

**GUJARAT PANCHAYAT SERVICE (Social Welfare Branch)  
(Departmental Examination) RULES, 1984**

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**GUJARAT PANCHAYAT SERVICE (Social Welfare Branch)  
(Departmental Examination) RULES, 1984**

In exercise of the powers conferred by section 323 read with 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 for regulating the conditions of service of persons appointed on certain posts in the Panchayat Service (Social Welfare Branch) in so far as, they relate to the passing of the departmental examinations, namely:-

**1. . :-**

(1) These rules may be called the Gujarat Panchayat Service (Social Welfare Branch) Departmental Examination Rules, 1984.

(2) They shall come into force on and with effect from the date of the publication of this notification in the Official Gazette.

(3) They shall apply to the persons appointed in the Social Welfare Branch specified in Append ix-A and Appendix-B whether by

promotion or otherwise:

Provided that where any such person has, before the appointed date, passed the examination before commencement of these rules any existing corresponding examination required to be passed by such person or has been exempted from such examination, he shall not be required to pass an examination as provided in these rules :

Provided further that where any such person has before the commencement of these rules exhausted all the chances prescribed under the existing corresponding examination rules and has accordingly failed to pass such examination, nothing in these rules shall save as expressly provided therein, entitle him to appear in the examination as provided in these rules :.

Provided also that persons who have reached the age of 45 years on the date on which such person is granted permission to appear at the departmental examination for the first time according to his seniority in accordance with the provisions of rule 11, shall be exempted from passing the departmental examination:

Provided also that persons who have reached the age of 45 years on the date of commencement of these rules shall be exempted from passing the examination.

## **2. . :-**

In these rules, unless the context otherwise requires-

- (a) "Appendix" means an Appendix appended to these rules.
- (b) "appointed date" means the date on which these rules shall come into force;
- (c) "Board" means the Gujarat Panchayat Service Selection Board constituted under section 210 of the Gujarat Panchayats Act, 1961.
- (d) "direct recruit" means a person, appointed to any post specified in Appendix-A or Appendix-B otherwise than by promotion.
- (e) "Higher Departmental Examination" means the Departmental Examination for Panchayat servants specified in Appendix-B and includes the departmental examination for such category of panchayat servants prescribed under the old rules;
- (f) "Old Rules" means the rules for sub-service Departmental Examination or Higher Departmental Examination which were in force immediately before the appointed date;

(g) "Relevant Examination" means the Sub-service Department Examination or, as the case may be, the Higher Departmental Examination prescribed under these rules and includes the sub-service Departmental Examination or Higher Departmental Examination prescribed under the old rules.

(h) "Specified chances" means the number of chances specified in the rules in which a person is required to pass the relevant examination.

(i) "specified period" means the period specified in these rules within which a person is required to pass the relevant examination.

(j) "sub-service Departmental Examination" means the departmental examination for panchayat servants appointed on any post specified in Appendix-A and includes the departmental examination for clerks prescribed under the old rules.

### **3. . :-**

Subject to the provisions of rule 5-

(1) Every person who is appointed prior to the appointed date to any post specified in Appendix-A and to whom these rules apply, shall be required to pass the Sub-Service Departmental Examination in three chances within a period of three years from the appointed date.

(2) Every person who is appointed on or after the appointed date to any post specified in Appendix-A and to whom these rules apply shall be required to pass the Sub-Service Departmental Examination in three chances and within a period of three years from the date of his regular appointment.

(3) Every person who is appointed prior to the appointed date to any post specified in Appendix-B and to whom these rules apply shall be required to pass Higher Departmental Examination in three chances within a period of three years from the appointed date.

(4) Every person who is appointed on or after the appointed date otherwise than by promotion to any post specified in Appendix-B and to whom these rules apply shall be required to pass the Higher Departmental Examination within the period of probation:

Provided that a person belonging to be Scheduled Castes or the Scheduled Tribes shall be allowed one additional chance which shall have to be availed of within a period of one year from the date of

the expiry of the period specified in clause (1) to (4) of this rule:

Provided further that in the case of any such person who is appointed as clerk or clerk-cum-typist otherwise than by promotion and whose last chance of passing the examination as provided in sub-rule (1) or (2), as the case may be, expires before the date of the holding of the relevant examination the period shall be deemed to have been extended until the date of the declaration of result of the examination so held:

Provided also that if a direct recruit, referred to in sub-rule (4) fails to pass the examination within the period specified as aforesaid., such period shall if his service be otherwise satisfactory, be extended to such period not exceeding three years (four years in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes) in the aggregate as may be necessary to enable him to pass the examination in not more than three chances (Four chances in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes) in all.

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

(1) In order to be eligible for promotion to any post specified in Appendix-B, a Panchayat servant who is appointed to any post specified in Appendix-A on or after the 26th May, 1959 but prior to the appointed date and who has passed the sub-service Departmental Examination or has been exempted from passing it, shall have to pass the Higher Departmental Examination within a period of eight-years from the date of his appointment to any post specified in Appendix-A or within a period of three years from the appointed date whichever is later unless he has been exempted from passing the Higher Departmental Examination: Provided that no Panchayat Servant appointed prior to the appointed date, shall be competent to appear at the Higher Standard Departmental Examination until he has completed five years service and unless he has passed the Sub-Service Departmental Examination.

(2) In order to be eligible for promotion to any post specified in Appendix-B, a Panchayat servant who is appointed on or after the appointed date to any post specified in Appendix-A and who has passed the sub-service Departmental Examination or who has been exempted from passing it, shall have to pass the Higher Departmental Examination within a period of six years from the date of his appointment: Provided that no person shall be eligible

to appear at the Higher Departmental Examination until he has completed three years of service in any post specified in Appendix-A and has passed the sub-service Departmental Examination or has been exempted from passing it.

**5. . :-**

(1) The relevant examination required to be passed under rule 3 or rule 4, shall have to be passed in not more than three chances as the case may be within the specified period:

Provided that the chances already availed of or which should have been availed of before the appointed date under the old rules shall be counted as having been availed of under these rules:

Provided further that persons belonging to the Scheduled Castes and Scheduled Tribes shall be given one more chance which shall have to be availed of within a period of one year from the date of expiry of the period mentioned in sub-rule (1), (2), (3), or (4) of rule 3 or sub-rule (1) or (2) of rule 4 as the case may be.

**6. . :-**

(1) If a direct recruit appointed on any of the posts specified in Appendix-A or Appendix-B on or after the 26th May, 1959 fails to pass the relevant examination within specified chances and within the period specified in rule 3 or rule 4 shall, after the expiry of the specified chances and the specified period, be liable to have his increments withheld until he passes the relevant examination.

(2) Any increment withheld under clause (1) shall become payable to him from the date on which he passes the relevant examination and all future increments shall accrue to him as if no increment had been withheld:

Provided that such person shall not be entitled to claim arrears of pay which were lost to him by reason of the increments having been withheld.

(3) If a panchayat servant specified in Appendix-A fails to pass the Higher Departmental Examination within specified period and within specified chances under these rules, he shall not be eligible for promotion to the posts specified in Appendix-B, save, as otherwise provided under rule 7.

Explanation-For the purpose of releasing the withheld increments,

"the date of passing the examination" means the date following the date on which the examination ends.

**7. . :-**

Whereas a person referred to in sub-rule (1) or (3) of rule 6 has failed to pass the relevant examination within the specified period and specified chances available to him, he shall notwithstanding such failure be eligible to appear at any times in such examination, on payment of examination fees of rupees fifteen and if passes the examination his increments Shall be released as provided in clause (2) of rule 6 and in case of a person covered under clause (3) of rule 6, he shall be eligible for promotion to the post specified in Appendix-B:

Provided that he shall not be entitled to claim seniority in the higher cadre to those persons who have passed the relevant examination earlier and have been promoted before he became eligible for promotion.

**8. . :-**

A Panchayat servant specified in Appendix-A, who passes the Higher Department Examination within the specified period and in specified chances shall, on his promotion to any post specified in Appendix-B, be assigned seniority over a person, if any, who although being junior to him in his cadre may have been promoted to any post specified in Appendix-B early by reason of his having passed Higher Departmental Examination earlier than he.

**9. . :-**

In the event of a qualified person not being available for promotion to any of the posts specified in Appendix-B, an unqualified person holding any post specified in Appendix-A, whose chances to pass the Higher Departmental Examination are not exhausted shall be promoted to officiate to the posts specified in Appendix-B, subject to the condition that he shall be reverted on availability of a person qualified for promotion on his failure to pass the examination within the period and according to the chances specified in rule 4 or 5 whichever event occurs earlier.

Explanation-In the rule. unqualified person means a panchayat servant specified in Appendix-A. who has passed the Higher Departmental Examination or a panchayat servant specified in Appendix-A, who is exempted from passing the said examination and the expression unqualified person shall be construed

accordingly.

**10. . :-**

(1) Every year the Board shall hold once in a year the Sub- Service Departmental Examination and the Higher Departmental Examination, as and when decided by the Board :

Provided that when the Board decides about the Departmental examination to be held, it shall communicate its decision to the Government and to the District Development Officer and also specified the last date by which applications of candidates may be forwarded to it by the District Development Officers.

(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.

**11. . :-**

The syllabus for the sub-Service Departmental Examination shall be specified in Appendix-C and the syllabus for Higher Departmental Examination shall be specified in Appendix-D.

**12. . :-**

A panchayat servant specified in Appendix-A or Appendix-B who intends to appear at any examination under these rules shall send his application for admission as a candidate for such examination to the Secretary of the Board in the form specified in Appendix 'E' at least sixty days before shall scrutinise the application. The Secretary of the Board shall scrutinise the application with regard to his eligibility for appearing at such examination. If the applicant subsequently decides not to appear at the examination, he shall give intimation thereof to the Secretary 30 day before the date of the commencement of the examination. In the event of any person failing appear at the examination after having enlisted his name as candidate for appearing thereat but without intimating as aforesaid, shall be deemed to have lost one chance to pass the examination :

Provided that the Secretary of the Board, shall condone the failure on the part of person to give intimation as aforesaid and the consequences arising therefrom if he is satisfied that the person had failed to give intimation within time for reasons beyond his control.

### **13. . :-**

(1) The standard for passing the examination shall be 50 percent of the total marks assigned in each paper irrespective of whether they are to be answered with or without the help of books.

(2) Any candidate who secures 60 percent or more marks in any one or more papers he shall be exempted from appearing in that or those papers at the subsequent examination :

Provided that any exemption obtained by such candidate in any paper under the old rules shall be deemed to have been obtained in the corresponding paper specified under these rules.

(3) If a candidate fails to secure in any one paper the minimum number of marks required for passing, he may be allowed condonation of the 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 such condonation shall be available to any candidate irrespective of whether or not he has availed of exemption in any paper.

(4) If a candidate secures more than 50 percent marks in the aggregate but fails to secure only in one paper, the minimum number of marks required for passing in that paper he shall be given in that paper grace marks at the rate of one mark each one percent of marks secured by him above 50 percent of the total marks as assigned to all the papers for the whole examination, subject to the maximum limits mentioned below:-

(i) in the case of a paper, carrying less than 100 marks grace marks equal to 10 percent of such marks.

(ii) in the case of a paper, carrying 100 or more marks 10 grace marks:

Provided that the benefit of such grace marks shall not be available to a candidate who has availed of any exemption under sub-rule (2).

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

Explanation-For the purpose 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. . :-**

The Board shall decide all matters relating to the appointment of examiners and conduct of examination.

**15. . :-**

The intimation regarding place and programme of the examination shall be communicated by the Secretary of the District Development Officers.

**16. . :-**

The Board shall communicate the result of the examination held under these rules to Government and publish the same in the Official Gazette.