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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Central Acts.

EDUCATION DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 19th June, 2012.

CONSTITUTION OF INDIA

No.GH/SH-17/12/SCT/1310/599/GH:- In Exercise of the powers of of conferred by the proviso to article 309 of the Constitution India and in supersession of all the rules made issued in this behalf, the Governor of Gujarat hereby makes the following rules to provide for regulating recruitment to the post of Head of Department in Engineering or Technology, in different disciplines, in Gujarat Educational Service, Class I (Collegiate Branch) in Government Polytechnic under the Directorate of Technical Education, Gujarat State, namely:-

1. These rules may be called Head of Department in Engineering or Technology in- different disciplines, in Gujarat Educational Service, Class I (Collegiate Branch) Recruitment-Rules, 2012.
2. Appointment to the post Head of Department in Engineering or Technology in different disciplines, in Gujarat Educational Service, Class I (Collegiate Branch) in Government Polytechnic shall be made either,-
 - (a) by promotion of a person of proved merit and efficiency-from amongst the persons who,-
 - (i) have worked for not less than eight years in the cadre of Lecturer in the Gujarat Engineering Service, Class II (Collegiate Branch) in Government Polytechnics under the Directorate of Technical Education; and
 - (ii) have passed the qualifying examination for computer knowledge in accordance with the provisions of the Gujarat Civil Services Computer Competency Training and Examination Rules, 2006;

Provided that where the appointing authority is satisfied that a person having the experience specified in sub-clause (i) above is not available for promotion and that it is necessary in the public interest to fill up a post by promotion even of a person having experience for a lesser period; it may, for reasons to be recorded in writing, promote such person who possesses experience of a period of not less than two-thirds of the period specified in sub-clause (i) above; or

(b)by direct selection.

3. To be eligible for appointment by direct selection to the post mentioned in rule 2, a candidate shall,-
 - (a) not be more than 40 years of age;

Provided that the upper age limit may be relaxed in favour of a candidate who is already in the service of the Government of Gujarat in accordance with the provisions of the Gujarat Civil Services Classification and Recruitment (General) rules, 1967.

(b) possess,-

- (i) a Ph.D. Degree or equivalent degree in appropriate branch of Engineering or Technology with 1st Class at Graduate or Post-graduate level from any of the universities established or incorporated by or under the Central or State Act in India; or any other educational institution recognised as such or deemed to be a University under section 3 of the University Grants Commission Act, 1956 and recognised by the All India Council for Technical Education and have atleast five years combined or separate experience in teaching or research or industry before or after equiring Ph.D. degree; or
 - (ii) a Bachelor's and Master's degree in appropriate branch in Engineering or Technology with first class either at Bachelor's or Master's level from any of the Universities established or incorporated by or under the Central or State Act in India, or any other educational institution recognised as such or declared as deemed to be University under section 3 of the University Grants Commission Act, 1956; and recognised by All India Council for Technical Education and have atleast ten years relevant combined or separate ten years relevant combined or separate experience in teaching or research or industry; after equiring Master's Degree.
- (c) possess the basic knowledge of computer application as prescribed in the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.
- (d) possess adequate knowledge of Gujarati or Hindi or both.

Explanation:-

- (i) In case of research experience, good academic record and books or research paper publication/Intellectual Property Rights (IPR) or patent record shall required as deemed fit by the Gujarat Public Service Commission.
 - (ii) If the experience in industry is considered, the same shall be at managerial level equivalent to the post of Lecturer in Government Polytechnics recognised as such by the University Grants Commission Act, 1956 and recognised by the All India Council for Technical Education and have atleast five years combined or separate experience in teaching or research or industry before or after equiring Ph.D. degree; or
 - (ii) a Bachelor's and Master's degree in appropriate branch in Engineering or Technology with first class either at Bachelor's or Master's level from any of the Universities established or incorporated by or under the Central or State Act in India, or any other educational institution recognised as such or declared as deemed to be University under section 3 of the University Grants Commission Act, 1956; and recognised by All India Council for Technical Education and have atleast ten years relevant combined or separate ten years relevant combined or separate experience in teaching or research or industry; after equiring Master's Degree.
- (c) possess the basic knowledge of computer application as prescribed in the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.
- (d) possess adequate knowledge of Gujarati or Hindi or both.

Explanation:-

- (i) In case of research experience, good academic record and books or research paper publication/Intellectual Property Rights (IPR) or patent record shall required as deemed fit by the Gujarat Public Service Commission.
- (ii) If the experience in industry is considered, the same shall be at managerial level equivalent to the post of Lecturer in Government Polytechnics recognised as such by the government with active participation record in devising, designing, developing, planning, executing, analyzing, quality control, innovating, training, technical books/research paper publications/intellectual Property Rights (IPR)/patent etc. as deemed fit by the Gujarat Public Services Commission.
- (iii) Equivalence for Ph.D. is based on publication of 5 international journal papers, each journal having a cumulative impact index of not less than 2.0, with incumbent as the main author and all 5 publications being in the author's area of specialization.
- (iv) If a class or division is not awarded, minimum aggregate 60% marks shall be considered equivalent to first class or division.

(v) If a grade point system is adopted the Cumulative Grant Point Average (CGPA) shall converted in equivalent marks shown as below:-

| Grade Point | Equivalent Percentage |
|-------------|-----------------------|
| 6.25 | 55% |
| 6.75 | 60% |
| 7.25 | 65% |
| 7.75 | 70% |
| 8.25 | 75% |

4. The candidate appointed by direct selection shall be on probation for a period of two years.
5. The candidate appointed by direct selection shall, during his probation period, be required to undergo pre-service training and to pass the post training examination in accordance with the provisions of the Gazetted Officers' Pre-service (Training and Examination) Rules, 1970..
6. The candidate appointed by direct selection shall, during his probation period, be required to pass qualifying examination for computer knowledge in accordance with the provisions of the Gujarat Civil Services Computer Competency (Training and Examination) Rules, 2006.
7. The candidate appointed by direct selection shall require to pass an examination in Hindi or Gujarati or both in accordance with the rules prescribed by the government.
8. The candidate appointed either by direct selection or by promotion shall have to undergo such training and to pass such examination as may be prescribed by the Government.
9. The candidate appointed by direct selection shall require to furnish a security and surety bond in such form, for such amount and for such period as may be prescribed by the Government.

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

J. L. PATEL

Joint Secretary to Government.

EDUCATION DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 19th June, 2012.

CONSTITUTION OF INDIA

No.GH/SH/18/12-SCT/1310/599/GH:- In Exercise of the powers of conferred by the proviso to article 309 of the Constitution 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 recruitment to the post of Head of Department in Humanities or Science, in different disciplines, in Gujarat Educational Service, Class I (Collegiate Branch) in Government Polytechnic under the Directorate of Technical Education, Gujarat State, namely:-

1. These rules may be called Head of Department in Humanities or Science in different disciplines, in Gujarat Educational Service, Class I (Collegiate Branch) in Government Polytechnic Recruitment Rules, 2012.
2. Appointment to the post Head of Department in Humanities or Science in different disciplines, in Gujarat Educational Service, Class I (Collegiate Branch) in Government Polytechnic shall be made either,-
 - (a) by promotion of a person of proved merit and efficiency from amongst the persons who,-
 - (i) have worked for not less than eight years in the cadre of Lecturer in the Gujarat Engineering Service, Class II (Collegiate Branch) in Government Polytechnics under the Directorate of Technical Education; and

(ii) have passed the qualifying examination for computer knowledge in accordance with the provisions of the Gujarat Civil Services Computer Competency Training and Examination Rules, 2006:

Provided that where the appointing authority is satisfied that a person having the experience specified in sub-clause (i) above is not available for promotion and that it is necessary in the public interest to fill up a post by promotion even of a person having experience for a lesser period; it may, for reasons to be recorded in writing, promote such person who possesses experience of a period of not less than two-thirds of the period specified in sub-clause (i) above; or

(b) by direct selection.

3. To be eligible for appointment by direct selection to the post mentioned in rule 2, a candidate shall,-
(a) not be more than 40 years of age:

Provided that the upper age limit may be relaxed in favour of a candidate who is already in the service of the Government of Gujarat in accordance with the provisions of the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.

(b) possess,-

a Ph.D. Degree or equivalent degree in appropriate branch of Humanities or Science from any of the universities incorporated by or under the Central or State Act in India; or any other educational institution recognised as such or declared as deemed to be a University under section 3 of the University Grants Commission Act, 1956 and recognised by the All India Council for Technical Education and have atleast five years combined or separate experience in research or industry before or after equiring teaching or Ph.D. degree.

- (c) possess the basic knowledge of computer application as prescribed in the Gujarat Civil Services Classification and recruitment (General) Rules, 1967.
(d) possess adequate knowledge of Gujarati or Hindi or both.

Explanation:-

- (i) In case of research experience, good academic record and books or research paper publication or Intellectual Property Rights (IPR) or patent record shall required as deemed fit by the Gujarat Public Service Commission.
- (ii) If the experience in industry is considered, the same shall be at managerial level equivalent to the post of Lecturer in Government Polytechnics recognised as such by the government with active participation record in devising, designing, developing, planning, executing, analyzing, quality control, innovating, training, technical books/research paper publications/intellectual Property Rights (IPR)/patent etc. as deemed fit by the Gujarat Public Services Commission.
- (iii) Equivalence for Ph.D. is based on publication of 5 international journal papers, each journal having a cumulative impact index of not less than 2.0, with incumbent as the main author and all 5 publications being in the author's area of specialization.
- (iv) "Appropriate branch" means the branch as may be decided by the Government and that Humanities and Sciences includes the branches of study in English, Economics, Physics, Chemistry and Mathematics, as well as other branches as may be decided by Government.
- (v) If a class or division is not awarded, minimum aggregate 60% marks shall be considered equivalent to first class or division.
- (v) If a grade point system is adopted the Cumulative Grant Point Average (CGPA) shall be converted in equivalent marks shown as below:-

| Grade Point | Equivalent Percentage |
|-------------|-----------------------|
| 6.25 | 55% |
| 6.75 | 60% |
| 7.25 | 65% |
| 7.75 | 70% |
| 8.25 | 75% |

4. The candidate appointed by direct selection shall be on probation for a period of two years.
5. The candidate appointed by direct selection shall, during his probation period, be required to undergo pre-service training and to pass the post training examination in accordance with the provisions of the Gazetted Officers' Pre-service (Training and Examination) Rules, 1970.
6. The candidate appointed by direct selection shall, during his probation period, be required to pass qualifying examination for computer knowledge in accordance with the provisions of the Gujarat Civil Services Computer Competency (Training and Examination) Rules, 2006.
7. The candidate appointed by direct selection shall require to pass an examination in Hindi or Gujarati or both in accordance with the rules prescribed by the government.
8. The candidate appointed either by direct selection or by promotion shall have to undergo such training and to pass such examination as may be prescribed by the Government.
9. The candidate appointed by direct selection shall require to furnish a security and surety bond in such form, for such amount and for such period as may be prescribed by the Government.

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

J. L. PATEL

Joint Secretary to Government.

GENERAL ADMINISTRATION DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 14th June, 2012.

CONSTITUTION OF INDIA

No.GS/2012/12/CRR/1096/2213/G.2:- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Gujarat hereby makes following rules further to amend the Gujarat Civil Services (Reservation of Posts for Women) Rules, 1997, namely:

1. These rules may be called the Gujarat Civil Services (Reservation of Posts for Women) (Amendment) Rules, 2012.
2. In Gujarat Civil Services (Reservation of Posts for Women) Rules, 1997, after rule 2, the following new rule shall be added, namely:-

"3. Manner of applying reservation of posts for women

(1) The reservation of posts for women shall be horizontal and compartmentalized and women selected on merit within the vertical reservation quota in any category mentioned in clause (a) to (d) of rule 2 shall be counted against the horizontal reservation for women within that category.

Explanation:

- (i) Horizontal and compartmentalized reservation means respective quota of posts reserved in favour of women under clause (3) of article 15 of the Constitution of India made in public services and posts in connection with the affairs of the state that interlocks with the vertical reservation.
 - (ii) Vertical reservation means reservation in favour of Scheduled Castes, Scheduled Tribes and Other Backward Classes under clause (4) of article 16 of the Constitution of India.
- (2) The reservation of posts for women mentioned in rule 2 shall be applied -
- (i) by first filling up the quota of the categories mentioned in clauses (a) to (d) of rule 2 in order of merit; and then
 - (ii) finding out the number of candidates among them who belong to the respective reservation category and if the number of candidates in such lists is equal to or more than the number of special reservation quota of women, then it shall not be necessary for further selection

towards the reservation quota of women. Only if there is any shortfall of the women candidates in any such category, the requisite number of women belonging to such category shall have to be taken by deleting the corresponding number of candidates from the bottom of the list relating to such category."

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

C. M. SADADIYA,
Joint Secretary to Government.

HEALTH AND FAMILY WELFARE DEPARTMENT,

Notification

Sachivalaya, Gandhinagar, 18th June, 2012.

CONSTITUTION OF INDIA

No.GP/II/KRV-102008/2512/CH : In exercise of the powers conferred by the provision to article, 309 of the Constitution of India, the Governor of Gujarat hereby makes the following rules to provide for regulating recruitment to the post of Head Clerk, Class III in the Subordinate Services of the Directorate of Medical Services, Employees' State Insurance Scheme, namely :-

1. These rules may be called the Head Clerk, Class III in the Subordinate Services of the Directorate of Medical Services "Employees' State Insurance Scheme Recruitment Rules, 2012.
2. Appointment to the post of Head clerk, Class III, in the Subordinate Services of the Directorate of Medical Services, Employees' State Insurance Scheme shall be made either :
 - (a) by promotion of a person of proved merit and efficiency from amongst the persons who -
 - (i) have worked for not less than five years in the cadre of Senior clerk, Class-III in the Directorate of Medical Services, Employees' State Insurance Scheme;
 - (ii) have passed the departmental examination as may be prescribed by the Government; and
 - (iii) have passed the qualifying examination for computer knowledge in accordance with the provisions of the Gujarat Civil Services Computer Competency (Training and Examination) Rules, 2006;

Provided that where the appointing authority is satisfied that a person having the experience specified in clause (i) above is not available for promotion and that it is necessary in the public interest to fill up the post by promotion even of a person having experience for a lesser period; it may, for reasons to be recorded in writing, promote such person who possesses experience of a period of not less than two thirds of the period specified in clause (i) above; or

(b) by direct selection.

3. To be eligible for appointing by direct selection to the post mentioned in rule-2, a candidate shall -

(a) not be more than 28 years of age;

Provided that the upper age limit may be relaxed in favour of a candidate who is already in the service of Government of Gujarat in accordance with the provisions of Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.

(b) possess -

(i) a degree obtained from any of the Universities established or incorporated by or under the Central or State Act in India; or any other educational institution recognized as such or declared to be deemed as University under section 3 of the University Grants Commission Act, 1956 (3 of 1956); or possess an equivalent qualification recognized as such by the Government :

(ii) the basic knowledge of Computer Application as prescribed in the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967; and

(iii) adequate knowledge of Gujarati or Hindi or both.