

Gujarat Civil Services Classification And Recruitment (General) Rules, 1967

[10 October 1967]

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Gujarat Civil Services Classification And Recruitment (General) Rules, 1967

[10 October 1967]

Notification

No.GS/41/CRR/1167/G:- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Gujarat hereby makes the following rules, namely:-

PART 1 PART-1

1. Short title, commencement and application :-

- 1) These rules may be called the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.
- 2) They shall come into force at once.
- 3) Subject to sub-rule (4) they shall apply to services and posts, the recruitment to which is regulated in accordance with the rules made under article - 309 of the Constitution.
- 4) Nothing in these rules shall apply to member of the subordinate ranks of the police force.

Explanation:- For the purposes of sub-rule (4), the expression "subordinate ranks" shall have the meaning assigned to it as in the Bombay Police Act, 1951.

2. Definition :-

In these rules, unless the context otherwise requires -

- (i) "Commission" means the Gujarat Public Service Commission;
- (ii) "Inferior services" means the Services and posts specified as such in sub-rule (3) of rule (4);
- (iii) "Post" means a post under the State Government included in the State Services or Subordinate Service;
- (iv) "Scheduled Castes" means such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed to be Scheduled Castes in relation to the State of Gujarat under Article 341 of the Constitution of India;
- (v) "Scheduled Tribes" means such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the State of Gujarat under Article 342 of the Constitution of India;

(vi) "Service" means any service under the State Government included in the State Service or Subordinate Services;

[¹](vi-a) "Socially and Educationally Backward Class" means such castes, classes and groups as are determined by the State Government as Socially and Educationally Backward Class by Government Resolution, Labour, Social Welfare and Tribal Development Department, No.BCR/1078/13734/H, dated 1st April, 1978;

(vii) "State Government" means the Government of Gujarat;

(viii) "State Services" means the services and posts specified as such in sub rule(1) of rule 4;

(ix) "Subordinate Services" means the services and posts specified as such in sub-rule (2) of rule 4;

(x) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Bombay Civil Services Rules, 1959 in their application to services and posts under the State of Gujarat.

[1] Inserted vide GN, GAD, No.GS/63/CRR/1185/598/G-2, dated 6th December, 1985.

PART 2 CLASSIFICATION OF SERVICES AND POSTS

3. Classification of services and posts :-

(1) The Civil Services of State of Gujarat shall under orders of the State Government be classified as follows :-

(i) Class -I

(ii) Class-II

(iii) Class- III; and

(iv) Class - IV

(2) If a Service consists of more than one grade, different grade may be included in different Classes.

(3) Civil posts under the State Government other than those to which these rules do not apply shall by a general or special order of the State Government be classified as follows :-

(i) Class -I

(ii) Class-II

(iii) Class-III; and

(iv) Class - IV

(4) Any order made by the competent authority and in force immediately before the commencement, of these rules relating to classification of the Civil Services of the State of Gujarat and Civil

posts under the State Government shall continue in force until modified or rescinded by an order of the State Government under this rule or unless it is in any way inconsistent with the provisions of these rules.

(5) Any service or post shall unless otherwise directed by the State Government by a general or special order made in that behalf be deemed to belong -

(a) to Class - II, if it is of a gazetted rank ; and

(b) to Class-III, in any other case.

4. State services, Subordinate Services and Inferior Services :-

(1) The Services and posts classified as Class-I or Class - II shall be known as State Services.

(2) The services and posts classified as Class - III shall be known as Subordinate Services.

(3) The Services and posts classified as Class- IV shall be known as Inferior Services.

PART 3 GENERAL PROVISIONS REGARDING RECRUITMENT TO ANY SERVICE OR POST

5. Physical fitness :-

Subject to the provisions of rule 10, 14 and 15 of the Bombay Civil Services Rule, 1959, no person shall be appointed to any service or post, if he has failed to pass such medical test of physical fitness as may be prescribed by the State Government;

Provided that where an appointment is made by promotion or transfer of a person already in service, no medical test shall ordinarily be required.

6. Evidence of good character :-

An appointment to any service or post, otherwise than by promotion or transfer of a person already in service, shall be subject to the production of such evidence of good character as may be required:-

(a) by the Commission, if the appointment is to be made after consulting the Commission, or

(b) by the appointing authority, in any other cases.

7. Condition as to Citizenship of India :-

[¹]7. Condition as to Citizenship of India :-

(1) Subject to the provisions of these rules, no person shall be appointed to any service or post unless he is -

(a) a citizen of India, or

(b) a subject of Nepal, or

(c) a subject of Bhutan, or

(d) a Tibetan refugee who came over to India, before the 1st January, 1962, with the intention of permanently settling in India, or

[²](e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda the United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be person in whose favour a certificate of eligibility has been issued by the State Government.

(2) A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the State Government.

[1] Substitute vide GN, GAD, No.GS/77/84/CRR/1177/244/G, dated 2nd June, 1977.

[2] Substituted vide GN, GAD, No.GS/78/113/CRR/1178/608/G, dated 30th November, 1978.

8. Condition as to prescribed qualifications :-

(1) Subject to the provisions of these rules, no person shall be appointed to any service or post, unless he possesses the qualification, if any, prescribed in the rules relating to the recruitment to such service or post (hereinafter referred to as "the prescribed qualifications").

[¹]"(1A) Notwithstanding anything contained in any other rule and subject to the provisions of these rules, no person shall be appointed to service or post, except class-IV, inferior service, unless at the time of appointment he possesses a certificate of basic knowledge of computer applications of any Institute".

(2) Where the prescribed qualification include a qualification as to

age limit the appointing authority may relax the age limit in favour of candidates belonging to the [Scheduled Castes, Scheduled Tribes]^[2] [and Socially and Educationally Backward Class] ^[3] [and in favour of candidate who are women]^[4] to the following extent, that is to say:-

(a) in the case of a service or post in a subordinate service or of a State service in respect of which the prescribed age limit does not exceed forty years, the age limit may be relaxed to the extent of five years.

^[5](b) in the case of service or post in the State Service in respect of which the prescribed age limit exceeds forty years, the age limit may be relaxed to the extent of maximum five years, so as to provide that upper age limit for entry in the service does not exceed forty five years.

^[5](c) substituted as clause (b) above.

(3) If in any case it is considered essential by the appointing authority to appoint to any post a candidate who has crossed the age limit prescribed for the service or post or in the case of any post a candidate possessing the prescribed qualification be not available and it is considered by the appointing authority that it is necessary to appoint to such post a candidate who does not possess the prescribed qualifications, the appointing authority shall not appoint such candidate to any such post except with the previous approval of the State Government where approval is sought, the appointing authority shall state fully the reasons for making the appointment.

(4) If for the purpose of recruitment to any post, applications for appointment to such post are invited by means of a notification or advertisement published in a news paper or in any other manner than save as otherwise provided in such notification or advertisement, the question whether a candidate applying for such post has crossed the age limit prescribed for such post shall be determined with reference to the first day of the month immediately following the month in which a period of ninety days from the date of the first publication of the notification or as the case may be advertisement expires and accordingly a candidate shall be deemed to have crossed the age limit if he has attained the age limit before the aforesaid first day of the month.

^[6](5) "Notwithstanding any thing to the contrary contained in any rules for the time being in force relating to recruitment to any service or post a candidate who is already in Gujarat Government

Service, either as a permanent or a temporary servant officiating continuously for six months or more in a substantive or leave vacancy or in a vacancy caused as a result of deputation of other servant applied thereafter, for the post under advertisement (hereinafter referred to as "the concerned post") the upper age limit prescribed for the purpose of recruitment in such rules, shall not apply to him provided he had not crossed the age limit prescribed for the concerned post at the time of his previous appointments;

Provided that the upper age limit shall apply to a candidate whose recruitment to a post or service is made through competitive examination or by direct selection for which experience has not been prescribed as one of the qualification for concerned post;

Provided also that where a Government Servant appointed to a post requiring a Medical, Engineering, Veterinary or Agriculture degree or diploma as one of the qualifications, he shall be entitled to relaxation of the upper age limit prescribed for the concerned post provided he had not crossed the age limit prescribed for the concerned post at the time of his previous appointments even if experience has not been prescribed as one of the qualifications for such post."

[7] "(5-A) (1) Government servants may be allowed on a uniform basis, relaxation of a maximum period of 5 years or to the extent equal number of years for which service has been put in by him, whichever is less, in the upper age limit for recruitment to Class-I or Class-II posts or service, which is to be filled in by direct selection through the Commission for which experience has not been prescribed as one of the qualifications for such post.

(2) The age relaxation shall be admissible to such Government servants who are working in posts which are in the same line and where a relationship could be established that the service already rendered in a particular post shall be useful for the efficient discharge of the duties of the post(s) recruitment to which has been advertised. The decision of the Commission in this regard shall be final.

Provided that a post in the same line means such next lower post from which an employee can be promoted to the post so advertised.

(3) The relaxation admissible in upper age limit under sub-rule (1) above, shall be in addition to the relaxation in upper age limit admissible to the candidates belonging to Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes."

[⁸](6) Sub-rule (6) deleted

(7) In the case of a service or post, if under the regulations made under the proviso to clause (3) of the Article 320 of the Constitution of India it is not necessary to consult the Commission and no special academic qualification relating to age have been prescribed, it shall be in the discretion of the Heads of the Department to recruit to such service or post such person as may appear to him to be suitable for the duties attached to such service or post for a period of six months or till the recruitment rules for the post or service are framed, whichever is earlier.

(8) Where the qualifications prescribed for any service or post include a qualification as to practical experience of a given period and applications are invited for such service or post [⁹] "the period of practical experience shall be computed-

(a) Unless otherwise provided in recruitment rule from the date on which requisite qualifications are obtained.

(b) With reference to the last date fixed for receipt of such application."

[¹⁰](9) Notwithstanding anything contained in any rules for the time being in force relating to recruitment to any service or post requiring a Bachelors degree of a recognised University or an equivalent qualification recognised by the Government as an essential qualification, the upper age limit for the purpose of recruitment to such service or post shall be [¹¹] [30 years], except where the upper age limit prescribed in such rule is more than [¹¹] [30 years].

[¹¹](10) Notwithstanding anything contained in any rules for the time being in force relating to recruitment to any service or post requiring qualification less than Bachelors degree as an essential qualification, the upper age limit for the purpose of recruitment to such service or post shall be 28 years, except where the upper age limit prescribed in such rules is more than 28 years."

[1] Substituted vide GN, GAD, No.GS/11/2008/CRR/10/2007/120320/G.5, dated 13th August, 2008

[2] Substituted vide GN, GAD, No.GS/34/CRR/1167/G, dated 9th September, 1970.

[3] Inserted vide GN, GAD, No.GS/63/CRR/1185/598/G-2, dated 6th December, 1985.

[4] Inserted vide G.N. G.A.D. No.GS/97/14/CRR/I 096/2213/G-2,

dated 9th April, 1997.

[5] The clause (b) and (c) substituted as clause (b) vide G.N. G.A.D., No.GS/20/2006/CRR/102005/UO/727/G-2, dated 8th August, 2006.

[6] Substituted vide GN, GAD, No.GS/98/61/CRR/1195/2299/G-2, dated 23rd December, 1998.

[7] Inserted vide G.N. G.A.D. No.GS/89/43/CRR/1185/277/G-2, dated 25th September, 1989

[8] Deleted vide G.N. G.A.D. No.GS/1/70/CRR/1167/G, dated 1st January, 1970.

[9] Substituted "the period computed, sub rule (a) and (b)" vide G.N. G.A.D. No. GS/73/91/CRR/1172/4219/G, 4th December, 1973.

[10] Added vide GN, GAD, No.GS/78/109/CRR/1178/UO/1611/G, dated 24th November, 1978

[11] Added vide GN, GAD, No.GS/20/2012/CRR/11-2008/282323/G.5, dated 29th September, 2012

9. Appointment to service or post in State Service :-

(1) An appointment to any service or post included in the State service shall be made by the State Government or by an authority duly empowered in that behalf by the State Government either:-

- (a) on the result of a competitive examination held for the purpose,
- (b) by direct selection, or
- (c) by promotion, or
- (d) by transfer.

from amongst the persons satisfying the conditions prescribed in these rules and other rules, if any, relating to the recruitment to such service or post.

[1] "Rule-9(i) :- Notwithstanding anything contained in these rules or orders relating to recruitment to any service or post included in the State Services or Subordinate Services, if and when the services and posts reserved for the Scheduled Castes and Scheduled Tribes in appointment by promotion are not filled up even after three recruitment occasions for the reasons of non-availability of eligible persons satisfying the minimum experience in service or post requisite for appointment by promotion laid down in these rules or rules or orders relating to recruitment or total non-

availability of Scheduled Castes and Scheduled Tribes in the feeder services or posts, the State Government or the authority empowered in that behalf, shall make appointment even against the service or post meant for appointment by promotion either:

(a) on the result of competitive examination held for the purpose, or

(b) by direct selection.

irrespective of whether or not the recruitment rules prescribed for the service or post provide for appointment by direct selection.

(ii) Where in any rules or orders relating to recruitment to any service or post, some proportion for appointment by direct selection is laid down, the appointment made under clause (i) above against the service or post meant for appointment by promotion shall be treated as in addition to the proportion laid down for appointment by direct selection in such rules or orders and the seniority of such appointees shall be fixed on the same basis as the seniority of other.

(iii) Where in any rules or order relating to recruitment to any service or post, the provision for appointment by direct selection has not been made, the appointment under clause (i) above, shall resorted to only after prescribing the qualifications as to age, educational qualifications and experience in consultation with the Commission, if the service or post is within the purview of the Commission and with the approval of the State Government, if the service or post is not within the purview of the Commission, wherever necessary even by issuing executive orders:-

Provided that the qualifications regarding age limit and educational qualifications shall not be lower than those prescribed for analogous service or post in the State or Subordinate Services.

(iv) Where in any rules or orders relating to recruitment to any service or post, the provision for appointment by direct selection has not been made, the seniority of persons appointed under clause (i) above, shall be fixed on the basis of continuous date of joining the appointment.

(v) The corresponding number of services and posts reserved for the Scheduled Castes and Scheduled Tribes in appointments by promotion for which the appointments are resorted to under the clause (i) above, shall be treated as utilized and diminished from the backlog in promotion for the above categories.

(2) Every such appointment shall be made after consultation with the Commission, unless under a regulation made under proviso to clause (3) of Article 320 of the Constitution of India, such

consultation is not necessary.

[1] Inserted vide G.N. G.A.D.NO.GS/89/59/CRR/1189/UO/2618/G-2, dated 29th December, 1989.

9A. Appointment to service or post in Subordinate Services or Inferior Services :-

[1]"9A. Appointment to service or post in Subordinate Services or Inferior Services :-

Notwithstanding anything contained in these rules or any rules or orders relating to selection of a person by direct recruitment in the Subordinate Services or Inferior Services,

(1) a candidate selected by direct selection or on the result of a competitive examination shall be appointed on contractual basis in accordance with and on such terms and conditions as prescribed by the Government from time to time.

(2) a candidate appointed in accordance with sub-rule(1) shall be given, at the end of contractual period, the pay scale prescribe for the concerned post on his performance being found satisfactory during the stipulated period of service on contractual basis;

(3) such candidate shall, during the stipulated period of service on contractual basis, be required to pass the CCC examination for Computer Knowledge as prescribed in Gujarat Civil Services Computer Competency Training and Examination Rules, 2006;

(4) such candidate shall, during the stipulated period of service on contractual basis, be required to undergo pre-service training and pass the post-training examination in accordance with the rules prescribed or as may be prescribed by the Government from time to time;

(5) such candidate shall, after regular appointment, pass an examination in Hindi or Gujarati or both, as the case may be, in accordance with the rules prescribed by the Government from time to time.

Provided that sub-rules (3), (4) and (5) shall not apply to the appointments made to the Inferior Services on fixed pay on contractual basis."

[1] Added vide G.N. G.A.D. NO.GS/19/2009/CRR/11/2008/433717/G.5, dated 4,h June, 2009.

10. Appointment of service or post in Subordinate Services :-

(1) Subject to the provisions of these rules and other rules if any, relating to the recruitment to service and post and the general control of the State Government an appointment to any service or post included in the Subordinate Services and Inferior Services shall be made by the Head of Department concerned or, where the Head of Office concerned is empowered by the State Government by a general or special order to make such appointment by such Head of Office.

(2) Every such appointment shall be made after consultation with the Commission unless under a regulation made under proviso to clause (3) of Article 320 of the Constitution of India such consultation is not necessary,

(3) In the case of an appointment for which consultation with the Commission is not necessary the appointment shall if the State Government, so directs be made with the assistance of such Advisory Committee as the State Government may by general or special order specify.

10A. Period of Probation :-

[¹]"10-A Period of Probation :-

Notwithstanding anything contained in these rules or any rules or orders relating to the recruitment to any service or post included in the State Service or Subordinate Service, a candidate appointed to Class-I or Class- II service or post by direct selection, shall be on probation for a period of two years and in case of his appointment to Class - III service or post for a period of one year:

Provided that the appointing authority may, if it thinks fit in any case, extend the period of probation for a further period not exceeding two years in case of Class-I and Class -II service or post and one year in case of Class -III service or post:

Provided further that if in any case passing of a departmental examination during the period of probation is stipulated as a prerequisite condition for completion of such probation period and where the probationer could not pass the same within the prescribed chances admissible to him under the rules reasons beyond his control the above ceiling on the period of probation shall not be applicable.

[²]"Provided also that nothing in this rule shall apply to the appointments made to the Subordinate Services on contractual basis under rule 9A"

[1] Inserted vide GN, GAD, No.GS/94/CRR/1192/UO/276/G-2, dated 25th February, 1994

[2] Added vide G.N. G.A.D. NO.GS/19/2009/CRR/11/2008/433717/G.5, dated 4th June, 2009.

11. Appointment by promotion :-

(1) Where an appointment to any post is to be made by promotion, no servant shall be entitled to such promotion on the ground of seniority. No such appointment shall be made unless in addition to seniority, the servant to be appointed is found to be fit for such promotion.

[¹]"(1A) Notwithstanding anything contained in any other rule, with effect from [01/10/2006][²] no servant shall be appointed to any post under sub rule (1) unless he has passed the qualifying examination for computer knowledge, as may be determined by the Government from time to time.

[³]"Provided that in case where the appointment has been made by promotion to any post subject to passing of such examination on or before the 30th June, 2013 the concerned Government Servant shall pass such examination on or before the 31st December, 2013 or before the retirement of the concerned Government Servant from Government Service, whichever is earlier."

[⁴] "Provided further that a servant who has already attained the age of 55 years or who attains the age of 55 years hereafter shall be exempted from passing such examination."

[⁵] "Provided also that the concerned Government servant who has expired or retired on superannuation or voluntary on or before the [⁶]{31st March, 2013}, shall be deemed to have been exempted from passing such examination".

Provided further that a servant who has passed such examination either at the time of direct recruitment or at the time of his earlier promotion shall be exempted from passing such examination."

(2) In making an appointment to any post by promotion, the appointing authority may supersede a servant who is apparently not fit to discharge the duties and responsibilities of the post and whose appointment is likely to affect adversely the efficiency of work assigned to that post.

[⁷](3) (a) Notwithstanding anything contained in any rules as in force relating to the promotion to a Class-I post, barring the posts of first two lowest levels of Class - I in a hierarchy, the

appointment by promotion to such posts shall be made on the principles of "Selectivity" irrespective of the Seniority. The Selection Committee shall classify the eligible officers, within the zone of consideration as "Outstanding", "Very Good", "Good" or "Unfit" as the case may be on overall relative assessment of their service records. The Select List shall be prepared by including the required number of Officers, first from amongst the officers finally classified as "Outstanding" and then from amongst those similarly classified as "Very Good", and then the order of names inter-se within each category shall be in the order of their seniority. The promotion of such officers shall be considered in order of rank in the select list so prepared. The officers who are graded as "Good" or "Unfit" shall not be included in the select list."

[⁸]"Provided that the provision for preparation of a Select List as prescribed above, shall not be applicable, for the promotion of such officers, in respect of whom the Select List(s) have already been approved by the Government on or before the 29th October, 2005."

[⁹]"Provided further that the provision contained in this sub-rule for preparation of select list as prescribed above, shall not be applicable up to [¹⁰][31st December, 2009] for the appointment by promotion in the cadre included in the Annexure-I annexed to these rules."

Annexture -1
(See rule 11(3) (a))

Sr. No.	Name of Post / Cadre	Pay Scale
1.	Professor, (Medical College) Gujarat Medical Education Service, Class-I	Rs. 16400-22400
2.	Dean (Medical College) and Superintendent (Medical Hospital) Gujarat Medical Education Service, Class-I	Rs. 18400-22300
3.	Deputy Director (Medical Education and Research) Gujarat Medical Education Service, Class-I	Rs.20475-26475
4.	Additional Director (Medical Education and Research) Gujarat Medical Education Service, Class-I	Rs.20475-26475
5.	Dean (Government Dental College) Gujarat Medical Education Service, Class-I	Rs. 18400-22300
6.	Deputy Director, Gujarat Health and Medical Services,	Rs. 16000-

	Class-I	20050
7.	Joint Director, Gujarat Health and Medical Services, Class-I	Rs. 18400-22400
8.	Additional Director, Gujarat Health and Medical Services, Class-I	Rs.20475-26475
9.	Chief District Medical Officer - cum - Superintendent, Gujarat Health and Medical Services, Class-I	Rs.14300-18300
10.	Deputy Director (Medical Services), Gujarat Health and Medical Services, Class-I	Rs. 16000-20050
[11]11	Director, Gujarat Indian Medical and Homeopathy Services Class-I	Rs. 14300-18300
[11]12	Principal, Gujarat Indian Medical and Homeopathy Service Class-I	Rs. 14300-18300

[¹²](b) The zone of consideration for the purpose of clause(a) shall be such as the State Government may from time to time determine.

[¹²](c) The State Government shall form a Top Level Committee for selection of persons to the post mentioned in clause(a)

[¹³](4) (a) Notwithstanding anything contained in sub rules(1) and (2) "Very Good" shall be the bench mark for being considered fit for promotion from the lowest rung of Class - I to the next immediate higher level in a hierarchy.

[¹⁴] "Provided that the provision for preparation of a Select List as prescribed above, shall not be applicable, for the promotion of such officers, in respect of whom the Select List(s) have already been approved by the Government on or before the 29th October, 2005.

[¹⁵] "Provided that the provision contained in this sub-rule for preparation of select list as prescribed above, shall not be applicable up to [¹⁶][31st December, 2009] for the appointment by promotion in the cadre included in Annexure-II annexed to these rules"

Annexure -II
(See rule 11(4) (a))

Sr. No.	Name of Post / Cadre	Pay Scale
1.	Associate Professor, (Medical College) Gujarat Medical Education Service, Class-I	Rs. 12000-18300
2.	Professor (Dental College) Gujarat Medical Education Service, Class-I	Rs. 16400-22400
3.	Assistant Director / Chief District Health Officer / Associate Professor (Training Center), Gujarat Health and Medical	Rs. 14300-

	Service, Class-I	18300
[6]4.	Lecturer, Selection Scale, (Professor), Gujarat Indian Medical and Homeopathy Service Class-I	Rs. 12000-18000
[17]5.	Superintendent, Gujarat Ayurved Service Class-I	Rs. 12000-16500
[17]6.	District Ayurved Officer, Gujarat Ayurved Service Class-I	Rs. 10000-15200

[18] (b) The zone of consideration for the purpose of clause(a) shall be such as the State Government may determine from time to time.

[1] Inserted vide GN, GAD, No.GS/39/2005/CRR/102003/672(i)/Part II/G-2, dated 26th December, 2005

[2] Substituted vide GN, GAD, No.GS/18/2006/CRR/102003/672(i)/Part II/G.2, dated 20th July, 2006

[3] Substituted vide GN, GAD, No.GS/14/2013/CRR/10/2007/120320-G.5, dated 23rd July, 2013

[4] Substituted vide GN, GAD, No.GS/14/2013/CRR/10/2007/120320-G.5, dated 23rd July, 2013

[5] Inserted vide GN, GAD, No.GS/2/2013/CRR/10/2007/120320/G-5, dated 31st January, 2013

[6] Substituted vide GN, GAD, No.GS/5/2013/CRR/10/2007/120320-G.5, dated 3rd April, 2013

[7] Inserted vide GN, GAD, No.GS/2005/35/CRR/102005/1008/G-2, dated 29th October, 2005

[8] Inserted vide GN, GAD, No.GS/2006/13/CRR/102005/1008/G-2, dated 22nd June, 2006.

[9] Inserted vide GN, GAD, No.GS/2008/6/CRR/102005/1008/G.5, dated 3rd May, 2008

[10] Substituted vide GN, GAD, No.GS/8/2009/CRR/102005/1008/G.5, dated 12th February, 2009

[11] Inserted vide GN, GAD, No.GS/29/2009/CRR/11/2008/239339/G.5, dated 26th August,

2009.

[12] Inserted vide GN, GAD, No.GS/94/67/CRR/1188/3186/G-2, dated 3rd December, 1994.

[13] Inserted vide GN, GAD, No.GS/2005/35/CRR/102005/1008/G-2, dated 29th October, 2005.

[14] Inserted vide GN, GAD, No.GS/2006/13/CRR/102005/1008/G-2, dated 22nd June, 2006.

[15] Added vide GN, GAD, No.GS/2008/6/CRR/102005/1008/G.5, dated 3rd May, 2008

[16] Substituted vide GN, GAD, No.GS/8/2009/CRR/102005/1008/G.5, dated 12th February, 2009

[17] Inserted vide GN, GAD, NO.GS/29/2009/CRR/11/2008/239339/G.5, dated 26th August, 2009.

[18] Inserted vide GN, GAD, No.GS/2005/35/CRR/102005/1008/G-2, dated 29th October, 2005.

11A. Minimum Experience in Service or Post requisite for Promotion :-

[1] 11A Minimum Experience in Service or Post requisite for Promotion :-

1. Where in any rules or orders relating to recruitment in or promotion to any service or post included in the State Services or Subordinate Service, possession of experience in a lower service or post for a specified period is not prescribed as a condition precedent to promotion to a higher service or post the provisions of sub-rule (2) shall apply.

2. (a) No person shall be promoted from a lower post in Class - III service to a higher post in the same service unless he has an experience of five years in the post from which he is to be promoted.

(b) No person shall be promoted from Class-III service to Class -II service unless he has an experience of seven years in Class-III service from which he is to be promoted.

(c) No person shall be promoted from a lower post in Class - II service to a higher post in the same service unless he has an experience of five years in the post from which he is to be promoted and

(d) No person shall be promoted from Class - II service to Class-I

service unless he has an experience of eight years in Class- II from which he is to be promoted.

[²] (e) "No person shall be promoted from a lower post in Class-I service to the higher post in the same service unless he has an experience of five years in the post from which he is to be promoted."

Provided that where an appointing authority is satisfied that a person having an experience specified in clause (a), (b),[3] "[(c), (d) or as the case may be, (e)]" is not available for promotion and that it is in public interest to fill up the post or service by promotion of a person having experience for a lesser period, it may for reasons to be recorded in writing promote such person who has experience for a period not less than two thirds of the period specified in clause (a), (b), [3] [(c), (d) or (e)] which applies to him.

[1] Inserted vide GN, GAD, No.GS/64/CRR/1185/4230/G-2, dated 6th December, 1985.

[2] Inserted vide GN, GAD, No.GS/93/16/CRR/1088/3791/G-2, dated 10th August, 1993.

11B. Refusal to accept promotion by Government Servant :-

[¹] 11B Refusal to accept promotion by Government Servant.

(1) Where a Government Servant refuses to accept the promotion, he shall make an application to that effect to the appointing authority showing the reasons for refusing the promotion. The appointing authority, thereafter, may promote the next eligible person and such Government Servant shall lose his seniority vis-a-vis his juniors who have been promoted after his refusal.

(2) Where the Government Servant has refused to accept the promotion, his case shall not be considered for promotion for a period of one year from the date of refusal of promotion or till next vacancy arises, whichever is later.

Provided that the provisions of sub-rules(1) and (2) shall not apply where ad-hoc promotion against short term vacancy is refused by the Government Servant.

Explanation:- The act of not joining the new assignment within the joining time as admissible, shall amount to refusal of promotion for the purpose of this rule unless such Government Servant makes written request in time and has been considered by the appointing authority.

[1] Inserted vide GN, GAD, No.GS/97/37/SNR/1087/UO/2582/G.2, dated 15th September, 1997.

PART 4 MISCELLANEOUS

12. Previous consent of employer :-

(1) Any application for appointment to a post in the State Service or Subordinate Service, made by a candidate, who is already in the employment of the State Government or the Government of any other State or the Central Government or a local authority or a Corporation owned or controlled by any such Government shall be rejected, if it has been made without the consent of the respective Government or the local authority or, as the case may be the Corporation concerned.

Explanation:- In the case of an application employed under the Government of any other State or the Central Government the consent of such Government shall be presumed if the appointing authority is satisfied from the endorsement of the officer forwarding the application or otherwise that the application has been made in accordance with the rules made by the Government concerned.

(2) Where a Government servant employed in a State Service or Subordinate Service desires to apply for a post or for appearing for an examination for a post or for transfer to a post in another office or Department of the Government of Gujarat or under the Government of any other State or the Central Government, he shall submit his application through his appointing authority, which shall decide whether or not the Government servant shall be permitted to apply.

(3) No person in the employment of the Central Government or the Government of any other State shall be accepted as a candidate at an examination for admission to service under the Government of Gujarat save with the permission of the Government under which he is employed.

13. Disqualification for bigamous marriage :-

(1) No person, who

(a) If male, has more than one wife living, and

(b) If female has married a man who has already another wife living, shall be eligible for appointment to any service under the State Government.

Provided that, subject to the provisions of any law for the time

being in force the State Government, may if satisfied that there are special grounds for so doing exempt any person from the operation of this rule.

(2) Every applicant for appointment to a service or post under the State Government shall declare whether he or she as the case may be is married and, in the case of an applicant, who is a male whether he has more than one wife living and in the case of an applicant who is a female, whether she is married to a man who has already another wife living.

14. Disqualification for enlisting support

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An endeavour on the part of a candidate for service or of any relation of the candidate to enlist support by direct or indirect methods for his application for appointment to Government service or for promotion to higher appointment shall be held to disqualify the candidate for the appointment or promotion.

15. Passing of examination after appointment :-

A person on appointment to any service or posts shall be required to pass an examination in Hindi and in Gujarati and such other departmental examination as may be prescribed by rules made in that behalf.

16. Appointment by relaxation of rules :-

Notwithstanding anything contained in these rules, the State Government may in the interest of Public service :-

- (i) fill up a post by appointment of an officer of Defense Service or All India Service,
- (ii) Make appointment to any service or post by a method other than that prescribed under these rules, or
- (iii) relax any of the provisions of these rules:

Provided that where the appointment to any service or post is to be made in consultation with Commission, no such appointment or relaxation under clauses (ii) or (iii) above shall be made except in consultation with the Commission.

16A. xxx xxx xxx :-

[¹] 16.A

Where a Government Servant temporarily appointed to a post is

selected by the Commission for appointment to that post, the Commission may, notwithstanding anything contained in the recruitment rules relating to that post in respect of period of probation, while recommending appointment of such Government Servant to that post also recommend reduction in the period of probation in respect of such Government Servant by such period which does not exceed the period for which such Government Servant has rendered service in that post prior to his selection by the Commission.

[1] Inserted vide GN, GAD, No.GS/75/31/CRR/1072/6386/G, dated 1st August, 1975

16B. Saving :-

[¹] 16.B Saving

Nothing in these rules or any rules or orders relating to recruitment in or promotion to any service or posts included in the State Services or Subordinate services shall affect any orders made by the State Government relating to -

- (a) Reservations to be made in that service or in relation to those posts in pursuance of clause (4) of article 16 of the Constitution,
- (b) relaxation of age limit, and
- (c) Other concessions.

In respect of persons belonging to the Scheduled Castes, Scheduled Tribes and other Backward Classes in the State.

[1] Inserted vide GN, GAD, No.GS/86/12/CRR/1186/1079/G-2, dated 27th February, 1986

16C. xxx xxx xxx :-

[¹] "16C.

Notwithstanding anything contained in these rules or in any rules or orders relating to recruitment to any service or post included in the State, Subordinate or Inferior Services under the State, the upper age limit prescribed for appointment by direct selection to such service or post shall be relaxed for FIVE years as far as it relates to the advertisements given by the Gujarat Public Service Commission and all other Recruiting Authorities / Agencies during the year, 1992 for recruitment in the said year. This relaxation in the upper age limit shall also be applicable to all the recruitment done through the Employment Exchanges etc., in the year, 1992.

[1] Inserted vide GN, GAD, No.GS/92/41/CRR/1190/1364/G-2, dated 3rd November, 1992

16D. xxx xxx xxx :-

[¹] "16D.

Notwithstanding anything contained in these rules or in any rules or orders relating to recruitment to any service or post included in the State Services, Subordinate Services or Inferior Services under the State, the upper age limit prescribed for appointment through competitive examination held for the purpose or by direct selection, to such service or post shall be relaxed for five years as far as it relates to the advertisements given by the Gujarat Public Service Commission and all other Recruiting Authorities or Agencies during the calendar year 1999. This shall be in addition to relaxation in upper age limit available in rule - 8 and other rules and orders if any."

[1] Inserted vide GN, GAD, NO.GS/98/17/CRR/1185/2774/G-2 (Part II), dated 10th June, 1999

16E. xxx xxx xxx :-

[¹] "16E.

Notwithstanding anything contained in these rules or in any rules or orders relating to recruitment to any service or post included in the State, Subordinate or Inferior Services under the State, the upper age limit prescribed for appointment through competitive examination held for the purpose or by direct selection, to such service or post shall be relaxed for five years as far as it relates to the advertisement given by the Gujarat Public Service Commission and all other Recruiting Authorities or Agencies during the period from 17th August, 2005 to 16th August, 2006. This relaxation in the upper age limit shall be in addition to the relaxation available under rule 8 or any other rules or orders, if any made in this behalf."

[1] Inserted vide GN, GAD, No.GS/05/29/CRR/102005/UO/727/G-2, dated 29th September, 2005

16F. xxx xxx xxx :-

[¹] "16(F)

Notwithstanding anything contained in these rules or in any rules or orders relating to recruitment to any service or post included in the State, Subordinate or Inferior Services under the State, the upper age limit prescribed for appointment through competitive examination held for the purpose or by direct selection, to such service or post shall be relaxed for three years as far as it relates to the advertisement given by the Gujarat Public Service Commission and all other Recruiting Authorities or Agencies during the period from 16th August, 2008 to 15th August, 2009. This relaxation in the upper age limit shall be in addition to the relaxation available under rule-8 or any other rules or orders, if any made in this behalf."

[1] Inserted vide GN, GAD, No.GS/13/2008/CRR/11 - 2008/282323/G.5, dated 27th August, 2008.

17. Repeal :-

The Bombay Civil Services Classification and Recruitment Rules, 1939 and any other rules corresponding thereto in force immediately before the coming into force of these rules are hereby repealed.

Provided that such repeal shall not affect the things done or action taken under any of the rules so repealed.