

Notification

Sachivalaya, Gandhinagar, 31st March, 2009.

CONSTITUTION OF INDIA

No. GVN/2009/19/EXM/102002/581/D-2 :- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and in supersession of all existing rules made in this behalf, the Governor of Gujarat hereby makes the following rules to provide for regulating the conditions of service of persons appointed as Clerk, Clerk-cum-Typist, Typist and Accountant, Class III, in the subordinate service of the Forest Department namely :-

1. (1) These Rules may be called the Gujarat Forest Department.
(Condition of Service relating to Clerk and Accountant Examination) Rules, 2009.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.
- (3) They shall apply to the persons appointed in the Forest Department as Clerk, Clerk-cum-Typist, Typist and Accountant
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 Subordinate Service Selection Board, Gandhinagar;
 - (d) "direct recruit" means a person appointed to the post of Accountant by direct selection or otherwise than by promotion from a lower post of Clerk, Clerk-cum-Typist and Typist;
 - (e) "Examination" means the departmental examination for Accountant and Clerk specified in these rules;
 - (f) "Clerk" means a person appointed as Clerk, Clerk-cum-Typist or Typist in the Forest Department;
 - (g) "old rules" means the rules for the Clerk, Clerk-cum-Typist, Typist or, as the case may be, Junior Clerk and Accountant Departmental Examination which were in force immediately before the appointed date;
 - (h) "specified chances" means the number of chances specified in these rules within which a person is required to pass the examination;
3. Subject to the provisions of this rules, all direct-recruit on or after the appointed date, to the post of Accountant, shall require to pass the examination within a period of three years from the date of this appointment;

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

4. (1) To be eligible for promotion to the post of Accountant, a Clerk shall require to pass the examination within a period of these years from the date of passing the post training examination in the case of Clerk and Clerk-cum-Typist and from the date of appointment in the case of Typist;

Provided that these rules shall not apply to persons who have, before the appointed date, passed the Junior Clerks and Accountants examination or have been exempted from passing the said examination under the old rules;

Provided further that no person who is appointed as Clerk (except Typist) shall be eligible to appear in the examination until he has passed the Post Training Examination.

Provided also that if the period for passing the examination as prescribed in these rules expires before the date of the holding of the examination, the said period shall be deemed to be extended until the date of the result of the examination so held;

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- (2) On the basis of the post training examination, Clerk shall be exempted to appear in Paper V of the examination;

Provided that a Clerk who has passed the Clerk, Clerk-cum-Typist and Typist examination under the old rules on or before the appointed date shall be exempted from appearing in Paper I and Paper II of the examination;

Provided further that, a Clerk who has scored sixty per cent, or more marks in subsequent trials in Paper I and Paper II of Junior Clerk and Accountant examination under the old rules on or before the appointed date shall be exempted to appear in Paper I and Paper II of the examination respectively.

The examination required to be passed under rules 3 and 4 shall have to be passed in not more than three chances 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 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 period mentioned in rule 3 or rule 4, as the case may be.

- (1) If a direct recruit Accountant fails to pass the examination as required under these rules, his services 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 examination by a very narrow margin of marks, the State Government may after recording reasons in writing, give him one more opportunity to pass the examination.

- (2) If a person holding the post of Clerk fails to pass the examination as required under these rules, he shall not be eligible for promotion to the post of Accountant until he passes the examination.

If Clerk fails to pass the examination within the period specified in rule 4 and according to the chances available to him under rule 5, he shall, notwithstanding such failure, be eligible to appear at any time in such examination, on payment of examination fee as may be determined by Government from time to time and if the examination, he shall be eligible for promotion to the post of Accountant;

Provided that such a person shall not be entitled to claim seniority over those persons who have been promoted to the post of Accountant before he became eligible for promotion, on account of their having passed the departmental examination earlier than him, notwithstanding that he was senior to the persons so promoted in the cadre from which promotion was given.

The Board shall hold examination twice in every year, ordinarily in the month of June and December.

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

3. (1) A person who desires to appear at the examination shall send his application for enlisting his name as a candidate for such examination to the Board through the Principal Chief Conservator of Forests, Gujarat State, Gandhinagar, in the Form specified in Appendix B at least sixty days before the date of the commencement of the examination.

(2) The Conservator of Forests shall scrutinize the application with regard to his eligibility for appearing at the examination and forward it through the Principal Chief Conservator of Forests, Gujarat State, Gandhinagar to the Board.

(3) The Board shall admit candidates to the examination on the strength of the certificate given by the Conservator of forests that they are eligible to appear at the examination.

(4) If the applicant subsequently decides not to appear at the examination he shall give intimation thereof to the Board through the Principal Chief Conservator of Forests at least thirty days before the date of the commencement of the examination.

(5) In the event of any person failing to appear at an examination after having enlisted his name as a candidate for appearing thereat but without intimating as aforesaid, he shall be deemed to have lost

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 such intimation within time for reasons beyond his control.

(1) The standard for passing the examination shall be fifty per cent. of the total marks assigned in each paper.

(2) The subject papers will be allowed to be answered with the help of books.

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

(3) An unsuccessful candidate who secures sixty per cent or more marks in any one or more papers shall be exempted from appearing in those papers at the subsequent examinations.

Appendix A

(See rule 9)

Service matters

100 Marks

Paper I

(Three Hours)

1. The Gujarat Civil Services (Conduct) Rules, 1971 and the Gujarat Civil Services (Discipline and Appeal) Rules, 1971.
2. The Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.
3. (1). The Gujarat Civil Services (General Conditions of Service) Rules, 2002.
- (2) The Gujarat Civil Services (Pay) Rules, 2002.
- (3) The Gujarat Civil Services (Leave) Rules, 2002.
- (4) The Gujarat Civil Services (Joining time, Foreign Service, etc) Rules, 2002.
- (5) The Gujarat Civil Services (Traveling Allowance) Rules, 2002.
- (6) The Gujarat Civil Services (Pension) Rules, 2002.
- (7) The Gujarat Civil Services (Addition to Pay) Rules, 2002.
- (8) The Gujarat Civil Services (Occupation of Residential Accommodation) Rules, 2002.

Paper II

(Three Hours)

Accounts matters

100 Marks

1. The Gujarat Financial Rules, 1971.
2. The Gujarat Treasury Rules, 2000.
3. The Bombay Contingent Expenditure Rules, 1959.
4. (1) Gujarat Budget Manual, Volume I.

(Except the following Chapters, Appendices)

CHAPTER IV : Special instructions regarding preparation of estimates, watching of actual, etc. pertaining to the Building and Communications Department and Health and Family Welfare Department.

CHAPTER V : Special instructions regarding preparation of estimates, watching of actual, etc. pertaining to the Irrigation Department.

CHAPTER VI : Estimates regarding grants payable to District Panchayats under Panchayats, Housing and Urban Development Department.

CHAPTER VII : Estimates of transactions taking place in United Kingdom and other foreign countries.

APPENDIX L : Central Agency Subjects.