

NOTIFICATION

**Tribal Development Department,
Sachivalaya, Gandhinagar.
Dated the 26th November, 2019.**

**Constitution
of India.**

No. MKM/102019/543/KH : 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 appointed to the post of Head Clerk, Class III in the subordinate service of the Commissionerate of Tribal Development, Gujarat State in so far as they relates 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 Head Clerk, Class III (Pre-service Training and passing of Post-training Examination) Rules, 2019.
- (2) They shall apply to the persons directly recruited to the post of Head Clerk, Class III in the subordinate service of the Commissionerate of Tribal Development, Gujarat State.
- (3) They shall come into force on the date of their publication in the *Official Gazette*

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

- (a) "Appendix" means an Appendix appended to these rules;
- (b) "contractual post" means post of the Head Clerk, Class III in the subordinate service of the Commissionerate of Tribal Development, 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 Head Clerk, Class III in the subordinate service of the Commissionerate of Tribal Development, Gujarat State on recommendation by the Gujarat Subordinate Services Selection Board through competitive examination;

- (e) "Institute" means the Sardar Patel Institute of Public Administration (SPIPA) or such other institute as may be notified by the Government;
- (f) "Post-training Examination" means examination held by the Sardar Patel Institute of Public Administration (SPIPA) that has imparted pre-service training to the direct recruits.
- (g) "Specified Chances" means the number of chances specified in these rules within which person is required to pass the examination;
- (h) "Specified period" means the period specified in these rules within which a person is required to pass the post-training examination.

3. Institutional Training,- The direct recruits shall require to undergo institutional training in the institute in accordance with the following provisions, namely:-

- (1) The institutional training shall be for a period of eight weeks which shall be imparted by the institute.
- (2) The direct recruits shall be under the control of Director General of the institute during the period of their institutional training.
- (3) The Post-training 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 be required to pass the Post-training Examination. After completion of the institutional training, the direct recruits shall be required to work in their respective offices until the result of their Post-training Examination.

4. Scheme of Post-training Examination,-

- (1) The Post-training Examination shall consist of five papers each of 100 (One hundred) marks. The syllabus of each paper shall be as specified in Appendix-I.
- (2) The examination shall consist of Multiple Choice Questions (MCQs) except Paper-V which shall be descriptive type. Answers in Paper-V shall be required to be written in English or Gujarati, as per the instruction given in the question paper.
- (3) The candidate shall be allowed to answer the entire subjects of papers I to IV with the help of books, except Paper-V 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 Examinations,-

- (1) The direct recruits shall be required to pass the Post-training Examination within three attempts during their contractual period:

Provided that the persons belonging to the Scheduled Castes or the Scheduled Tribes who unable to pass the Post-training Examination within three attempts, shall be allowed an additional attempt which shall have to be availed 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 Post-training Examination in the prescribed attempts as required under these rules, his services shall be terminated:

Provided that, if in a case, the State Government is satisfied that he could not pass the examination within the specified period and specified chances/attempts for reasons beyond his control, the State Government 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 the examination earlier than him within the specified chances/attempts and specified period;

- (3) In the circumstances mentioned above in sub-rule (1) and sub-rule (2), if the examinations are not conducted in time or result thereof cannot be declared before the contractual period of the direct recruit 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 availed by him.

(4) Not appearing in the examination, shall be considered as an attempt.

6. Eligibility to appear in the Post-training Examination,-

- (1) In order to qualify for appearing at the examination, a direct recruit shall be required to attend a minimum of 85% of the total number of lectures in the institutional training failing to which he shall be disqualified for appearing in the Post-training 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 type of 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 allow the direct recruit subject to the deduction of the pay for appearing in the Post-training Examination for the days of absence.

7. Books for institutional training,-

The institute shall provide the books for institutional training and for Post-training Examination to the direct recruits 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 recruits by the Institute.

8. Prohibition to use certain devices in the examination hall,-

No direct recruit shall be allowed to carry with him any electronic communication devices like cellular phone, lap-top, i-pad, calculator, pager, etc. in the examination hall.

9. Qualifying Standard for passing of the Examination,-

- (1) The standard for passing the Post-training Examination shall be of fifty percentage of the total marks assigned to each paper.
- (2) An unsuccessful candidate who secures sixty percentage or more marks in one or more papers shall be exempted from appearing in that or those papers at the subsequent examinations.

10. Publication of result,-

The Director General of the Institute shall submit the result of each Post-training Examination to the Government in Tribal Development

Department. The Government shall publish the same.

11. Security and Surety bond,-

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

12. Miscellaneous Provision,-

- (1) The Director General of the Institute shall be entitled to change or alter training schedule of Post-training Examination as per the prevailing circumstances.
- (2) After passing the Post-training Examination, the direct recruit shall be required to work as a Head Clerk, Class-III in the subordinate service of the Commissionerate of Tribal Development, Gujarat State.
- (3) The direct recruit shall not be entitled to any travelling allowances for the journeys performed by him to attend institutional training and/or to appear in the Post-training Examination.

APPENDIX-I

{See rule 4 (1)}

Syllabus for institutional training and Post-training Examination for the direct recruits Head Clerk, Class III, in the subordinate service of the commissionerate of Tribal Development, Gujarat State.

PaperI

100 Marks

Duration-3 Hours

(with books)

The Constitution of India, Panchayati Raj and Five Years Plan

- (1) Articles 32, 226, 309, 310 and 311
- (2) Fundamental Rights
- (3) Directive Principles
- (4) Role of the Gujarat Public Service Commission (Article 320) / the Gujarat Civil Services Tribunal Act, 1972.
- (5) Provisions of Panchayats and Municipality-with focus on 73rd and 74th Amendments.
- (6) The Supreme Court and High Courts.
- (7) Election Commission (Centre and State)
- (8) Finance Commission
- (9) Union list, State list and Concurrent list.
- (10) Panchayati Raj and structure of Panchayati Raj in Gujarat, its power and limitations
- (11) NitiAayog.
- (12) Five Year Plan and Concepts of inclusive growth and sustainable development.

PaperII

100 Marks

Duration-3 Hours

(with books)

Office Procedure, Act and Rules

- (1) Office Procedure in offices of Heads of Departments and offices under their administrative control. (Non-Secretariat)
- (2) The Right to Information Act, 2005.
- (3) Performance Appraisal Report and Guidelines.
- (4) The Gujarat Legislative Assembly Rules.
- (5) The Rules of Business and instructions issued thereunder.
- (6) The Prevention of Corruption Act, 1988.
- (7) Channel of Submission and Delegation of Power.
- (8) The Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.

PaperIII

100 Marks

Duration-3 Hours

(with books)

Service Matters

- (1) The Gujarat Civil Services (Conduct) Rules, 1971.
- (2) The Gujarat Civil Services (Discipline and Appeal) Rules, 1971.
- (3) The Gujarat Civil Services Rules, 2002 (Vol. 1 to 8).
- (4) Roster Manual (How to prepare, maintain roster register and allocation of Roster Points).

PaperIV

100 Marks

Duration-3 Hours

(with books)

Financial Matters

- (1) Gujarat Budget Manual, Part 1 and 2.
- (2) The Gujarat Financial Rules, 1971.
- (3) The Gujarat Treasury Rules, 2000.
- (4) The Bombay Contingent Expenditure Rules, 1959.
- (5) Delegation of Financial Powers.
- (6) Purchase Policy of the Government of Gujarat.

PaperV

100 Marks

Duration-3 Hours

(without books)

Noting and Drafting in Gujarati and English languages

- (1) Noting and Drafting in English and Gujarati.
- (2) Correspondence with public and other institutions.
- (3) Public relation and communication.
- (4) Different types of letters and difference between them.
- (5) Different types of Government Orders, its utilization; importance (GR, Notification, Circular, Office Order, Memorandum etc.)
- (6) Translation from English to Gujarati and Gujarati to English
- (7) High Court Matters-Preparation of parawise remarks, filing of affidavit and drafting of 'Speaking Orders'.

APPENDIX- II

{See rule 11}

SECURITY BOND

Know all men by these presents that Ia candidate selected for appointment to the post of Head Clerk, Class III on contractual basis in accordance with the rules contained in the Government Notification department, No. Dated the (hereinafter referred to as "the rules") and held and firmly bound up; to the Government of Gujarat exercising the executive power of the Governor 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 Post-training Examination, or (c) failure to comply with any of the provisions of the contractual rules, if any, to the satisfaction of the Government or (d) quitting service before the completion of the period of 03 years from the date of my regular appointment of satisfactory completion of the contractual period. Now, the condition of the above written bond is that, if I 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 of20....

Signature of the 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 (1).....and (2).....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 to complete the institutional training or (2) failure to appear in the Post-training
Examination, or(3) failure to comply with any of the provisions of the contractual rules, if any, to
the satisfaction of the Government,(4) Quitting service before 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 Governor 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
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 arrears of land
revenue; and we also agree that any variation of the terms and conditions specified in the said
rules will 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 of20.....Signed and delivered by the said.

Date:

Signature of Surety

Place:

Full address and occupation


In the presence of:

Signature

Full address and

Occupation of witness:

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


(R.I. Thakkar)

Under Secretary to Government.

Copy To,

1. The Personal Secretary to the Governor of Gujarat.
2. The Personal Secretary to the Chief Minister of Gujarat.
3. The Personal Secretary to the Minister/Minister of State of Tribal Development
Department, Gandhinagar.
4. Commissioner, Tribal Development, Birsa Munda Bhavan, Gandhinagar
5. Account General, Ahmedabad/Rajkot

6. The Secretary ,Gujarat Subordinate Service Selection Board, Gandhinagar
7. The Secretary, Gujarat Civil Services Tribunal, Gandhinagar
8. General Administration Department, K-Br., Sachivalaya, Gandhinagar
9. The Director General, Sardar Patel Institute of Public Administration (SPIPA), Ahmedabad
10. The Legislative & Parliamentary Affairs Department, Sachivalaya, Gandhinagar...with request to publish gujarati translation of notification and send one hundred copies to this department.
11. The Manager, Government Press, Gandhinagar.... With a request to publish the notification in Gujarat Government Gazette and send one hundred copies to this department.
- ✓ 12. KH branch of Tribal Development Department, Sachivalaya, Gandhinagar
13. The System Manager, Tribal Development Department (with a request to upload on department's website
14. Select file.