

GENERAL ADMINISTRATION DEPARTMENT

Mantralaya, Bombay 400 032, dated the 6th June 1977.

CONSTITUTION OF INDIA.

No. EXM-1276-XVII.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and in supersession of all existing rules and orders issued in this behalf and in force in the State or any part thereof, the Governor of Maharashtra is hereby pleased to make the following Departmental Examination rules for promotion to the posts of Superintendents in the Subordinate Secretariat Service of the State of Maharashtra, namely :—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Maharashtra Government Subordinate Secretariat Service (Superintendents) Departmental Examination Rules, 1977.

(2) They shall be deemed to have come into force on 1st June 1977.

Definitions.—In these rules, unless the context otherwise, requires,—

(a) "Appendix" means an Appendix to these rules ;

(b) "Assistant" means a person appointed by promotion or by nomination as Assistant to the Upper Division of the Subordinate Secretariat Service ;

(c) "Examination" means the Examination for promotion to the post of a Superintendent in the Subordinate Secretariat Service held according to the syllabus prescribed under rule 11 read with Appendix A ;

(d) "Existing rules" means the rules and orders in force for Departmental Examination for promotion to the posts of Superintendents in force immediately before the date of publication of these rules in the Gazette.

3. *Eligibility.*—For being eligible to appear for the Examination, an Assistant must have passed the Post Recruitment Training Examination prescribed for Assistants and must have also completed 5 years continuous service as an Assistant.

4. *Period and number of chances.*—Subject to the provisions of rule 3, every Assistant shall be required to pass the Examination within nine years of his continuous service as an Assistant and within three chances :

Provided that, the Assistants who belong to the (i) Scheduled Castes, (ii) Scheduled Tribes, and (iii) Denotified Tribes and Nomadic Tribes, shall be allowed to pass the Examination within 10 years of their continuous service as Assistants and within four chances :

Provided further that, any chance already availed of under the existing rules shall be counted towards the computation of total number of chances to be availed of under these rules. This proviso shall also apply to cases falling under the first proviso to this Rule.

5. *Consequences of failure to pass Examination.*—An Assistant who fails to pass the Examination within the period and chances specified in rule 4,

shall lose seniority, for the purposes of promotion to the posts of Superintendents, to all the Assistants who pass the Examination before him and also below all those who are senior to such Assistants below whom he is placed, and who may pass the Examination after him but within the period and chances specified in rule 4.

6. *Examination when to be held.*—Ordinarily the Examination shall be held either in Marathi or in English or in both the languages once in a year in the month of November or December.

7. *Consequences when Examination not held.*—If, for any reason, the Examination is not held in any particular year, that year shall be excluded in computing the period specified in rule 4.

8. *Chances for appearing for Examination.*—Subject to the provision of rule 5, an Assistant can avail of any number of chances for appearing in the Examination.

9. *Appointment of Superintendents.*—No person shall be appointed to the post of Superintendent, in the Subordinate Secretariat Service, unless he has passed the Examination or has been exempted under rule 10 :

Provided that, this rule shall not apply to the short-term vacancies which are not likely to exceed a period of two months ;

Provided further that, if at any time no Assistants who have passed the Examination are available for promotion to the post of Superintendents Assistants who have not completed nine years of service and have not exhausted all the chances prescribed in rule 4 may be considered for promotion if they are otherwise suitable for the post. Such arrangements shall continue only till suitable qualified Assistants are available for promotion.

10. *Exemption.*—The following persons shall be exempt from passing the Examination, namely :—

(a) Assistants who have passed the Examination under the existing rules ; and

(b) Assistants who are already exempted from passing the Examination under the existing rules.

11. *Syllabus.*—(1) The Examination shall be held in two parts, namely :—

PART I—subjects common to all Departments, and

PART II—subjects peculiar to the Mantralaya Departments to which the Assistant belongs.

(2) The syllabus for Part I—of the Examination, duration and maximum marks in each paper shall be as shown in Appendix 'A' or such other subjects as the State Government may by order from time to time direct.

(3) The Part II—of the Examination shall consist of three papers, each carrying 100 marks in the subjects peculiar to the Department concerned. For this purpose, various Departments of the Mantralaya shall prescribe their own syllabus and grouping of subjects.

(4) The arrangement for holding Examination in Part I shall be made by the General Administration Department. The various Departments of the Mantralaya shall make necessary arrangements for holding Examination in Part II and to communicate the result thereof to the General Administration Department. The Examination in Part II shall be held after the Examination in Part I is over. The final result of the Examination shall be declared by the General Administration Department and communicated to the Departments concerned.

12. *Standard for passing.*—The standard for passing the Examination shall be 50 per cent. of the total marks in each paper.

13. *Grace marks.*—In case of candidates who secure 50 per cent. or more of the aggregate of total marks prescribed for the whole Examination but fail to obtain 50 per cent marks in not more than two individual papers, a maximum of 7 grace marks shall be given to them in those subject, if thereby they are able to pass the Examination. This facility shall also be admissible to those candidates who have secured exemptions in their previous attempts.

14. *Credit.*—In case of an Assistant who passes the Examination in the first attempt and secures 70 per cent. or more marks in any paper, an entry regarding his performance in that paper shall be recorded in his confidential record.

15. *Exemptions in subjects.*—An Assistant who fails in the Examination but secures 55 per cent. or more in any paper, shall be exempted from appearing and passing again in that paper in his subsequent attempts.

16. *Application for appearing in the Examination.*—An Assistant who desires to appear for the Examination scheduled to be held in a year, shall apply in writing in the form prescribed in Appendix 'B' to the Secretary to Government, General Administration Department, before the 1st August of that year.

APPENDIX A

[See Rule 11(2)]

Syllabus for Departmental examination for promotion to the Posts of Superintendents in the Maharashtra Government Subordinate Secretariat Service.

| Paper No. | Subject | Duration of the paper | Marks. |
|-----------|--|-----------------------|--------|
| I. | (a) Constitution of India ... | Three hours. | 100 |
| | (b) Legislature Manual and rules. | | |
| | (c) Maharashtra Public Service Commission Rules and Regulations. | | |
| II. | (a) Conduct, Discipline and Appeal Rules read with the Manual of Departmental Enquiries. | Three hours. | 100 |
| | (b) Recruitment Rules ... | | |
| | (c) Noting and Drafting ... | | |

| Paper No. | Subject | Duration of the paper | Marks |
|-----------|--|-----------------------|-------|
| III. | (a) Bombay Civil Services Rules ... (b) Budget Manual ... (c) Bombay Financial Rules, 1969, [Chapters I, II, VII, IX, XI, and XII, excluding item (Vii)] (d) The Bombay Contingent Expenditure Rules, 1959 (excluding Sections IX, X, XII, XIII, XIV, XVIII, (i), (v), (ix) and (x), XX (i), XXI, XXV, XXVI (i) and (ii), XXVIII, XXX, XXXI, XXXII, and XXXIII. | Three hours. | 100 |
| IV. | (a) Secretariat Instructions ... (b) Rules of Business (excluding the First Schedule). (c) Instructions under the Rules of Business. (d) Manual of Office Procedure ... (e) Rules for the treatment and safeguarding of classified information and papers. | Three hours. | 100 |

2. Papers I, II excluding Noting and Drafting and III shall be with Books.

APPENDIX 'B'

(See rule 16)

Form of application for admission to Departmental Examination for promotion to the post of Superintendent in the Subordinate Secretariat Service.

PART I.

1. Name of the applicant.
2. Department.
3. Date of commencement of continuous service in the Upper Division.
4. Year of passing the Post Recruitment Training Examination for Assistant.
5. Year in which applicant intends to take the examination.

भाग चार-अ] महाराष्ट्र शासन राजपत्र, असा., जून ६, १९७७/ज्येष्ठ १६, शके १८९९ १५२

6. Has the applicant secured exemption under rule 15, if any, of the papers ?

If the answer is in affirmative, furnish the following particulars :—

(a) Year in which appeared for examination.

(b) Roll Number.

(c) Papers in which exempted.

(d) Percentage of marks obtained.

Date :

Signature of applicant.

(For use in the candidate's Department).

PART II.

Particulars furnished by the applicant at items 3, 4 and 6 of Part I, have been verified and found to be correct.

Desk Officer Desk No.

.....Department.

No.

Date :

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

V. T. CHARI,
Secretary to Government.