

Gujarat District Panchayat Service Selection Committee (Functions) Rules, 1998

CONTENTS

1. Short title
2. Definitions
3. Direct Recruitment
4. Interview
5. Recruitment by promotion
6. Appointments by transfer of a member from State Service to the Panchayat Service
7. Appointment by deputation or by lent service
8. Appointment by re-employment
9. Procedure
10. Selection Committee to be guided by the Instruction of Board
11. Repeal and Savings

SCHEDULE 1 :- SCHEDULE

PART :- PART

PART :- PART

Gujarat District Panchayat Service Selection Committee (Functions) Rules, 1998

In exercise of the powers conferred by Sec. 274 read with sub-sec. (6) of Sec. 227 read with Sec. 236 of the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993), the Government of Gujarat hereby makes the following rules, namely:

1. Short title :-

These rules may be called the Gujarat District Panchayat Service Selection Committee (Functions) Rules, 1998.

2. Definitions :-

In these rules, unless the context otherwise requires,

(i) "Act" means the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993);

(ii) "Board" means the Gujarat Panchayat Service Selection Board Constituted under Sec. 235 of the Act;

- (iii) "Chairman" means the Chairman of the Selection Committee;
- (iv) "Government" means the Government of the State of Gujarat;
- (v) "member" means a member of the District Panchayat Service Selection Committee and includes the Chairman thereof;
- (vi) "panchayat" means a concerned district panchayat;
- (vii) "panchayat service" means the panchayat service constituted under Sec. 227 of the Act;
- (viii) "Schedule" means a Schedule appended to these rules;
- (ix) "Secretary" means the Secretary of the District Panchayat Service Selection Committee;
- (x) "Selection Committee" means the District Panchayat Service Selection Committee constituted under Sec. 236 of the Act.

3. Direct Recruitment :-

(1) When the recruitment to any of the posts mentioned in the Schedule is to be made by direct recruitment, the panchayat concerned shall, from time to time, as required

(i) intimate to the Selection Committee, the number of vacancies which are to be filled in or which are likely to arise; (ii) specify the number of vacancies reserved for candidate belonging to the Scheduled Castes, Scheduled Tribes or Socially and Educationally Backward Classes;

(iii) furnish to the Selection Committee all particulars including cadres, grades, payscale and the rules of recruitment in respect of the said posts:

Provided that in the case of recruitment to any of the posts which have been transferred to the Panchayat Service under Sec. 175 or 276, the recruitment shall be subject to and be in accordance with such general or special orders of Government as may be made from time to time in this behalf.

(2) The Selection Committee shall

(a) invite applications by announcing in as many news papers (out of which at least one newspaper being in Gujarati) as considered necessary by it circulating in the area concerned, the qualifications required to be possessed by candidates and to number of vacancies

likely to be filled in;

(b) consider all applications and recommendations received; and (i) where the qualifying written examination for recruitment is prescribed under the rules framed under sub-sec. (5) of Sec. 227 of the Act or otherwise, hold such examination for the candidates who possess the requisite qualifications and are eligible:

Provided that the qualifying written examination for the posts of Gram Sevak and Village Panchayat Secretary shall be held by the Board in accordance with the general or special orders of the Government; and

(ii) where no qualifying written examination is prescribed, interview such of the candidates as are eligible for appointment to the post: Provided that in any case where the number of applications for the posts is substantially larger than the number of vacancies to be filled, it shall be lawful for the Selection Committee to interview, under sub-clause (ii), such limited number of candidates eligible for appointment as the Selection Committee may consider necessary, having regard to the number of such vacancies and the superior educational qualification, higher percentage of marks, or previous experience of such candidates; and

(c) forward to the panchayat concerned, the names of the candidates selected in accordance with the result of the written examination or interview, as the case may be, arranged in the order of merit or preference and wherever it thinks fit, recommend advance increments in the case of any candidate giving reasons therefor.

4. Interview :-

(1) The suitability of the candidates called for interview shall be determined by the Selection Committee having regard to their personality, extracurricular activity, educational qualifications, previous experience, knowledge of panchayat and rural activities, general knowledge, and taking into consideration the requirement of the post in general.

(2) The Selection Committee may invite such representative of the panchayat as may be nominated by the Panchayat to be present at the interviews. The representative so present may take part in deliberations of the Selection Committee but shall not be entitled to vote.

5. Recruitment by promotion :-

(1) When recruitment to any of the posts mentioned in the Schedule is to be made by promotion from a lower grade or cadre, the panchayat concerned shall subject to rules framed under sub-sec. (5) of Sec. 227 of the Act

(a) indicate, the details of vacancy or vacancies existing or likely to arise;

(b) furnish the particulars of the person or persons according to seniority who in the opinion of the panchayat on merit are fit for promotion in an existing vacancy or vacancies and where more than six vacancies are to be filled in, prepare and forward to the Selection Committee a preliminary select list of persons who in its opinion are fit for promotion to the next higher grade or cadre, on the basis of seniority and merit.

(c) furnish a seniority list of persons who in its opinion are eligible to be considered for promotion and those who are considered unfit for such promotion together with full particulars of service including educational qualifications and other qualifications and up-to-date confidential records of all such persons, stating reasons for his promotion or suspension or exclusion or inclusion in the select list, as the case may be.

(2) The Selection Committee shall

(a) examine the proposals submitted by the panchayat concerned,

(b) consider the claims of all candidates in light of their record of service and recommendations of the panchayat concerned, and

(c) recommend the name or names of the candidates or prepare and recommend to the panchayat concerned a final select list in the order of preference of candidates, who in its opinion, are fit for promotion to the next higher grade or cadre.

(3) The Selection Committee may, for the purpose of recommendation and preparation of a select list as aforesaid, call for such record or additional information in respect of such persons, as it thinks necessary and it shall be the duty of the panchayat concerned to furnish the same without delay.

6. Appointments by transfer of a member from State Service to the Panchayat Service :-

(1) When the panchayat concerned deems it necessary to appoint a member from the State Service to any post in the Panchayat Service mentioned in the Schedule, the panchayat concerned shall

(a) furnish particulars of the persons whose services are required to be transferred as follows : (i) name, designation and qualification, (ii) the grade, pay-scale and the present pay, (iii) whether substantive in the post in the grade mentioned in clause (ii), (iv) details of experience in the post held and of previous experience and also the reasons for having his services, leaving aside the claim of the persons in the Panchayat Service and his up-to-date confidential record;

(b) furnish to the Selection Committee all particulars including cadres, grades and pay-scale of the post which are required to be filled up and the rules of recruitment in respect thereof;

(c) specify whether the number of vacancies reserved for Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes are properly filled up.

(2) The Selection Committee shall examine the proposals so received in light of the record of service of the persons recommended for appointment by transfer from the State Service, the claims of the persons from Panchayat Service and the recommendation of the panchayat concerned, and advise the panchayat concerned about the suitability or otherwise in respect of appointment by transfer from the State Service to the Panchayat Service.

7. Appointment by deputation or by lent service :-

(1) When the panchayat concerned deems its necessary to appoint a member of State Service or a member of the Panchayat Service working under another District Panchayat by deputation or lent service basis, it shall furnish to the Selection Committee the following particulars in respect of persons whose services are required to be obtained on loan or deputation, namely

(a) (i) name, designation and qualification;

(ii) grade, pay-scale and the present pay whether substantive or of officiating;

(iii) experience in the post held and the details of previous experience and also the reasons for having his services, leaving a

side the claims of other persons in the Panchayat Service, if any;

(b) particulars including cadre, grade and pay-scale of the post which is required to be filled up by lent service or by deputation; and

(c) the terms and conditions and period of appointment by lent service or by deputation.

(2) The Selection Committee shall examine the proposals and advise the panchayat about the suitability or otherwise of such persons.

8. Appointment by re-employment :-

(1) When the panchayat concerned deems it necessary to fill in a post by re-employment of a person who has retired from Panchayat Service or State Service, it shall furnish the following particulars alongwith the proposal for re-employment of such persons to the Selection Committee, namely

(i) the application of the person concerned;

(ii) the reasons for filling in the post by re-employment;

(iii) age, date of retirement and the last post held by the applicant;

(iv) up-to-date Confidential Records of last 3 years; and

(v) Certificate of fitness from a Medical Officer

.

(2) The Committee shall examine the proposal and advise the panchayat about the suitability or otherwise of such persons.

(3) After obtaining the advice of the Selection Committee, the panchayat concerned shall obtain approval of the Government for such re-employment.

9. Procedure :-

(1) Subject to the provisions of these rules, every issue at a meeting of the Selection Committee shall be determined by a majority of the votes of the members present and in case of an equal division of votes the Chairman shall have a second or casting vote.

(2) If the Chairman is unable to be present at the meeting of the

Selection Committee, the Chairman of the Board shall nominate other member of the Board on the Committee, who will act as a member and Chairman of Selection Committee.

(3) The proceedings of the Selection Committee shall not be invalidated by reason of any vacancy in the office of the member.

(4) The quorum for a meeting of the Selection Committee shall be two but the Chairman may adjourn any business at a meeting if he is of the opinion that it cannot be conveniently transacted owing to the non-attendance of any member.

(5) All decisions of the Selection Committee shall be recorded by the Secretary in accordance with the directions of the Selection Committee and it shall be open to any member to dissent from a decision and to record his dissent with reasons therefor.

(6) The matters in respect of which no or insufficient provision is made by these rules, the Selection Committee may regulate its proceedings in such manner as it thinks fit.

10. Selection Committee to be guided by the Instruction of Board :-

The Selection Committee shall in the discharge of its functions, be guided by the instructions of the Board issued under Rule 8 of the Gujarat Panchayat Service Selection Board (Functions) Rules, 1998.

11. Repeal and Savings :-

The Gujarat District Panchayat Service Selection Committee (Functions) Rules, 1964 are hereby repealed. Such repeal shall not affect anything done or any action taken under the rules so repealed.

SCHEDULE 1

SCHEDULE

PART

PART

PART

PART