative Vocabulary Gujarati and English and its usage. | 20 Marks |

APPENDIX - B

(See Rule 11 (1))

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 rules the contained in the Government Notification Department, No dated the (hereinafter referred to as "the rules") 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 Saradar Patel Institute of Public Administration, Ahmedabad, being an expenditure incurred by Government to my training and which is to be paid to the Government for which payment, well and truly to be made I bind 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 appointment rules, if any, to the satisfaction of the Government or (d) quitting service before the completion of the period of the 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 conditions 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

(Full name and address)

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 named
 (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 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, if any, to the satisfaction of the Government, or (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. We hereby bind ourselves jointly and severally to forfeit to the Government of Gujarat exercising the executive power of the Government of 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 the 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 arrears 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 will be joint and several with that of the candidate.

Dated this day of20 Signed and delivered by the said.

Date:

Place:

Signature of Surety.

Full address and

Occupation.

Date:

Place:

Signature of Surety.

Full address and

Occupation.

In the presence of:

Signature

Full address and

Occupation of witness:

Signature

Full address and

Occupation of witness:

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

MAHENDRA CHAUHAN

Under Secretary to Government.