

## NOTIFICATION

### TRIBAL DEVELOPMENT DEPARTMENT.

Sachivalaya, Gandhinagar.

Dated : 01/03/2016

Constitution  
of India.

**No. KHP/1503/941/KH:** - In exercise of the powers conferred by the proviso to article 309 of the constitution of India and in supersession of all the rules made in this behalf, the Governor of Gujarat hereby makes the following rules to provide for regulating the condition of service of person appointed to the posts of Assistant Tribal Development Officer, Class-III (superintendent cadre) Head Clerk in the Subordinate Service of the Tribal Development Department, Gujarat State, in so far as they related to passing of Departmental Examination namely:-

**1. Short Title, extent and commencement.-** (1) These rules may be called the Tribal Development Officer, Class II (Departmental Examination) Rules, 2016.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) They shall apply to the person appointed as Assistant Tribal Development Officer, Class III (Superintendent Cadre)/Head Clerk, Class III in the Subordinate Service of the Commissionerate of Tribal Development under the Tribal Development Department whether by promotion or otherwise.

**2. Definitions.-**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 Subordinates Service Selection Board, Gandhinagar.

(d) "Old Rules" means the rules prescribed under the Government Notification Education and Labour Department (Notification) No.G-SH-2568-BCE-1666-82018-J, Dated the 30<sup>th</sup> January, 1971.

(e) "Relevant Examination" means the respective Departmental Examination prescribed under these rules as a prerequisite for promotion to the post of a Tribal Development Officer, Class II and

includes such respective Departmental Examinations as were prescribed under the old rules;

(f) "Specified Chance" means the number of chances specified in these rules within which a person is required to pass the relevant examination;

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

(h) H.O.D. means Head of the Department of Tribal Development Department, Gujarat State.

**3. Eligibility to appear in the Examination and availability of chances.-** To be eligible for promotion to the post of Tribal Development Officer, Class II a person shall be required to pass the relevant examination, within a period of three years and within three chances from the date of his completing three years' continuous service after his regular appointment to the lower post unless he has passed such relevant Examination under the old rules:

Provided that a person belonging to the scheduled castes of Schedule Tribes may be given one more chance which shall have to be availed of within a period of one year from the date of the expiry of the above said period of three years:

Provided further that if the period for passing the examination as provided in rules, expires before the date of holding examination of the next examination, the said period shall be deemed to have been extended until the date of declaration of the result of examination so held:

Provided also that the chances for passing the examination under the old rules shall be deemed to have been provided under these rules and a person who has been provided any such chance under the old rules, shall be allowed to avail the remaining chances under these rules:

Provided also that any such person, who has passed the examination before the appointed date or has been exempted from passing the examination, shall not be required to pass the department examination as provided under these rules.

Provided also that any person, who has, before the appointed date availed of all the chances prescribed under the old rules for passing the examination, shall be allowed to avail one additional chance to pass the examination under these rules, which shall have to be availed of at the first examination to be held under these rules, subject to the condition that he shall not be entitled to claim seniority and shall become junior to all those who have passed the examination and have been promoted regularly to higher post earlier than him.

Provided also that a person who has not passed the said examination within the specified period and specified chances, shall, notwithstanding such failure, be eligible to appear at any time in the relevant examination on payment of an examination fee as may be determined by the Government and if he passes the said examination, he shall be eligible for promotion:

Provided however that a person shall not be entitled to claim seniority over those person who have passed the relevant examination earlier than him within specified chances and within specified period and also have been promoted regularly to the higher post before he became eligible for such promotion on passing the relevant examination .

4. **Paper and Syllabus.- (i)** The syllabus of the examination shall be as specified in the Appendix 'A'. The examination shall consist of Multiple Choice Questions (MCQ) except Paper IV, which shall be descriptive.

(ii) The subject papers shall be allowed to be answered with the help of Books except Paper-IV.

**Explanation:** - With books means original book of the subjects having bare Acts/or Rules without any commentaries or case laws and includes manual issued under the Act published by the Government of Gujarat.

(iii) Answers in Paper IV shall be required to be written in English or Gujarati, as per the instructions given in the question paper.

5. **Medium of Examination.-** The medium of the written examination shall be Gujarati or English as per instruction given in the question paper.

**6. Holding of Examination.-** (i) The Board shall hold relevant examination twice in every year, ordinarily in the months of June and December.

(ii) The place, date and time for holding the relevant examination shall be communicated by the Board or the H.O.D. under intimation of the Secretary to Government of Gujarat, Tribal Development Department and H.O.D. shall inform the same to the candidates.

**7. Admission to the Examination.-** (1) A person who desires to appear at the relevant examination, shall submit his application in the Form as specified in Appendix 'B' to the Commissioner, Tribal Development Gujarat State, for enlisting his name as a candidate for such examination at least sixty days before the date of commencement of the examination.

(2) The office of the Commissioner of Tribal Development, Gujarat State shall scrutinize the application with regard to his eligibility for appearing at the relevant examination and forward the same to the Board along with the Certificate of Eligibility as specified in Appendix 'C'.

(3) If the applicant subsequently decides not to appear at the relevant examination, he shall give intimation thereof to the Board through the office of the Commissioner of Tribal Development, Gujarat State, at least thirty days before the date of the commencement of the examination.

(4) In the event of any person failing to appear at the relevant examination after having enlisted his name as a candidate for appearing there at but without intimating as referred to in sub rule (3) shall be deemed to have lost one chance to pass the examination:

Provided that the Commissioner may condone the failure on the part of the person to give intimation referred to in sub rule (3), and the consequences arising there from if it is satisfied that the person had failed to give the intimation within time for reasons beyond his control.

(5) The Board shall admit the candidate to the relevant examination on the strength of the certificate issued by the Commissioner of Tribal Development, Gujarat state, that he is eligible to appear at the examination;

**8. Qualifying Standard for passing Examination.-** (1) The Standard for passing the relevant Examination shall be fifty percent (50%) of the total marks assigned to each paper.

(2) An unsuccessful candidate, who secures sixty percent (60 %) or more marks in any one or more papers, shall be exempted from appearing in those papers at the subsequent examination.

(3) A candidate who secures eighty percent (80%) or more aggregate marks in the examination shall be paid cash amount as an incentive as determined by the Government.

**9. Publication of Result.-** The Board shall publish the result of the examination in the Official Gazette and also communicate the same to the Secretary, Tribal Development Department, Gujarat State.

**10. Rechecking of marks.-** A candidate who desires to have his marks of the examination rechecked may apply to the Board along with such fees as may be fixed by the Board for each paper within period of fifteen days from the date of publication of the final result for examination.

**11. Prohibition to use certain device in the exam hall.-** A candidate shall not be allowed to carry with him any other electronic communication devices like cellular phone, calculator, pager, etc. in the examination hall.

#### **APPENDIX "A"**

(See rule 4)

#### **Syllabus for Examination**

**PAPER-I Constitution of India and Service matters. Marks: 100, Duration: 2 Hrs.**

1. Constitution of India with reference to
  - (1) The articles 309.
  - (2) The provision of Panchayats and Municipalities with focus on amendment 73 and 74.
  - (3) The Election Commission.
  - (4) The Finance Commission.
  - (5) The Concurrent list and State list.
  - (6) The Supreme Court and High Courts.

2. The Gujarat Civil Service Rules (Conduct) Rules, 1971 and the Gujarat Civil Service Rules the (Discipline and Appeal) Rules, 1971.
3. The Gujarat Legislative Assembly Rules.
4. Current Five Years Plans with special reference to Gujarat.
5. Structure of Panchayati Raj in Gujarat, its power and limitations.

**Paper-II Financial Matters Marks: 100, Duration:2 Hrs.**

1. The Gujarat Civil Service Rules (G.C.S.R.), 2000; Vol. I to VII.
2. The Gujarat Budget Manual, Parts I and part II, 1193.
3. The Gujarat Treasury Rules, 2000 (Related Rules).
4. An Introduction to Indian Government Account and Audit.  
Whole book except the following chapters: 7, 9. Part C, D,E.  
Chapters 18, 21,23,31,32,33,34,36 (paras 76 to 776 to 785)  
Chapters 37, 38, 39
5. The Purchase policy of the Government of Gujarat.
6. The Gujarat financial Rules, 2002.

**Paper-III Office Procedure Marks: 100, Duration: 2 Hrs.**

1. Rules of Business and Instructions issued there under.
2. Manual of non-secretariat Office Procedure.
3. Organizing and structure of the machinery of Government.
4. Annual Performance Appraisal Report (APAR).
5. Roster Manual (How to prepare, maintain roster register and allocation of Roster points).
6. The Gujarat Civil Services Tribunal Act, 1972.
7. The Right to Information Act, 2005 (with all amendments).

**Paper- IV Gujarati and English language and General Subject. Marks:**

**100, Duration: 3 Hrs. (Without Books)**

- |   |          |
|---|----------|
| (1) Essay in English and Gujarati.  | 30 Marks |
| (2) Secretariat and field Relationship.   | 10 Marks |
| (3) High Court matters-Preparation of parawise remarks, filing of Affidavit and Drafting of 'Speaking Orders'.  | 20 Marks |
| (4) Government policies with regard to amelioration of condition backward classes, land reforms, education, prohibition, co-operation, social welfare, Industrialization, | 40 Marks |

**Public Health.**

**Paper: V Department Matter Marks: 100 marks, Duration: 2 Hrs  
(With Books)**

1. Report of the Depressed Classes and above regional Tribes Committee, Bombay Presidency, 1930 (State).
2. Privileged, Concessions and Welfare Schemes along with their rules and Write-ups under plan, Non-plan, T.S.P. and C.S.P. program, provided to tribal classes.
3. Current tribal problems in the state.
4. Report on the Schedule Areas of Scheduled Tribes Commission. (By Shri U.N.Dhebar).

**Paper-VI Minor Acts: 100 marks, Duration: 2 Hrs (With Books)**

1. The Bombay Primary Education Act, 1947 (Act A No. LXI of 1947) as amended from time to time.
2. The Gujarat Co-operative Societies Act, 1961 with Rules.
3. The Bombay Money Lenders Act, 1946 (Bombay XXI of 1947).
4. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocity) Act, 1989 (as amended from time to time).
5. The Bombay Policy Act, 1951 as amended from time to time.
6. Panchayat Extension Scheduled Area (PESA).
7. The Forest Right Act, 2006.

**APPENDIX 'B'**

(See rule 7(1))

**Application for appearing at "Tribal Development Officer-Class-II Examination" to be held by the Board.**

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:	
6.	Whether the applicants had appeared at the Examination previously if so-	
	(a) Month and year of examination at which he appeared:	
	(b) Whether any exemption is earned. If so, details of marks, Year of examination and Subject should be given:	
	(c) Whether the applicants intend to avail of exemptions earned? State "Yes" or "No" (The choice will be treated as final and no change shall be allowed):	
7.	Authority of the Rule under which the applicant has to Appear for the examination:	
8.	Number of chances and time limit within which the applicant is required to pass the examination (date of expiry of the period for appearing at the examination should be mentioned):	
9.	Number of trials exhausted.	
10.	Whether additional (special chance) has been granted? Number and date of orders, under which the additional chance has been granted to the applicant should be specified and copy thereof should be attached:	
11.	Purpose of passing the examination (e.g. confirmation, retention in Government service, promotion, etc.):	
12.	Whether the applicant is eligible to appear at the examination according to the rules of the Departmental Examination:	
13.	Number and date of orders relaxing age and service limit from competent authority (copies of orders should be attached):	
14.	Remarks, if any:	

**PLACE:**

**DATE:**

**Signature of the Applicant**

**APPENDIX 'C'**  
**(See rule 7(2))**  
**CERTIFICATE OF ELIGIBILITY**

Certified that-

- (1) The above particulars are verified and found correct.  
Shri/Smt./Kum.....is eligible to appear at the Tribal Development Officer, Class II, examination for promotion to the post of "Tribal Development Officer" to be held in .....20...
- (2) \* Necessary fee is paid; copy of *challan* is attached herewith.
- (3) \* Candidate is granted additional chance; a copy of order is attached.

Place:.....

Date:.....

\*Strike out whichever is not applicable.

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

(Dinesh Parmar)

Deputy Secretary to Government.

**Copy to:-**

- The Secretary to the Hon'ble Governor of Gujarat.
- The Personal Secretary to the Hon'ble Chief Minister of Gujarat.
- The Personal Secretary to the Hon'ble Minister/Minister of State for Tribal Development, Gandhinagar.
- The Deputy Secretary to Chief Secretary, Gujarat, Gandhinagar.
- The Personal Secretary to Principal Secretary, General Administration Department, Sachivalaya, Gandhinagar.
- The Personal Secretary to Additional Chief Secretary, Finance Department Sachivalaya Gandhinagar.
- The Personal Secretary to Secretary, Tribal Development Department, Sachivalaya, Gandhinagar.
- The commissioner of Tribal Development, Gandhinagar.
- Joint Secretary / Deputy Secretary / Under Secretary, Tribal Development Department, Sachivalaya, Gandhinagar.
- The Accountant General, Gujarat, Ahmedabad/Rajkot.
- \*The Secretary, Gujarat Civil Services Tribunal, Gandhinagar.
- \*The Secretary, Gujarat Public Service commission Ahmedabad.

- The Pay and Accounts Officer, Ahmedabad/Gandhinagar.
- \*The Manager, Government Printing Press, Gandhinagar, with a request to publish the Notification in Gujarat Government Gazette and two hundred copies to this department.
- The Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar, with a request to publish Gujarat translation of Notification and send hundred copies to this department.
- The Select file.

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\* By letter.