

## **GUJARAT GRAM PANCHAYAT SECRETARIES (Recruitment Training and Condition of Service) RULES, 1971**

### CONTENTS

#### **CHAPTER 1 :- Preliminary**

1. Short title
2. Definitions

#### **CHAPTER 2 :- Recruitment to the posts of Secretaries**

3. Method of Recruitment
4. Qualifications for appointment as a Secretary
5. Selection Committee to select candidates
- 6 . Appointment of Secretary by Deputy District Development Officer

#### **CHAPTER 3 :-Training, Examination, Conditions of Service etc. of Secretary**

7. Training
8. Examinations
9. Pay Scales
10. Power to Sanction leave
11. Leave, travelling allowance, retirement, pension etc
12. Removal of Secretary
13. Service Book
14. Confidential Report

## **GUJARAT GRAM PANCHAYAT SECRETARIES (Recruitment Training and Condition of Service) RULES, 1971**

Whereas draft of the Gujarat Gram Panchayat Secretaries (Recruitment, Training and Conditions of Service) Rules, were published as required by sub-section (3) of section 323 of the Gujarat Panchayats Act, 1961 (Guj. VI of 1962), at pages 33-39 in the Government of Gujarat Gazette, Part I-A, Central Section, dated the 29th January, 1970 under Government Notification, Panchayats and Health Department No. KP/1785/VPA/2763-CH, dated the 19th December, 1967 inviting objections and suggestions from all persons likely to be affected thereby; And whereas objections and suggestions received from the Public on the said draft, have been considered by the Government; Now, therefore, in

exercise of the powers conferred by section 323 read with clause (a) of sub-section (1) of section 102 and sub-section (3) of section 203 of the Gujarat Panchayats Act, 1961 (Guj. VI of 1962), the Government of Gujarat hereby makes the following rules, namely:

#### CHAPTER 1

##### Preliminary

### **1. Short title :-**

These rules may be called the Gujarat Gram Panch- ayats Secretaries (Recruitment, Training and Conditions of Service) Rules,, 1971.

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

In these rules, unless the context otherwise requires

- (a) "the Act" means the Gujarat Panchayats Act, 1961;
- (b) "Appointing authority" means the Deputy District Development Officer competent under rule 7 to appoint a Secretary;
- (c) "Board" means the Gujarat Panchayat Service Selection Board constituted under section 210;
- (d) "Selection Committee" means the District Panchayat Service Selection Committee constituted under section 211;
- (e) "Examination" means the Gujarat Gram Panchayat Secretaries Examination held under these rules;
- (f) "Secretary" means a Secretary of a Gram Panchayat;
- (g) "Section" means a Section of the Act;
- (h) "Existing Secretary" means the Secretary appointed under section 60 of the Bombay Village Panchayats Act, 1958, and allotted to the Panchayat service and continued as such under clause (x) of sub-section (2) of Section 325 of the Gujarat Panchayat Act, 1961.

**1** (i) "Inferior Panchayat Service" means the posts specified in Schedule I appended to the Gujarat Panchayat Service (Classification and Recruitment) Rules, 1967].

1. Inserted vide Amending Notfn. No. 8.

#### CHAPTER 2

##### Recruitment to the posts of Secretaries

### **3. Method of Recruitment :-**

(1) Save as otherwise expressly provided in these rules, appointment to the post of a Secretary of a Gram Panchayat shall be made either:

(a) by promotion of a person of proved merit and efficiency from amongst the persons working in the Inferior Panchayat Service; or

(b) by direct selection through the respective District Panchayat Service Selection Committee on the basis of result of competitive examination held by <sup>1</sup> [Board]

(2) The posts of a Secretary shall be filled in by direct selection and by promotion in the ratio of 9:1"]

1. Subs. vide Amending Notfn.No. 10.

#### **4. Qualifications for appointment as a Secretary :-**

(1) To be eligible for appointment by direct selection to the post of a Secretary, a candidate: <sup>1</sup>[

(i) a candidate must have passed the Secondary School Certificate Examination or its equivalent examination] and

(ii) must be not less than 18 years of age not more than 25 years of age on the first day of the month immediately following the month in which a period of ninety days from the date of the first publication of notification or advertisement expires and accordingly a candidate shall be deemed to have such age limit, if he has attained such age limit before the aforesaid first day of the month:

Provided that the age limit may be relaxed in favour of a candidate, in accordance with the provisions contained in rule 7 of the Gujarat Panchayat Service (Classification and Recruitment) Rules, 1967.

(2) To be eligible for appointment by promotion to the post of a Secretary, a member of the Inferior Panchayat Service

(i) must have rendered four year's service in a post included in the Inferior Panchayat Service,

(ii) must possess any of the educational qualifications specified in clause (i) of sub-rule (I),

(iii) <sup>2</sup> [Deleted]

(3) A member of Inferior Panchayat Service shall be eligible for pro-

motion to the post of a Secretary according to his original seniority in the cadre of Inferior Panchayat Service:

Provided that he shall not be entitled to "claim seniority in the cadre of Secretary over those, who may have been promoted as Secretary, before they become eligible for promotion to the post of Secretary on account for their having passed the examination specified in rule 8 earlier, than he.

(4) A candidate must not be disqualified under the Gujarat Panchayat Service (Classification and Recruitment) Rules 1967.]

1. Subs. vide Am. Notfn No. 9.

2. Deleted vide Am. Notfn. 8

#### **5. Selection Committee to select candidates :-**

The Selection Committee shall, having regard to the vacancies in the posts of Secretaries in the district, select from time to time candidates for the posts of Secretary from amongst persons qualified for being appointed as such at such intervals as may be found necessary and draw up a list of candidates so elected, duly arranged in order of merit, and forward the same to the district Panchayat.

#### **6. Appointment of Secretary by Deputy District Development Officer :-**

The Deputy District Development Officer shall make appointments of Secretaries whenever necessary from amongst the list of selected candidates received under rule 5.

#### **CHAPTER 3**

Training, Examination, Conditions of Service etc. of Secretary

#### **7. Training :-**

(1) Every person, selected as a candidate for the post of a Secretary shall be appointed to a <sup>1</sup>[xxx] post of Secretary.

(2)

(a) Every person appointed to <sup>2</sup> [the post] of a Secretary under sub-rule (1), and

(b) Every existing Secretary, other than a Secretary who has completed the age of 50 years on 1st January, 1970, who has not already undergone before the commencement of these rules a course of training prescribed by the State Government in this

behalf, shall undergo training in a training centre started by Government or recognised by it, for such period and in such syllabus and curriculum, as the State Government may determine from time to time.

(c) Every person required to undergo training under-clause (b) of sub-rule (2) shall execute a bond before he is admitted to the training centre to the effect that he agrees to serve as a Secretary for a period of at least three years from date of passing the examination required to be passed under rule 8 and that if he resigns before that period or is dismissed or discharged, or removed for in efficiency or misconduct during or after training he shall make good all the expenditure incurred by the Panchayat on account of his training. Such bond shall be in form appended to these rules.

1. Deleted vide Am. Notfn No. 8
2. Subs, vide Am. Notfn No. 8

## **8. Examinations :-**

(1), There shall be held an examination called the Gram Panchayats Secetaries' examination in such subjects and in such manner and at such intervals the S»ate Government may from time to time determine.

**1** [

(2) Every person required to undergo training under rule 7 shall have to pass such examination in not more than three successsive trials and not more than four successive trials in case of a candidate belonging to a Scheduled Caste or Scheduled Tribes.

(3)

(a) If a person who is required to pass examination fails to pass such within the trials specified in sub-rule (2), he shall be allowed additiona 1 trials to appear such examination on payment of a fee of rupees fifteen for each additional trial :

(b) If a person is promoted from amongst the Inferior Panchayat Service and if he fails to pass such examination within the number of trials prescribed in sub-rule (2) his annual increment shall be with held till he passes such examination and he is appointed as a Secretary by direct selection, he shall not be confirmed and his promotion and annual Increments shall be withheld till he passes such examination:

(c) A person passing the examination in additional trials specified in clause (a) shall not be entitled to claim seniority, if any, even those who have passed the examination earlier and promoted before he became eligible for such promotion on passing the examination in additional trials;

(d) Any increments withheld under clause (b) shall be released with effects from the date on which such person passes such examination and all the future increment shall accrue to him as if no increments had been withheld but he shall not eligible to the payment of past arrears in respect of the increments so withheld].

1. Sub-rules (2) and (3) subs. vide Am. Notfi. No. 6.

### **9. Pay Scales :-**

**1** [

(1) the pay scale for the post of Secretary shall be Rs. 260-6-308-EB 6-320-8-350-EB-8-390-10-400]

(2) Notwithstanding anything contained in sub-rule (1) an officer of a former district or borough municipality who is continued in the employ- ment of a Panchayat under clause (g) of section 307 as a Secretary shall be entitled to draw pay in the pay scale to which he was immediately before the date on which he became an employee of the panchayat, or the pay scale shown in sub-rule (1), whichever is beneficial.

1. Sub-rule (i) Subs. vide Am. Noti. No. 9.

### **10. Power to Sanction leave :-**

(1) The Sarpanch of a Gram Panchayat may sanction casual leave to the Secretary. When the Secretary is the Secretary for a group of more than one gram Panchayat, the Sarpanch of the gram panchayat for the area in which the Secretary has his headquarter shall be competent to sanction such leave, which shall be communicated to the other Sarpanchas of the group.

(2) A Taluka Panchayat or any officer authorised by it in this behalf shall have power to sanction any other kind of leave to the Secretary of a Gram Panchayat within the area of its authority.

### **11. Leave, travelling allowance, retirement, pension etc :-**

(1) The conditions of services of a Secretary regarding leave, travelling allowance, superannuation, retirement, pension, gratuity

and other matters (not being disciplinary matters) other than those prescribed by the provisions of these rules shall be governed according to the provisions of the Bombay Civil Services Rules, 1959, as amended from time to time, as applicable to a Government servant of an equivalent status and in so far as they are not inconsistent with the provisions of the Act or these rules.

(2) If a question arises as to which Government servant's status, the status of a servant of Panchayat is equivalent, it shall be decided by the District Development Officer whose decision shall be final.

### **12. Removal of Secretary :-**

(1) If in the opinion of the Panchayat its Secretary is incapable of performing the duties of his office or has been found guilty of misconduct or neglect of duties, it may, by a resolution passed by not less than two-thirds of the total numbers, recommend to the authority competent to appoint such Secretary his removal as Secretary or the taking of any other suitable disciplinary action against him.

(2) The appointing authority may, thereupon, take such action as it think fit in accordance with the Gujarat Panchayat Service (Discipline and Appeal) Rules, 1964.

### **13. Service Book :-**

The Service book of a Secretary shall be maintained in Form No. I in Appendix No. VIII to the Bombay Civil Services Rules, 1959, by the Taluka Development Officer.

### **14. Confidential Report :-**

A Sarpanch shall every year not later than <sup>1</sup>10th April prepare a confidential report of a Secretary and shall send it to the <sup>2</sup>[ District Development Officer] through the Taluka Development Officer who shall offer his own remarks on the report before forwarding it to the <sup>2</sup>[Deputy District Development Officer]. In the case of a Secretary of more than one Panchayat, the Sarpanch of the Gram Panchayat in which the Secretary has his headquarter, shall prepare the confidential report of such Secretary, in consultation with the Sarpanchas of the Group before sending to the <sup>2</sup>[District Development Officer] <sup>5</sup> [through the Taluka Development Officer].

1. Subs vide Am. Notfi. No. 5.

2. Subs. vide Am. Notfi. No. 1

5. Added vide Am. Notfi. No. 7.