

## **Gujarat Panchayats Service Selection Board (Conditions of Service) Order, 1997**

### CONTENTS

#### **PART 1 :- PRELIMINARY**

1. .
2. In this Order, unless the context otherwise requires

#### **PART 2 :- TERMS OF SERVICE**

3. .
4. .
5. .
6. .

#### **PART 3 :- PAY AND ALLOWANCES**

7. .

#### **PART 4 :- TRAVELLING ALLOWANCES**

8. .

#### **PART 5 :- LEAVE**

9. .

#### **PART 6 :- PENSION AND PROVIDENT FUND**

10. .
11. Repeal and Saving

## **Gujarat Panchayats Service Selection Board (Conditions of Service) Order, 1997**

In exercise of the powers conferred by sub-sec. (5) of Sec. 235 of the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993) and in supersession of all the previous orders made in this behalf, Government of Gujarat hereby makes the following Order, namely:

### PART 1 PRELIMINARY

#### **1. . :-**

This Order may be called the Gujarat Panchayats Service Selection

Board (Conditions of Service) Order, 1997.

**2. In this Order, unless the context otherwise requires :-**

- (a) "the Act" means the Gujarat Panchayats Act, 1993;
- (b) "Board" means the Gujarat Panchayat Service Board, constituted under Sec. 235 of the Act;
- (c) "Government" means the Government of Gujarat;
- (d) "Member" means a member of the Board, and includes the Chairman thereof;
- (e) "Service for Pension" includes
  - (i) period spent on duty as a member,
  - (ii) period of absence on leave on leave salary equivalent to full pay, and
  - (iii) Service rendered as a member of the Board before the commencement of this Order.

**PART 2**

**TERMS OF SERVICE**

**3. . :-**

A member of the Board shall hold office for a term of six years from the date on which he enters upon his office or until he attains the age of sixty two years, whichever is earlier:

Provided that Government may re-appoint a member for a further term of six years only, but he shall not continue to hold his office as such after he attains the age of sixty two years, whichever is earlier.

**4. . :-**

A member may, by giving one month's notice in writing under his hand resign from his office at any time before the expiry of the term of his appointment. The resignation shall be effective from the date of its acceptance by Government or after the notice period is over.

**5. . :-**

(1) Subject to the provisions of this Order, a member of the Board may be removed from his office before the expiry of the term of his appointment by an order of Government on the ground of

misbehavior after due enquiry by an officer appointed by the Government.

(2) The State Government may remove a member of the Board before the expiry of term of his office if such member is

(a) adjudged as an insolvent; or

(b) engaged during term of office in any paid employment outside the duties of his office; or

(c) in the opinion of the State Government unfit to continue in office by a reason of infirmity of mind or body; or

(d) convicted of an offence involving moral turpitude; or

(e) or becomes in any way concerned with or interested in any contract or agreement made by or on behalf of Panchayat or Government of Gujarat or participates in any way in the profit thereof or in any benefit or emolument arising therefrom otherwise than as a member.

**6. . :-**

A person on ceasing hold office as a member shall not be eligible for any further employment either under a Panchayat or the Government of Gujarat.

**PART 3**

**PAY AND ALLOWANCES**

**7. . :-**

(1) Subject to the provisions of this Order, a member shall be paid such pay and other allowances as the State Government may from time to time, determine: Provided that a member who may be required to hold the charge of the office of the Chairman during the period of leave or otherwise shall be paid a special pay at the rate of Rs. 300/- (Rupees three hundred only) per mensem in addition to his own salary as a member.

(2) If a member, on the date of his appointment as such, was in the Government Service and has not retired or reached to the age of superannuation under the rules applicable to such service, he shall, except where he has agreed to in writing to the contrary, be paid a salary equal to his pay in the post held by him in the Government service or a salary as provided in sub-clause (1) whichever is higher.

(3) If a member on the date of his appointment as such is retired Government Servant or retires from Government service during the tenure of his office as a member and is in receipt of pension from Government, his pay as a member shall be reduced by an amount equivalent to monthly pension including the amount of pension commuted, if any.

#### PART 4

#### TRAVELLING ALLOWANCES

#### **8. . :-**

(1) The member of the Board shall be entitled for journeys made by them in the performance of their duties to such travelling allowances and at such rates as are for the time being admissible to Government Class I Officers.

(2) If a member on the date of his appointment in the Board as such was in Government service and has not retired or reached to the age of superannuation under the rules applicable to such service, he shall be entitled for journeys made by him to join his duty as such member to such travelling allowance, joining time and pay for joining time as would have been admissible to him under the rules applicable to such Government service if he had been transferred to any post in Government service from the post held by him at the date of his appointment as a member.

(3) A member who at the date of his appointment was in Government service, may even after his appointment to the Board to the Board be entitled to the leave travel concession as would have been admissible under the rules applicable to him immediately before the date of his appointment as a member of the Board.

#### PART 5

#### LEAVE

#### **9. . :-**

#### PART 6

#### PENSION AND PROVIDENT FUND

#### **10. . :-**

(1) A member, other than the member to whom sub-clause (3) applies, shall be entitled to the basic pension as under. (a) For the first three completed years of service for pension, a sum of Rs. 1,500/- per annum. (b) For each subsequent completed year of service for pension, a further sum of Rs. 300/- per annum.

(2) For each completed year of service as Chairman, a member who is eligible for a basic pension under sub-clause (1) shall be entitled to an additional pension of Rs. 150/- per annum :

Provided that the aggregate amount of the basic pension and additional pension shall not exceed Rs. 3,600/- per annum.

(3) A member who on the date of his appointment on the Board was in Government service or retires from the Government Service during the tenure of his office as member- and was entitled to draw pension on retirement from such service under the rules applicable to such service shall on ceasing to hold the office as a member, be entitled to pension in accordance with the rules so applicable to him and for the purpose of calculating such pension, the services rendered by him as a member shall also be taken into account as service qualifying for such pension.

(4) No pension (including additional pension, if any) shall be payable to a member, if

(a) he has completed less than three years of service for pension;

Provided that where a member has not completed three years of service, the Government may add to his service a period not exceeding three months, for the purpose of counting the pension,

(b) he has been removed from his office under clause 5,

(c) he is retired Government servant and is in receipt of or entitled to pension under the rules applicable to the service to which he belonged or as a retired Government servant, has received or entitled to receive the benefit of Contributory Provident Fund.

(5) A member, who at the date of his appointment was in Government service and prior to that date had been admitted to the benefits of General Provident Fund maintained by Government shall be eligible after appointment on the Board to continue to subscribe to the said fund with the same terms and conditions and subject to the same rules as previously applicable to him.

(6) A member who is not eligible under sub-clause (5) to continue to subscribe to a provident fund maintained by the Government shall be eligible to join the General Provident Fund maintained by the Government of Gujarat. On his joining the said fund, the provisions of the rules regulating to the said fund shall as far as

possible apply to him.

**11. Repeal and Saving :-**

The Gujarat Panchayats Service Selection Board (Conditions of Service Order, 1964 is hereby repealed. Such repeal shall not affect anything done or any action taken under the Order.