

Gujarat Subordinate Services
Selection Board. Terms and
Conditions regarding appoint-
ment, Pay, Leave Pension etc.
of Chairman and Members.

Government of Gujarat,
General Administration Department,
Resolution No. KPA-1288-995-G.4,
Sachivalaya, Gandhinagar,
Dated the 26, March, 92.

RESOLUTION :

Under the G.Rs. GAD NO. KBY-1186-1615-G.3, dated 21-3-1988 and No. KBY-1088-2291-G.3, dated 1-5-1990, Government has constituted the Gujarat Subordinate Services Selection Board. The question of laying down the conditions of service etc. of the Chairman and Members of the Gujarat Subordinate Services Selection Board was however under the consideration of Government for some time past. After careful consideration, Government is now pleased to prescribe the terms of appointment and conditions of services of the Chairman and Member of the Board as under :-

Defini-
tions.

1. In this G.R. unless the context otherwise requires:-
 - a. 'Government' means the Government of Gujarat.
 - b. 'Board' means the Gujarat Subordinate Services Selection Board.
 - c. 'Chairman' means the Chairman of the Board.
 - d. 'Member' means a member of the Board.
 - e. 'Service for Pension' includes - (1) time spent by a member on duty as a member, (2) period of absence on leave salary equivalent to full pay.

Explanation - In the calculation of service for the purpose of this G.R. service, if any, rendered before the issue of this G.R. as a Chairman or as a Member shall be reckoned as service for pension.

Composition,
appointment
& term of
office of
Chairman &
Member.

2. 1) The Board shall consist of a Chairman and two or more other members as may be appointed by the Government from time to time;

Provided that as nearly as may be one half of the members of the Board shall be persons who at the dates of their respective appointments have for atleast ten years administrative experience in State Govt. department or Public Sector Undertakings.

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2) A Chairman or 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 extend the said term from time to time so however that it shall not in any case be beyond the date on which he attains the age of sixty two years;

Provided further that Government may terminate the appointment of a Chairman or a Member at any time before the expiry of the term of his appointment by giving one month's notice in writing;

Provided also that a Chairman or a Member may, by giving one month's notice in his own handwriting, resign from his office at any time before the expiry of the term of his appointment. The resignation so tendered shall be effective immediately after notice period is over.

Salary and Allowances of Chairman and Members.

3. 1) Subject to the provisions of this G.R., there shall be paid to the Chairman a pay of Rs. 6,000/- (Rupees six thousand only) per mensem and to each of the members a pay of Rs. 5,000/- (Rupees five thousand only) per mensem, plus such allowances as may be admissible on the said pay in the services of State Government from time to time.

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 subject to the condition that his total emolument in that case do not exceed Rs. 6,000/- per mensem.

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2) If a Chairman or a member on the date of his appointment as such was in Government Service in a permanent capacity 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 in writing to the contrary, be paid a salary equal to his pay in the pay scale of the post substantively held by him in the Government service or a salary as provided in sub-para(1) of para 4 whichever is higher.

3) If a Chairman or a Member on the date of his appointment as such is a retired Government servant and is in receipt of the pension from Government, the Government shall determine whether his pension shall be held in abeyance and if so whether wholly or in part or in the alternative, shall determine whether the pay fixed by this order shall be reduced by an amount not exceeding the amount of such pension including such portion of it as may have been computed, if the pension is allowed or be given in full.

Removal
of
Chairman
and
Member.

4. 1) The Chairman or any other member of the Board shall be removed from his office before the expiry of the term of his appointment by an order of Government on the ground of misbehaviour after due enquiry by the officer appointed by the Government.
- 2) Subject to the provision of para-3, the Chairman or any other member of the Board shall be removed from his office before the expiry of the term of his appointment by an order of the State Government, if a Chairman or a Member:-
- a. is adjudged an insolvent; or
 - b. engages during his term of office in any paid employment outside the duties of his office; or

- c. is in the opinion of the State Government unfit to continue in office by a reason of infirmity of mind or body; or
- d. is convicted of an offence involving moral turpitude; or
- e. is or becomes in any way concerned or interested in any contract or agreement made by or on behalf of Government of Gujarat or the Government of India or any other State Government or participates in any way in the profit thereof or in any benefit or emolument arising therefrom otherwise than as a chairman or a member, and in common with the other members of an incorporated company, he shall, for the purpose of misbehaviour be deemed to be guilty, or deemed to be guilty of such misbehaviour.

Prohibition as to holding of offices by Chairman or Member of the Board on ceasing to be such Chairman/Member.

- 5. On ceasing to hold office as the Chairman and as a Member of the Board he shall be ineligible for further employment either under the Government of India or under the Government of a State.

Staff of the Board.

- 6. The Board shall be provided with a Secretary and such other staff as may be considered necessary by the Government.

Leave of Chairman and Member.

- 7. 1) A Chairman or a Member who at the date of his appointment was in Government service in a permanent capacity, shall continue to be governed by the leave rules applicable to him immediately before the date of his appointment in the Board and his service as a Chairman or as a Member shall count for such leave as per the provision of the Leave Rules applicable to him prior to his appointment in the Board.

- 2) A chairman or a member whom sub-para (1) or this para does not apply, may be granted leave as under :
- a. leave on leave salary equivalent to full pay upto one eleventh of the period spent on duty as a Chairman or as a Member, subject to a maximum of four months at any one time;
 - b. leave on medical certificate on leave salary equal to half pay subject to a maximum of three months at any one time;
 - c. Extra-ordinary leave without any salary subject to maximum of three months at any one time;

Provided that all or any two of the above kinds of leave may be granted in combination at one time.

- 3) Leave at the credit of the Chairman or a Member shall lapse on the date on which he shall vacate the office. The Chairman and Member shall be paid an amount equivalent to the leave salary in respect of the period of earned leave at his credit on the date on which he vacated his office subject to the conditions laid down under the Government Resolution, Finance Department No. 12V-1078-72(P), dated 10-1-1978 as amended from time to time.

Pension and provident Fund.

- B. 1) A Chairman or a Member on the date of his appointment as such on the Board who was in Government service in a permanent capacity 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 chairman or 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 chairman or a member of the Board shall also be taken into account as service qualifying for such pension.

- 2) A Chairman or a Member to whom provisions of sub para (1) of this para applies shall on ceasing to hold the office be paid pension in accordance with the provisions of sub para (1) of this para.

Provided that no pension (including additional pension if any) shall save as provided in sub para (3) of para 4 be payable to the chairman or a member, if :-

- a) he has completed less than three years of service for pension, or
- b) he has been terminated or removed from office under the second proviso of sub para (2) of para 3 or under para 5 respectively; or
- c) at the date of appointment in the Board, a chairman or a member is a retired Government servant and is in receipt of pension or was in Government service and entitled to pension under the rules applicable to the service to which he belonged or as a retired Government servant, had received or was entitled to receive the benefit of contributory provident fund;

Provided further that if a member on the date of his appointment was a retired Government servant who was in receipt of service pension or who had qualified for service pension or who as a member, is granted or becomes qualified for service pension under the rules of the service of which he was a member, and such pension is lower in amount than the same would be admissible to him under sub para (4) he may draw in lieu of his service pension, pension as a member as may be admissible to him under sub- para (4).

- 3) The Government may for special reasons, make an addition, which shall not exceed three months to the period of service performed by the Chairman or any Member, which under the provisions of this para may be treated as service counting for pension;

Provided that any addition so made shall not be reckoned in calculation of any additional pension under sub para (1).

- 4) The basic pension to which the Chairman or a Member, shall be entitled be as under :-

- i In the case of a Chairman or a Member, who at the date of his appointment as such was a retired Government servant and who having put in less than 30 years qualifying service had retired from Government service and was in receipt of pension on superannuation for each of such number of completed years of service as a member fall short of 30 years of qualifying service, in addition to pension on superannuation;

Provided that for the purpose of this clause, service of less than one year but not less than six months shall be reckoned as service for one completed year.

- ii. In any other case :-
a) Rs. 3,600/- per annum for the first three completed years of service for pension,
b) a further sum of Rs.900/- per annum for each subsequent completed year of service for pension.

- 5) For each completed year of service for pension, a Chairman or a Member, who is eligible for a basic pension under this para shall be entitled for additional pension of a Rs. 450/- per annum.

- 6) i. A pension granted under the provisions of this para subject to the provisions of other rules be payable to a Chairman or a Member for life.
- ii. A pension granted under the provisions of this G.R., to a member who is later appointed to the office of the Chairman shall be held in abeyance with effect from the date on which he enters upon that office and shall be merged in the pension payable to him on ceasing to hold that office.
- 7) A Chairman or a Member who at the date of his appointment as such was in Government service in a permanent capacity shall also be given the benefit of commutation of pension on retirement without reference to Medical Board as laid down in the G.R., F.D., No. NVE-1078-250-P, dated the 10th March, 1978 as amended from time to time on his application in the form that may be prescribed by Government.
- 8) The authority competent to sanction a pension under these G.R., shall be the Government.
- 9) A Chairman or a Member, who at the date of his appointment was in Government service either under contract or otherwise and prior to that date had been admitted to the benefits of any 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.
- 10) A Chairman or a Member who is not eligible under sub-para (9) 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.

Travelling Allowance.

- 1) The Chairman and the members of the Board shall be entitled for journeys made by them in the performance of their duties to such travelling allowance and at such rates as are for the time being admissible under the Bombay Civil Services Rules, 1959 as amended from time to time to Secretary to Government.
- 2) If the Chairman or a Member at the date of his appointment 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 Chairman or Member to such travelling allowance, and pay for joining time as would have been admissible to him under the rules applicable to such Government servant if he had been transferred to any post in Government service from the post held by him at the date of his appointment as Chairman or as a Member.
- 3) A Chairman or a Member who at the date of his appointment was in Government service, in permanent capacity may even after his appointment 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 Chairman or as a Member.

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

M. H. Chaudhri
(M. H. Chaudhri)
Under Secretary to Government,
General Administration Department.

To,
The Secretary to the Governor,
The Principal Secretary to the Chief Minister,

- The Personal Secretary to the Leader of Opposition Party,
- The Personal Secretaries to all Ministers/Ministers of State,
- *The Secretary, Gujarat Public Service Commission, Ahmedabad,
- *The Secretary, Gujarat Legislature Secretariat, Gandhinagar,
- *The Secretary, Gujarat Vigilance Commission, Gandhinagar,
- *The Registrar, High Court of Gujarat, Ahmedabad,
- *The Secretary, Gujarat Civil Services Tribunal, Gandhinagar,
- *The Secretary, Gujarat Panchayat Services Selection Board, Ahmedabad,
- *The Secretary, Gujarat Sub-ordinate Service Selection Board, Gandhinagar,
- All Departments of the Secretariat,
- The Accountant General, Ahmedabad/Rajkot,
- The Pay & Accounts Officer, Ahmedabad/Gandhinagar,
- The Resident Audit Officer, Ahmedabad/Gandhinagar,
- All Branches in General Administration Department,
- The Select File,

*By letter.

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