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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

### PART IV-B

Rules and Orders (Other than those published in Part I, I-A and I-L) made

by the Government of Gujarat under the Gujarat Acts.

### EDUCATION DEPARTMENT

#### Notification

Sachivalaya, Gandhinagar, 14<sup>th</sup> May, 2013.

**Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007**

No. GH/SH/19 /2013/PVS/102013/280/S:- In exercise of the powers of conferred by sub-section (1) of section 20 read with section 4 of the Gujarat Professional Technical Educational Colleges or Institutions (Regulations of Admission and Fixation of Fees) Act, 2007 (Guj. 2 of 2008), the Government of Gujarat, in supersession of all the rules made in this behalf, hereby makes the following rules to regulate admission to the Bachelor of Pharmacy and Diploma in Pharmacy and Payment of Fees, as follows, namely:-

**1. Short Title and Commencement.-**

- (1) These rules may be called the Bachelor of Pharmacy and Diploma in Pharmacy (Regulation of Admission and Payment of Fees) Rules, 2013.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.

**2. Definitions.-** (1) In these rules, unless the context otherwise requires,-

- (a) "Act" means the Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007;

Guj. 2  
of  
2008.

Guj.18  
of 1973.

(b) "Admission" for the purpose of these rules means admission of candidates in the Bachelor of Pharmacy and Diploma in Pharmacy Courses;

(c) "Gujarat Board" means the Gujarat Secondary and Higher Secondary School Examination Board established under section 3 of the Gujarat Secondary and Higher Secondary Education Act, 1972;

(d) "Gujarat Common Entrance Test (GUJCET)" means the common entrance test conducted by the Gujarat Board for the purpose of admissions to the professional courses;

(e) "Help Center" means the Centre notified by the Admission Committee for facilitation of the candidate for off campus online admission process;

(f) "JEE (Main)" means 'Joint Entrance Examination' conducted by JEE Apex Board (JAB), New Delhi for the purpose of admissions to the professional courses;

(g) "NEET" means National Eligibility-cum-Entrance Test (NEET) conducted by the Central Board of Secondary Education, New Delhi for the purpose of admissions to the MBBS courses;

(h) "percentile marks" means the percentile score obtained by the candidate after normalising the marks obtained by him in the Board with respect to the marks from other Boards;

(i) "Pharmacy Course" for the purposes of these rules Pharmacy Course means the Bachelor of Pharmacy and the Diploma in Pharmacy Courses, in the Professional Educational Colleges or Institutions of the State;

(j) "Qualifying Examination" means the Higher Secondary School Certificate Examination (Standard XII, 10+2 pattern) passed in the Science Stream or equivalent examination;

(k) "Website" means the official website of the admission committee to carry out off campus online admission process;

(l) "Supernumerary seats" shall have the meaning assigned to it in clause (ll) of section 2 of the Act.

(2) The words and expressions used in these rules but not defined shall have the same meanings as assigned to them in the Act.

**3. Admissions to Pharmacy Courses.-** Admissions to the First Year of the Bachelor of Pharmacy and Diploma in Pharmacy shall be given as under, namely:-

(1) All the Government Seats shall be filled in on the basis of merit list prepared by the Admission Committee constituted under section 4 of the Act, for admissions to the First Year of the Bachelor of Pharmacy and Diploma in Pharmacy Courses.

(2) All the Management Seats shall be filled in by the management of the respective Professional Educational College or Institution, on the basis of *inter-se* merit list of the students whose names appear in the merit list prepared by the Admission Committee.

**4. Seats Available for Admission.-** (1) For the purpose of admission to the first year Bachelor of Pharmacy and Diploma in Pharmacy Courses, available seats shall include,-

**A. Government Seats.-**

(1) All the sanctioned seats of the Bachelor of Pharmacy and Diploma in Pharmacy Courses in the Government Colleges or Institutions of the State,

(2) All the sanctioned seats of the Bachelor of Pharmacy and Diploma in Pharmacy Courses in the aided Colleges or Institutions,

(3) Seventy-five percent of the total sanctioned seats of the Bachelor of Pharmacy and Diploma in Pharmacy Courses in the unaided Colleges or Institutions, and

(4) All supernumerary seats of the professional courses in the Government colleges or institutions and in the aided and unaided Colleges or Institutions.

**B. Management Seats.-**

(1) Twenty-five percent seats of the total sanctioned seats of the Bachelor of Pharmacy and Diploma in Pharmacy Courses in the unaided Colleges or Institutions, including fifteen percent Non-Resident Indian seats.

(2) The intimation received in respect of sanction of seats by the Admission Committee three days prior to the commencement of the first counseling program shall be considered as available seats.

(3) If any unaided College or Institution requests to fill up the Management Seats by the Admission Committee, three days prior to the commencement of the counseling program, such Management Seats shall also be considered as available for giving admissions, and

(4) If any unaided College or Institution requests to fill up the Management Seats (up to 5% of the sanctioned intake) from the out of State students, such seats shall be filled by the Admission Committee on the basis of NEET. Intimation for filling up such seats shall be made by unaided College or Institute three days prior to the commencement of the counseling program. Such seats, if remains vacant after the counseling programs, shall be filled as vacant seats by the College or Institute.

**5. Eligibility for Admission.-**

(1) For the purpose of admission, a candidate shall have passed the qualifying examination with minimum eligibility criteria of percentage of marks in subjects prescribed by AICTE from time to time from,-

(i) the Gujarat Board; or

(ii) the Central Board of Secondary Education:

Provided that,

(a) the school in which the candidate has studied, shall have been located in the State of Gujarat; or

(b) the school in which the candidate has studied, shall have been located in the Union Territories of Daman and Diu or Dadra and Nagar Haveli and whose parents are of Gujarat origin; or

(iii) the Council of Indian School Certificate Examination, New Delhi:

Provided that,-

(a) the school in which the candidate has studied, shall have been located in the State of Gujarat; or

(b) the school in which the candidate has studied, shall have been located in the Union Territories of Daman and Diu or Dadra and Nagar Haveli and whose parents are of Gujarat origin; or

(iv) the National Institute of Open Schooling:

Provided that,

(a) the study centre/school in which the candidate has studied, shall have been located in the State of Gujarat; or

(b) the study centre/school in which the candidate has studied, shall have been located in the Union Territories of Daman and Diu or Dadra and Nagar Haveli and whose parents are of Gujarat origin; or

(v) the International School Board:

Provided that,

(a) the study centre/school in which the candidate has studied, shall

- have been located in the State of Gujarat; or
- (b) the study centre/school in which the candidate has studied, shall have been located in the Union Territories of Daman and Diu or Dadra and Nagar Haveli and whose parents are of Gujarat origin; and
- (vi) have appeared in JEE (Main) / NEET/ GUJCET examinations conducted in the corresponding academic year.
- (2) A candidate whose parents are of Gujarat origin and are serving out of Gujarat in the service of Central Government or other State Government, Armed forces, Boards or Corporations owned or controlled by the Central Government or other State Government or any nationalized bank and who has passed the qualifying examination from the State where parents are serving and has appeared in the JEE (Main) / NEET/ GUJCET conducted in the corresponding academic year, shall be eligible for admission and his candidature shall be included in the merit list prepared in accordance with the provisions of rule 11.
- (3) A candidate who has passed the qualifying examination from any other State and, -
- (i) has appeared in JEE (Main) / NEET/ GUJCET conducted in the corresponding academic year; and
  - (ii) whose parents are serving in the category of services as shown below and who are transferred from other States to Gujarat and have resumed their duties in the place where they are transferred in Gujarat and shall remain so transferred in the State of Gujarat at the time of registration for admission,
- shall be eligible for admission and his candidature shall be included in the merit list prepared in accordance with the provisions of rule 11.

**Category of Services:**

- (a) Officers or Employees of Central Government; or
  - (b) Officers or Employees of Public Sector Undertakings of Central Government or any State Government; or
  - (c) Officers or Employees of nationalized banks; or
  - (d) Officers or Employees of United Nations, UNICEF, World Health Organization and such other International Institutions located in Gujarat State; or
  - (e) Gujarat Cadre Officers of Indian Administrative Service, Indian Police Service or Indian Forest Service working in Gujarat or working in other States on deputation; or
  - (f) Officers or Employees of Gujarat Government posted outside Gujarat State for administrative reasons.
- (4) A candidate who has,-
- (i) studied under Jawahar Navodaya Vidyalaya Scheme up to Standard VIII in any of the schools located in the State of Gujarat, and
  - (ii) thereafter studied in any of the schools located out of the State of Gujarat under the said scheme, and
  - (iii) passed the qualifying examination from a Navodaya Vidyalaya located outside the Gujarat State, and
  - (iv) appeared in the JEE (Main) / NEET/ GUJCET conducted in the corresponding academic year
- shall be eligible for admission and his candidature shall be included in the merit list prepared in accordance with the provisions of rule 11.

**Explanation.-** "Jawahar Navodaya Vidyalaya Scheme" means the Jawahar

Navodaya Vidyalaya scheme started during the year 1985-86 by the Government of India in accordance with the National Policy of Education. The scheme is managed by Navodaya Vidyalaya Samiti, an autonomous organisation under the Department of Education, Ministry of Human Resource Development, Government of India.

(5) A candidate who has passed the qualifying examination after appearing in the supplementary examination conducted by the Board shall be eligible for admission in the current academic year on the vacant seats declared under rule 19.

**6. Reservation of Seats.-** (1) For the purpose of admission, the seats shall be reserved for the candidates who are of Gujarat origin and falling under the following categories and in following proportion, namely:-

- |  |             |
|--|-------------|
| (a) Scheduled Castes   | : 7 %       |
| (b) Scheduled Tribes   | : 15%       |
| (c) Socially and Educationally Backward<br>Classes, including Widows and orphan of any caste | : 27% caste |

(2) A candidate seeking admission on reserved seat shall be required to produce a Certificate of Caste:

Provided that the candidate belonging to Socially and Educationally Backward Classes shall be required to produce a certificate to the effect of non-inclusion in Creamy Layer in addition to the caste certificate.

- (3) No caste certificate shall be valid unless it is duly stamped, signed and issued by the authority empowered by the Government of Gujarat.
- (4) No certificate to the effect of non-inclusion in Creamy Layer shall be valid, unless it is duly stamped, signed and issued by the authority empowered by the Government of Gujarat. Such certificate shall have been issued on or after the 1st April of the academic year in which the candidate is seeking admission.
- (5) If a candidate fails to submit the certificates as required under sub-rule (2) within the stipulated time, his candidature shall be considered for admission under unreserved category.
- (6) If a candidate of reserved category gets admission on unreserved seat in order of merits, he may be given admission on the unreserved seat according to his preference.
- (7) The admission of a candidate of a reserved category on a reserved seat shall be valid subject to the verification of caste certificate issued to him by the authority empowered by the State Government in this behalf. In case the caste certificate is found to be invalid on verification, he shall not have right to claim his admission on reserved seat and if he has already been granted admission,

such admission shall be cancelled. Admission of such candidate may be continued in case of availability of vacant unreserved seats, subject to the condition of eligibility of merit.

- (8) After granting admission to all the candidates of reserved categories on respective reserved seats, the reserved category seats remaining vacant shall be transferred to the unreserved category seats.

7. **Reservation For Physically Disabled Candidates.-** Three percent of the available seats in each category shall be reserved, in accordance with the provisions of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, for the persons with disability who can perform the academic activities in the respective course. A candidate with disability shall have to submit certificate of disability issued and duly signed by the Civil Surgeon.

**Explanation.-**“person with disability” means a person suffering from not less than forty per cent. of any disability as certified by a competent medical authority.

8. **Reservation for the Children of Defence Personnel and Ex-Servicemen.-** (1) One per cent. of available seats shall be reserved for the children of Defense personnel and Ex-Servicemen, for admission.

(2) A candidate claiming admission against Ex-Servicemen category shall be required to submit a certificate to that effect duly issued by the Director, Sainik Welfare Board, Gujarat State or by the District Sainik Welfare Officer. In-Service Defence personnel shall be required to submit certificate to that effect duly issued by the Commanding Officer of the respective unit in which they are serving.

(3) The seats remaining vacant against the category of Defence Personnel and Ex-Servicemen shall be filled up from the merit list of unreserved category candidates.

(4) The children of Defence Personnel and Ex-Servicemen of Gujarat origin shall be included under the reserved category specified in this rule, if they have passed the qualifying examination from the schools located outside the Gujarat State and have appeared in the JEE (Main) / NEET/ GUJCET conducted in the corresponding academic year.

9. **Distribution of Seats between Candidates of Gujarat Board and Other Boards.-**

For the purpose of admission, the available seats shall be distributed based on the merit list prepared under sub- rule (1) of rule 11:

Provided that if percentile marks are not available from any of the Boards mentioned in the sub-rule (1), sub-rule (2), sub-rule (3) or, as the case may be, sub-rule (4) of rule 5,

then the available seats shall be distributed between candidates of the Boards for which percentile marks are available and other Boards for which percentile marks are not available, on pro-rata basis taking into consideration the two merit lists prepared as per the provisions of sub-rule (1) of rule 11.

**10. *Supernumerary Seats.***- (1) The supernumerary seats shall be filled in accordance with the directions of All India Council of Technical Education, New Delhi and Ministry of Human Resource Development, Government of India.

- (2) (i) The Tuition Fee Waiver Scheme shall be applicable to all the sanctioned seats of the Engineering and Technology courses in the Government colleges or institutions, grant-in-aid colleges or institutions and unaided colleges or institutions approved by AICTE, New Delhi;
- (ii) the supernumerary seats not exceeding five percent of sanctioned intake of the colleges or institutions shall be filled on the basis of merit of the candidate, whose parents' annual income is less than Rs.4.5 lakhs from all sources of income;
- (iii) the supernumerary seats not exceeding 15% of the sanctioned intake of all the Government Colleges or institutions, grant-in-aid colleges or institutions or unaided Colleges or Institutions approved by AICTE shall be filled with the candidates falling under the category of Foreign Nationals or Persons of Indian Origin (PIO) or Indian workers in Gulf countries, subject to the condition that up to 1/3<sup>rd</sup> of the 15% shall be reserved in the different disciplines in all the colleges or institutions, for the Children of Indian workers in the Gulf Countries. The Foreign Nationals or Persons of Indian Origins (PIO) or the children of Indian Workers in the Gulf Countries admitted through Indian Council for Cultural Relation (ICCR) or Government of India nominee shall be included in their respective category;
- (iv) the supernumerary seats which remain vacant shall not be offered to any one other than the respective category;
- (v) the Tuition Fee Waiver Scheme shall be for the complete duration of the course and the candidate admitted under this scheme shall not be allowed to change the institution or the course in any circumstances.
- (3) (a) Notwithstanding anything contained in these rules, two supernumerary seats in each college or institute shall be filled by the candidates who are migrants of the State of Jammu and Kashmir, in accordance with the

directions from the All India Council of Technical Education, New Delhi and Ministry of Human Resource Development, Government of India, subject to the eligibility criteria prescribed in these rules;

- (b) such candidate shall be exempted from appearing in the JEE (Main) / NEET/ GUJCET.

**11. Preparation of Merit List.-** The merit list of the candidates who have applied for admission in the manner prescribed by the Admission Committee, within the prescribed time limit and who are found eligible for admission under these rules, shall be prepared in the following manner, namely:-

- (1) For the candidates who have passed the qualifying examination from any of the Boards mentioned in sub-rule (1), sub-rule (2), sub-rule (3) or, as the case may be, sub-rule (4) of rule 5, sum of sixty percent weightage of the percentile marks obtained in the theory subjects (Physics, Chemistry and Biology or Mathematics) and forty percent weightage of the percentile marks obtained in same subjects of the JEE (Main) / NEET/ GUJCET shall be the merit marks:

Provided that if percentile marks are not available from any of the Boards mentioned in sub-rule (1), sub-rule (2), sub-rule (3) or, as the case may be, sub-rule (4) of rule 5, two separate merit lists shall be prepared namely:-

- (i) The first merit list shall include the candidates who have passed the qualifying examination from the Boards for which the percentile marks are available. The merit list shall be prepared with sixty percent weightage of the percentile marks obtained in the theory subjects (Physics, Chemistry and Biology or Mathematics) combined with forty percent weightage of the percentile marks obtained in same subjects of the JEE (Main) / NEET/ GUJCET).
- (ii) The second merit list shall include the candidates who have passed the qualifying examination from the Boards for which the percentile marks are not available. This shall be based on sixty percent weightage of marks obtained in theory of the subjects (Physics, Chemistry and Biology or Mathematics) after converting it to 100 combined with the forty percentage weightage of the percentile marks obtained in the JEE (Main) / NEET/ GUJCET).
- (2) The criteria for deciding merit order in case of candidates having equal merit marks shall be based on the percentage of marks obtained in the qualifying examination in following sequence, namely:-

- (a) Mathematics/ Biology and Physics



- (b) Mathematics/ Biology and Chemistry
- (c) Physics and Chemistry
- (d) Mathematics / Biology
- (e) Physics
- (f) Chemistry
- (g) English
- (h) Aggregate marks

**12. Correction of Marks.-** (1) In case of change in marks of a candidate in the qualifying examination, such candidate shall produce a letter to that effect issued by the competent authority or the corrected mark sheet issued by the Board, before the Admission Committee at least one day before the commencement of admission process (counseling program) but not later than seven days from the receipt of letter or, as the case may be, corrected mark-sheet. In such case he shall be placed at an appropriate order in the merit list.

(2) The candidate who was declared failed initially in the qualifying examination, but later on declared passed after rechecking of marks by the Board, such candidate shall, notwithstanding any time limit prescribed, be allowed to apply for the admission, provided he produces a letter to that effect issued by the competent authority or the corrected mark sheet issued by the Board, within seven days of the receipt of letter or, as the case may be, corrected mark-sheet. In such case he shall be placed at an appropriate order in the merit list.

**13. Registration for Admission.-** (1) A candidate seeking admission shall apply on-line, for the registration of his candidature, on the web-site, within the time limit specified by the Admission Committee.

(2) The Admission Committee shall, by advertisement in the prominent newspapers widely circulated in the State, by web-site and by such other means, as it may consider convenient, publish the date of registration, the list of Help Centers, last date for submission of registration form, courses offered and such other information as may be necessary in this behalf.

(3) For the purpose of registration, a candidate shall be required to make payment of such sum towards the Registration fee, etc. as determined by the Admission Committee.

(4) Where a candidate has made more than one registrations, the registration made at the later stage shall be taken into consideration for admission purpose and the other registration shall be treated as cancelled.

(5) A candidate shall be required to obtain the print out of the registration form and shall sign and submit the same, along with the self-attested copies of the requisite certificates and testimonials as specified in the registration form, at the Help Centre. An acknowledgement receipt for the same shall be given by the person authorised by the Admission Committee.

**14. Admission Procedure.**-The admission procedure shall be off campus online in the following manner, namely:-

(1) The Admission Committee shall prepare merit lists of the eligible candidates who have applied under sub-rule (1) of rule 13, after verification of the documents submitted under sub-rule (5) of rule 13.

(2) The merit lists shall be displayed on the web-site of the Admission Committee and by such other means, as the Committee may consider convenient.

(3) The Admission Committee shall publish the schedule of online counseling program on its web-site, by advertisement in the prominent newspapers widely circulated in the State, and by such other means, as it may consider convenient.

(4) The candidate shall be required to indicate his order of choices of courses and colleges or institutions, online. Allotment of seats shall be made on the basis of merit, category of the candidate and availability of seats. The allotment of seats shall be published on the web-site of the Committee. The candidates are required to obtain the print out of the Information letter and bank fee receipt copies from the website.

(5) The candidate shall be required to pay such fee, as may be determined by the Admission Committee.

(6) The candidate, for securing his admission, shall produce at the Help Centre, the information letter, receipt of fee, all original documents and testimonials, for verification, within the specified time limit. Such candidate shall be eligible to participate in the successive rounds of counseling provided he has given option for the same. In case, the candidate fails to produce the aforesaid required documents within prescribed time limit, the admission offered to him shall be treated as cancelled.

(7) Where considerable number of seats fall vacant and it appears to the Committee to fill the vacant seats, it may conduct the on-line admission process for readjustment (reshuffling) of seats. The candidate, who opts to partake in reshuffling process, shall be considered for such admission. The candidate may either give option for up gradation of choices already given or submit new choices. If the candidate gets the admission on the basis of up-gradation or new choice, then his earlier admission shall be treated as cancelled.

15. **Fee.-** (1) A candidate who gets admission in the Government or aided college or institution shall have to pay such fees, as may be determined by the Government, at such stages, as may be determined by the Admission Committee.

(2) A candidate who gets admission in unaided colleges or institutions shall have to pay such fees, as may be determined by the Fee Regulatory Committee constituted under section 9 of the Act, for unaided colleges or institutions, at such stages, as may be determined by the Admission Committee.

(3) If a candidate, who has paid the fees after getting admission, gets his admission cancelled, his fees shall be refunded after completion of the admission process, provided that the seat vacated by him is filled by another candidate.

(4) If a candidate who has paid the fees after getting admission and gets his admission changed in another course and/or college or institution in the readjustment (reshuffling) process, he shall pay the difference of fees, if any, at the time of getting admission or, as the case may be, fees shall be refunded after the completion of admission process.

16. **Documents to be Attached with the application.-** (1) The candidate shall submit the self-attested copies of the following documents along with the print out of the registration form at the Help Center, namely:-

- (i) S.S.C. Examination (Std. X) Mark-sheet,
- (ii) H.S.C. Examination (Std. XII) Mark-sheet,
- (iii) JEE (Main) / NEET/ GUJCET Mark-sheet,
- (iv) School Leaving Certificate or Transfer Certificate,
- (v) Caste certificate for a candidate belonging to Scheduled Castes (SC), Scheduled Tribes (ST) and Socially and Educationally Backward Classes (SEBC), issued by the authority empowered by the State Government in this behalf,
- (vi) Non Creamy Layer (NCL) certificate of the family, issued after 1st April of the relevant academic year, by the authority empowered by the State Government in this behalf,
- (vii) Certificate of Physical Disability, issued and duly signed by the Civil Surgeon/ competent Medical Authority, in case the candidate is a Physically Handicapped candidate,
- (viii) Certificate of *Ex-Serviceman*, duly issued by the Director, Sainik Welfare Board, Gujarat State or by the District Sainik Welfare Officer,
- (ix) A copy of certificate of *In-Serviceman* duly issued by the Commanding

Officer of the respective unit in which he is serving,

- (x) A copy of certificate of income issued by the authority empowered by the State Government in this behalf, if applicable,
- (xi) Photograph of candidate for other State / other than Gujarat Secondary and Higher Secondary School Examination Board, and
- (xii) Such other certificates as the Admission Committee deems necessary.

(2) After getting the information letter, the candidate shall have to produce for verification, the original certificates and testimonials of the documents attached with the registration form, at the Help Center, within time-limit as may be specified by the Admission Committee.

(3) The Help Center may retain any original certificate or testimonial, which it considers necessary until the admission process is completed. Such Help Center shall return the original certificate or testimonial to the candidate after completion of the admission process.

(4) The candidate who is unable to produce original certificates and testimonials necessary for the purpose of admission within the time-limit prescribed in sub-rule (2), he may be granted provisional admission, subject to following conditions, namely:-

- (i) On payment of Rs.10,000/- (Rupees Ten thousand) to the Admission Committee as security deposit by the candidate. If the candidate submits the required documents within a period of three working days, the remaining amount of the security deposit shall, after deducting Rs. 500/- (Rupees Five hundred) towards the administrative expenditure, be refunded;
- (ii) In the event of failure to submit original certificates and testimonials within the time limit as aforesaid, the provisional admission may be cancelled and the security deposit may be forfeited.

**17. *Ineligibility for admission on production of false documents.***- During verification of documents or subsequently, if the Admission Committee / Help Centers finds any certificate or testimonial or information submitted by any candidate, incorrect or false, the candidature of such candidate shall be cancelled for that year and he shall be disqualified for admission for the period of next two years.

**18. *Cancellation of Admission and Refund of Fee.***- (1) In case of cancellation of admission or transfer of candidate by the Admission Committee, due to administrative reasons, the college or institution in which the candidate was granted admission shall refund the fee collected by it, to such candidate.

(2) In case of cancellation of admission due to failure of candidate to get himself

reported at the Help Center within the specified time limit as prescribed in sub-rules (6) of rule 14, or for such other reason as the Admission Committee may consider reasonable, and subject to the condition of such vacated seat being filled up by the Admission Committee, the fees collected from such candidate shall be refunded after completion of the admission process, after deduction of such amount as the Admission Committee may determine.

(3)(a) In case of a candidate withdrawing his candidature before completion of admission process, for any reason whatsoever, he may request in writing to the Admission Committee for such withdrawal. In such case, the fee collected, if any, by the Admission Committee shall be refunded to such candidate, subject to the condition of such vacated seat being filled up by the Admission Committee.

(b) In case of a candidate withdrawing his candidature after completion of admission process, for any reason whatsoever, he may request in writing to the college or institution in which he is granted admission, for refund of fee paid by him. In such case the fee shall be refunded, by such college or institution, as per the directions of the Admission Committee.

**19. Vacant Seats.-** (1) After offering admission to all the candidates whose name appear in the merit list or after completion of the admission process, if the seats remain vacant, such vacant seats shall be filled by the institutes, in accordance with the directions of the Admission Committee and in the manner prescribed in sub-rule (2).

(2) Such institute shall, invite application from the eligible candidates and prepare an inter-se merit-list in the following order:-

- (i) names of the candidates whose name appears in the merit list of the Admission Committee,
- (ii) candidates who has cleared the qualifying examination in the supplementary examination,
- (iii) names of the candidates who have passed qualifying examination from outside the Gujarat State and have appeared in JEE (Main) / NEET/ GUJCET conducted in the corresponding academic year, giving priority to the candidates of Gujarat origin.
- (iv) After allotting the seats to candidates mentioned in sub-clause (i), (ii) and (iii) above, if any seat remains vacant, the institute shall invite application from the candidates who have passed Diploma Pharmacy / Degree Science course and grant admission on merit. Such candidates shall be eligible for admission in first year of Degree Pharmacy only.

**20. Admission to Unaided Colleges or Institutions.-** (1) The Management Seats may be filled, by the management of the respective unaided colleges or institutions based on the *inter-se* merit list of the candidates whose names appears in the merit list prepared by the Admission Committee:

Provided that no candidate shall be admitted against the management seat unless his name appears in the merit list prepared by the Admission Committee:

Provided further that where any Non Resident Indian seat remains vacant, such seat shall be filled in from the Management Seat:

Provided also that where any management seat remains vacant, such seat shall be filled by the Admission Committee as Government Seat.

(2) The admission process for filling up of Management Seats shall be carried out by the management of the respective unaided colleges or institutions in accordance with the procedure as may be determined by the Admission Committee.

(3) The unaided colleges or institutions shall collect the fees, as may be determined by the Fee Regulatory Committee, constituted under section 9 of the Act and such other fees as provided under the provisions of the Act.

**21. Penalty.-** Any breach of any of the provisions of the Act, these rules or any directions issued by the Government, the Admission Committee or, as the case may be, the Fee Regulatory Committee, by any person, shall be liable to penalty as provided in the Act.

**22. Interpretation.-** In implementation of the provisions of these rules, if any difficulty or question arises as to the interpretation of any provision, the decision of the State Government shall be final.

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

**NILESH TRIVEDI**

Deputy Secretary to Government.