

## **Deputy Chitnis (Panchayat Service) Departmental Examination Rules, 2002**

### CONTENTS

1. Short title, commencement and extent
2. Definitions
3. Requirement of passing of the Examination
4. Exemption
5. Specified chances
6. Consequences of failure to pass the examination
7. Additional chances to appear in the examination
8. Seniority
9. Provisional Promotion
10. Holding of the Examinations
11. Application for admission to the examination
12. Syllabus for the Examination
13. Standard of passing the Examination
14. Appointment of Examiner and conduct of Examination
15. Intimation of Examination
16. Declaration of result of the examination
17. Repeal and Saving

## **Deputy Chitnis (Panchayat Service) Departmental Examination Rules, 2002**

In exercise of the powers conferred by sub-sec. (5) of Sec. 227 read with Sec. 274 of the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993) and in supersession of the existing rules made in this regard the Government of Gujarat hereby makes the following rules, for regulating the conditions of service of persons appointed to the post of Deputy Chitnis in the Panchayat Service, namely:

### **1. Short title, commencement and extent :-**

(1) These rules may be called the Deputy Chitnis (Panchayat Service) Departmental Examination Rules, 2002.

(2) They shall come into force at once.

### **2. Definitions :-**

In these rules unless the context otherwise requires:

(a) "Appendix" means the appendix appended to these rules;

- (b) "Board" means the Gujarat Panchayat Service Selection Board;
- (c) "Direct Recruit" means a person appointed to the post of Deputy Chitnis (Panchayat Service) otherwise than by promotion from a lower post;
- (d) "Examination" means the departmental examination prescribed under these rules;
- (e) "Old Rules" means the Gujarat Panchayat Service Senior Clerk and Deputy Chitnis, Deputy Mamlatdar, Assistant Taluka Development Officer, Deputy Taluka Development Officer and Taluka Panchayat Officer Qualifying Examination Rules, 1976;
- (f) "Specified Chances" means the number of chances specified in Rule 5 in which a person is required to pass the examination;
- (g) "Specified Period" means the period specified in these rules within which a person is required to pass the examination.

### **3. Requirement of passing of the Examination :-**

(1) Subject to the provisions of these rules:

- (a) every direct recruit, appointed to the post of Deputy Chitnis (Panchayat Service) after commencement of these rules, shall be required to pass the examination during probation period, within specified chances;
- (b) a direct recruit, appointed before commencement of these rules and who has not passed the departmental examination held under the old rules, shall be required to pass the examination within specified chances;
- (c) a person who, before the commencement of these rules, is appointed by promotion to the post of Deputy Chitnis (Panchayat Service), and has not passed the Departmental Examination held under the old rules, shall, unless he has been exempted from passing such examination under these rules be required to pass the examination within specified chances from the date of his completing five years continuous service from the date of promotion, or from the date of commencement of these rules, whichever is later.

(2) If the specified period expires before the date of commencement of the examination in which a candidate had his last chance, in such cases, such period shall be deemed to have

been extended upto the date of the declaration of the result of the examination so held.

(3) If the direct recruit fails to pass the examination within the specified period, such specified period may, if in the opinion of the Government, his services were otherwise satisfactory, be extended to one year to enable him to pass the examination in not more than specified chances, including the chances exhausted earlier.

(4) Where a person does not seek permission to appear in the examination or after granting such permission, he does not appear in the examination held after commencement of these rules, he shall be deemed to have exhausted a chance to appear at the examination.

(5) A person appointed to the post of Deputy Chitnis (Panchayat Service) other than by direct recruitment shall not be entitled to appear at the examination, if any, prescribed for Senior Clerks (Panchayat Service), or has been exempted from passing such examination.

#### **4. Exemption :-**

A person who has passed the departmental examination held under the old rules or who was exempted from passing such examination under the provisions of the old rules, shall be exempted from passing the examination under these rules.

#### **5. Specified chances :-**

(1) A person shall be required to pass the examination in three successive chances (four successive chances in case of person belonging to Scheduled Castes or Scheduled Tribes or Socially and Educationally Backward Classes).

(2) The chances, already availed of under the old rules before the commencement of these rules, shall be counted as chances having been availed of under these rules.

#### **6. Consequences of failure to pass the examination :-**

(1) If a direct recruit fails to pass the examination within specified chances, his services shall be terminated forthwith from the date of declaration of the result of the examination : Provided that if in the case of any such person, the State Government or such officer authorised by Government in this behalf, is satisfied that he could not pass the examination, at which he had his last chance, for the

reasons beyond his control or that he failed to pass such examination, by a very narrow margin of marks, the State Government or such officer authorised by Government in this behalf may, after recording reasons in writing, give him two more chance to appear at the examination on payment of the fee payable under Rule 7:

Provided further that a direct recruit passing the examination in additional chance, shall not be given seniority over those who were junior to him but had passed the examination earlier than him.

(2) If a person appointed to a post of Deputy Chitnis (Panchayat Service) by promotion before commencement of these rules fails to pass the examination within the specified chances, he shall, subject to the provisions of Rule 9, be reverted to his original post.

(3) Every person who does not pass the examination shall not be eligible for promotion to the higher post subject to the provisions Rule 9 and eligible and for confirmation in the cadre or Dy. Chitnis until he passes the examination.

#### **7. Additional chances to appear in the examination :-**

Where a person other than a direct recruit, has failed to pass the examination within the specified chances he shall, notwithstanding such failure, be eligible to appear at any time in such examination on payment of examination fees as may be prescribed by Government from time to time.

#### **8. Seniority :-**

A person who fails to pass the examination in specified chances and within specified period shall be eligible for promotion but shall not be eligible to claim seniority over those persons who have been promoted before he became eligible for promotion, an account of their having passed the examination earlier than he notwithstanding that he was senior to the persons so promoted in the cadre from which promotions were given.

#### **9. Provisional Promotion :-**

If a qualified person is not available for promotion to a post of Deputy Chitnis (Panchayat Service) and it becomes expedient to fill the post in public interest, an unqualified person belonging to the cadre of Senior Clerk who has not exhausted specified chances to pass the examination may be promoted to officiate as Deputy Chitnis (Panchayat Service) subject to the condition that he shall be reverted on the date of the availability of a qualified person for

promotion or on his failure to pass the examination within the specified period and chances, whichever event occurs earlier;

Provided that from the date of commencement of these rules, such unqualified person shall not be granted increments in the time scale for the post from which he was promoted:

Provided further that the increments withheld under first proviso shall be released from the date of passing the examination but no arrears shall be paid for the increments so withheld.

Note. "The date of passing the examination" means the date immediately following the date on which the examination ended.

Explanation. In this rule "qualified person" means a Deputy Chitnis who has passed the examination or a person who is exempted from passing the said examination and the expression "an unqualified person" shall be construed accordingly.

#### **10. Holding of the Examinations :-**

(1) The examination shall be held by the Board, twice in the year.

(2) The Board shall publish necessary notice regarding the date of commencement of the examination, detailed programme and venue and shall place it on the notice board of the Board and shall also send it to all District Development Officers for necessary action.

(3) After receipt of the notice from the Board under sub-rule (2), the District Development Officer shall communicate it to all concerned employees and thereafter communicate the names and particulars of persons who are required to appear at the examination, in accordance with these rules and wish to appear at the examination, strictly according to their seniority.

#### **11. Application for admission to the examination :-**

(1) A candidate who intends to appear at the examination shall send his application for enlisting his name as a candidate for such examination to the Board in the form in Appendix 'A' through the District Development Officer concerned at least sixty days before the date of the commencement of the examination. If the applicant subsequently decides not to appear at the examination for which his name has been enlisted by the Board, he shall give intimation thereof to the Secretary of the Board through the District Development Officer concerned at least thirty days before the date

of commencement of the examination. In the event of any person failing to appear at an examination after having been enlisted his name as a candidate for appearing there at, but without intimation of the withdrawal of his candidature for the examination in time as aforesaid, he shall be deemed to have lost on chance to pass the examination :

Provided that the District Development Officer may condone the failure on the part of the person to give intimation as aforesaid and the consequences arising therefrom if he is satisfied that the persons had failed to give intimation within time for reasons beyond his control.

(2) The Board shall admit the candidate to the examination on the strength of a certificate given by the District Development Officer concerned that they are eligible to appear at the examination.

### **12. Syllabus for the Examination :-**

The syllabus for the examination shall be as specified in Appendix 'B'.

### **13. Standard of passing the Examination :-**

(1) The minimum standard for passing the examination shall be fifty percent of the total marks assigned in each paper irrespective of whether they are to be answered without the help of books.

(2) An unsuccessful candidate who secure sixty percent or more marks in any or more papers may by an application claim exemption for appearing in those papers at the subsequent examination.

(3) If a candidate fails to secure in only one paper, the minimum number of marks required for passing, he may be allowed condonation of deficiency of marks in that paper, provided such deficiency does not exceed five percent of the total number of marks assigned to that paper. The benefit of this condonation shall be available to any candidate irrespective of whether or not he has availed the exemption in any paper or not.

(4) If a candidate secures more than fifty percent marks in the aggregate but fails to secure in only one paper the minimum number of marks required for passing in that paper, he shall be given, for that paper grace marks at the rate of one mark for each one percent of marks in the grand total secured by him above fifty

percent of the total marks assigned to all the papers for the examination, subject to a maximum to ten grace marks. The benefit of such marks shall not be available to candidate who had availed of any exemption in any paper or papers.

(5) A candidate shall be entitled to only one of the benefits available to him under sub-rules (3) and (4) which is advantageous to him.

(6) A person having exemption in paper I or II or III or IV or V, under the old rules, shall be entitled to claim exemption in Paper I or II or III or IV or V, respectively under these rules.

Explanation. For the purposes of sub-rules (3) and (4), a fraction of one percent being one half or exceeding one half shall be rounded off to one percent.

**14. Appointment of Examiner and conduct of Examination :-**

The Board shall decide all matters relating to the appointment of examiners and conduct of examination in accordance with the orders issued by the Government in this regard.

**15. Intimation of Examination :-**

The intimation regarding place and programme of the examination shall be communicated in time by the Secretary of the Board to the concerned candidate through the concerned District Development Officer. The District Development Officer shall place the details of place and programme on the notice board.

**16. Declaration of result of the examination :-**

The Board shall declare the result of the examination in the Gujarat Government Gazette and communicate the same to the Government and the District Development Officers.

**17. Repeal and Saving :-**

The Gujarat Panchayat Service Senior Clerk and Deputy Chitnis, Deputy Mamlatdar, Assistant Taluka, Development Officer Deputy Taluka Development Officer and Taluka Panchayat Officer. Qualifying Examination Rules, 1976 are hereby repealed. Such repeal shall not affect anything done or any action taken or initiated under the rules so repealed.