
GUJARAT PROBATIONARY DEPUTY SUPERINTENDENT OF POLICE (Departmental Examination) RULES, 1971

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GUJARAT PROBATIONARY DEPUTY SUPERINTENDENT OF POLICE (Departmental Examination) RULES, 1971

In exercise of the powers conferred by clause (b) of section 5 of the Bombay Police Act, 1951 (Bom XXII of 1951), and in supersession of all existing rules or orders on the subject the Governor of Gujarat hereby makes the following rules to provide for the conditions of service of persons appointed as Probationary Deputy Superintendents of Police in the Police Department in so far as they relate to passing of Departmental Examination) Rules, 1971.

1. Rule :-

- (1) These rules may be called the Gujarat Probationary Deputy Superintendent of Police (Departmental Examination) Rules, 1971.
- (2) They shall come into force on the expiry of 90 days from the date of their publication in the Official Gazette.

(3) They shall apply to the persons appointed in the Police Department as Probationary Deputy Superintendents of Police by direct selection:

Provided that any person who has, before the appointed date, passed the Departmental Examination, shall be exempt from passing the Examination provided in these rules:

Provided further that where any person has before the appointed date exhausted all the chances, prescribed under the old rules for passing the relevant examination, but has failed to pass, the relevant examination, he shall, save as expressly provided not be entitled to appear in an Examination as provided in these rules.

2. Rule :-

In these rules, Unless the context otherwise requires,-

(a) "appointed date" means the date on which these rules shall come into force;

(b)¹[xxx]

(c) "direct recruit" means a person appointed to the State Police Service by direct selection in accordance with the recruitment rules:

(d) "Examination" means the Examination prescribed under rules;

(e) "Old rules" means the rules for the Examination which were in force immediately before the appointed date;

(f) "Period of probation" means the period of probation specified in the recruitment rules;

2 [(ff) 'Principal' means Principal, Police Training College, Junagadh;]

(g) "Probationary Deputy Superintendent of Police" means a person appointed to officiate as a Deputy Superintendent of Police on probation;

(h) "recruitment rules" means the rules regulating the method of recruitment to the posts of Deputy Superintendent, of Police (in the mofussil) and Superintendent of Police (in the Ahmedabad City) made under Government Notification, Home Department No. GG/1049/DYS 1259 B, dated 27th July, 1967; as amended from time to time.

- (i) "Schedule" means a schedule appended to these rules;
- (j) "specified period" means the period specified in these rules within which a person is required to pass the examinations.

- 1. Cl. (b), deleted by Am. Notfn. No. 5.
- 2. Ins. by Am. Notfn. No. 5.

3. Rule :-

No probationary Deputy Superintendent of Police shall be confirmed in his post:

- (a) unless and until he has passed the examinations specified in rule 4; and
- (b) unless the State Government is satisfied regarding his general conduct and as to his having given proof of practical aptitude of police duties during the period of probation.

4. Rule :-

(1) A probationary Deputy Superintendent of Police shall be required to pass the following examinations within the period of probation, namely:-

- (i) Lower Standard Law Examination,
- (ii) Higher Standard Law Examination;

Provided that if the period of passing the Examinations in the case of any candidate, expires before the date of the result of the Examination at which such candidate may, have his last chance to appear in accordance with these rules, the said period shall, in the case of such candidate, be deemed to be extended until the date of declaration of the result of such Examination:

Provided further that if, a direct recruit fails to pass the examination within the period of probation, such period shall, if his service be otherwise satisfactory, be extended to such period not exceeding three years (four years in case of scheduled caste and scheduled tribes candidate) 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 a scheduled caste and scheduled tribes candidate in all).

(2) The officers who have to pass these examinations will be required to pass the Lower Standard Law Examination first, and only those who have passed the Lower Standard Law Examination

will be admitted to the Higher Standard Law Examination.

5. Rule :-

The Examinations required to be passed under "rule 4 shall have to be passed in not more than three chances within the specified period:

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

Provided further that persons belonging to Schedule caste and Schedule Tribes may be given one more chance which shall so be availed of within the specified period.

6. Rule :-

If a direct recruit fails to pass the Examination as required under these rules, his service shall be terminated:

Provided that if in the case of any such person the State Government is satisfied that he could not pass the examination at which he had his last chance for reasons beyond his control or that he failed to pass such examinations by a very narrow margin of marks, the State Government may after recording reasons in, writing give him one more chance to pass the Examination.

7. Rule :-

The Lower Standard Law Examination and Higher Standard Law Examination shall normally be held twice in a year by the ¹[principal] and these examinations shall ordinarily be held in the month of January and July: ² [XXX]

1. Subs. by Am. Notfn. No. 5.
2. Proviso dated by No. 5.

8. Rule :-

(1) The syllabus for the Lower Standard Law Examination shall be as specified in Schedule I.

(2) The syllabus for the Higher Standard Law Examination shall be as specified in Schedule-II.

9. Rule :-

(1) The Standard for passing in papers shall be 50% of the total

number of marks obtainable in each paper irrespective of the fact whether they are to be answered with or without the help of books.

(2) An unsuccessful candidate who secures 60% (sixty per cent) or more marks in one or more papers shall be exempted from appearing in those papers at subsequent examinations :

Provided that any examination obtained by such a candidate under the old rules shall be deemed to have been obtained under these rules.

¹ [(3) If a candidate fails to secure in only one paper the minimum number of marks required for passing, 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 the paper. The benefit of this condonation shall be available also to a probationary candidate who has availed of exemption in any paper.

(4) A candidate who secures more than 50% marks in the aggregate but fails to secure in only one paper, the minimum number of marks required for passing in that paper 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 50% of the total marks assigned to all the papers for the whole examination, subject to a maximum of 10 grace marks. The benefit of such grace marks shall not be available to a candidate who has availed of any exemption under sub-rule (2).

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.

(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."]

1. Subs. vide No. 2.

10. Rule :-

A probationary Deputy Superintendent of Police who desires to appear at any examination shall send the application in the form in Schedule-III for enlisting his name as a candidate for Lower and Higher Standard Law Examinations to the ¹[Principal] through the Inspector General of Police, at least 60 days before the date of the

commencement of the relevant examination. The Inspector General of Police after scrutiny of the ascertaining the eligibility of the applicants to appear at the relevant examination in accordance with these rules, shall communicate the names and particulars of such candidates to the ¹[principal]. If the applicant subsequently decides not to appear at the relevant examination, he shall give intimation thereof to the ¹ [Principal] through the Inspector General of Police, at least 30 days before the date of the commencement of relevant examination. In the event of any persons failing to appear of the Examination after having enlisted his name as a candidate for appearing thereat but without intimating as aforesaid, he shall be deemed to have lost one chance to pass the examination :

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

1. Subs. by Am. Notifi. No. 5.

11. Rule :-

The intimation regarding place and programme of the Examination will be communicated by the ³[Principal] to the Secretary to Government of Gujarat, Home Department and to the Inspector General of Police.

12. Rule :-

The ¹ [Principal] shall admit candidate to the Examination on the strength of the certificate given by the Inspector General of Police that they are eligible to appear at the Examination.

1. Subs. by Am. Notifi. No. 5.

13. Rule :-

The result of the examination will be published by the ¹ [Principal] in Gujarat Government Gazette.

1. Subs. by Am. Notifi. No. 5.

SCHEDULE 1

Syllabus for the Lower Standard Law Examination

SCHEDULE. I			
Syllabus for the Lower Standard Law Examination			
		Hours	Marks
Paper-I-Law	1. The Indian Penal Code (XLV of	3	100

Paper I-Law	1860)	3	100
(without Books)			
	2. The Indian Evidence Act, 1882 (I of		
	1972		
Paper II Law	1. Code of Criminal Procedure, 1973 (2		
(without Books)	Of 1974)	3	100
	1. Maintenance of Internal security		
	Act, 1971]		
	3. The Police (Incitement of Disaffection		
	Act, 1922 (XXII of 1922)		
	4. The Indian Explosive Act, 1884 (IV of		
	1884)		
	5. The Gujarat Panchayat Act, 1961 (VI		
	Of 1962) Sections 159 to 168 and 322		
	Only.		
	6. The Gujarat Municipalities Act, 1963		
	Sections 238, 245, 254 and 255		
	7. The Child Marriages Restraint Act		
	XIX of 1929.		
	8. The Hindu Marriages Act, 1955		
	Section 17 and 18 only.		
	9. The Indian Post Offices Act, 1898,		
	Sections 1,2,49 to 56 and 58 to 72 only.		
	10. The passport (Entry into India) Act, 1920		
	11. The Indian Citizenship Act, 1955"		
Paper III-Law	1. The Bombay Village Police Act, 1867		
(Without Books)	(VIII of 1867).		
	2. The Bombay Police Act, 1951 (Bom.		
	XXII of 1951)		
	3. The Prevention of Cruelty to Animals		
	Act, 1960 (LIX of 1960).		
	4. The Identification of Prisoners		

	Act, 1920 (XXII of 1920).		
	5. The Bombay Public Conveyance Act		
	1920 (Bom. VII of 1920).		
	6. The Dangerous Drugs Act, 1930 (II		
	Of 1930).		

SCHEDULE 2

Syllabus for the Higher Standard Law

SCHEDULE II			
Syllabus for the Higher Standard Law Examination			
		Hours	Marks
Paper I	1. The Gujarat Civil Services (Con.) Rules	3	140
Service matters	1971.		
(with books)	2. The Gujarat Civil Service (Discipline		
	and Appeal) Rules, 1971.		
	3. Gujarat Civil Service Classification		
	and Recruitment (General) Rules,		
	1967.		
	4. Manual of Departmental inquiries.		
	5. Prevention of Corruption Act, 1947.		
Paper-II Law	1. Indian Penal Code 1860 (XLV of	3	100
(without books),	1860)		
	2. Indian Evidence Act, 1872 (I of 1872)		
Paper III- Law	1. Criminal Procedure Code, 1973 (2 of	3	100
(without books)	1974)		
	2. Suppression of Immoral Traffic in		
	Women and Girls Act, 1956 (Act 104		
	of 1956).		
	3. The Bombay Prohibition Act, 1949.		
Paper-IV Law	1. The Indian Extradition Act, 1962	3	100
(without books)	2. The Bombay Habitual Offenders Act,		
	1959 and rules made thereunder.		
	3. The Bombay Children Act, 1948		
	(Bom. LXXI of 1948)		
	4. The Arms Act, 1959 (54 of 1959) and		
	the Arms Rules 1962, Rules, 3 to 11 and 13 to 15).		

	5. Deleted		
	6. The Indian Lunacy Act 1912 (IV of		
	1912) Sections 3, 13 to 17 35 and 36		
	only.		
	7. Indian Railways Act, 1890) Chapter		
	V, VI, VII, VIII, IX and.X.		
	8. The Indian Poisons Act, 1919 (XII		
	of 1919).		
	9. The Bombay Prevention of Gambling		
	Act, 1887; (Bom, IX of 1887).		
	10. The Bombay Police Act, 1951 Bom.		
	XXII of 1951).		
	11. The Motor Vehicles Act, 1939 (IV of		
	1939) and the Bombay Motor		
	Vehicle Rules, 1959 as follows: Chapters I		
	II (Rules 3, 4, 6, 15, 20, 25, 26, 27		
	& 28).		
	Chapter III (Rules 29, 33, 36, 37, 39,		
	42, 47, 48, 42, 52, 51, 63 & 64).		
	Chapter V (Rules 87, 88, 89, 90, 91,		
	92, 112, 113, 115, 116, 117, 118, 119,		
	126, 127, 128; 129, 130, 131, 132; 135,		
	136, 138 and 539).		
	12. The Bombay Borstals School Act,		
	1929 (Bom XVIII of 1929) Sections		
	6, 8, 10, 18 and 21.		
	13. The Probation of Offenders Act, 1958.		
	14. The Gujarat Wild Animal and Wild		
	Birds Protection Act, 1963		
	15 The Protection Of Civil rights Act,		
	1955 (XXII of 1955).		
	16. The Indian Forest Act, 1927 (XVI of		
	1927).		
	17. The Constitution of India, Arts. 309,		
	310, 311.		
	18. The Railway Property (Unlawful		
	possession) Act, 1966.		
Paper V Accounts	1. The Gujarat Police Manual Vol. II	3	100
(with Books)	(whole)		
	2. The Gujarat Financial Rules, 1971		

	2. The Gujarat Manual Rules, 1974		
	3. The Bombay Civil Services Rules		
	(FPV)		
	Chapters. I, II, III, IV (except Rule		
	75), V, VIII, IX, X. XI; (except Sections		
	VII, VII, XVI & XVII).		
	4. Manual of Financial powers.		
	5. Bombay Contingent Expenditure		
	Rules, 1959		
	6. The Gujarat Budget Manual		
	Volumes I and II]		

SCHEDULE 3

Form of Application

SCHEDULE III

Form of Application

Particulars of the candidates to be forwarded with his application or appearing

at the Lower/Higher Standard Law Examination to be held by the Principal, Police

Training College, Junagadh.

1. Applicant's name in full : (Surname first)

(In English and Gujarati)

2. Designation:

(In English and Gujarati)

3. Name of the office in which at present serving :

4. Birth date and age at the time of this examination :

5. Date of Appointment, and total years of service (Gazetted/Non Gazetted):

6. Whether he has appeared at the examination

held previously? If so.

(a) Month and year of the examination

in which he appeared :

(b) Whether any exemption is earned ?

If so, details of marks, year of examination

and subject should be given :

(c) Whether he intends to avail of exemptions earned ?

State "Yes" or "No":

(The choice will be treated as final and no change will be allowed).

7. Authority or the Rule under which he has to appear for the examination

8. Number of chances and time limit within which he is required to pass the examination dates of eligibility and expiry for appearing at the (Examination should mentioned):

9. Numbers of Trials exhausted:

10. Whether additional (Special) chance has been granted? No. and date of orders under which the additional (Special) chance has been granted to him should be specified and a copy thereof should be sent:

11. No. and date of orders relaxing age and/or service limits from competent authority (Copies of orders should be sent):

12. Purpose of passing the examination (e.g. confirmation, retention in Government service, promotion etc) :

13. Whether he is eligible to appear at the examination according to rules of the Departmental Examination ?

14. Whether he intends to answer all his papers in English or Gujarati ? If not, give details regarding papers which he desires to answer in English and Gujarati :

15: Remarks, if any :

Place :

Date :

Signature of the applicant.

Certified that the above particulars are verified and found correct.

Shri.....is eligible to appear at the Departmental Examination to be held in..... 197...

Place :

Date :

Signature and designation of
the Head of Department/Office