

Manual 5

The rules, regulations, instructions, manuals and record, held by or under control or used by employees for discharging of functions

- **Delegations of Power (Already mentioned in manual 2 of this Proactive Disclosure. Kindly refer manual 2)**
- **GIDB Service Rules – 2004 & Conduct, Discipline and Appeal Rules – 2004**
- **GIDB Recruitment Rules - 2005**
- **Gujarat Infrastructure Development Act – 1999**
- **SIR Act – 2009**
- **VGF Scheme (Central & State)**

GIDB Service Rules – 2004 & Conduct, Discipline and Appeal Rules - 2004

Where it is necessary to define and lay down the terms and conditions of appointment and service of the staff of the Gujarat Infrastructure Development Board, in exercise of the powers conferred by Sub – Section 2 of Section 26 of the Gujarat Infrastructure Development Act 1999, Gujarat Infrastructure Development Board hereby makes and adopt the following rules, namely:-

CHAPTER I **PRILIMINARY**

1) Short Title:-

These rules shall be called the “Gujarat Infrastructure Development Board” employees Service Rules, 2004.

2) Application:-

- (a) These rules shall come in to force from the day they are approved by the Board.
- (b) These rules shall apply to every whole time employee of the Board and includes any person whose services are temporarily placed at the disposal of the Central/State Government, Government Industrial Undertaking or a local or other authority. Provided that employees under specific agreement or arrangement or contractual employment shall not be governed by these rules or shall be governed by them only subject to such special terms, conditions, or stipulations as may be provided for by such agreement or arrangement.

3) Definitions:-

In these rules, unless there is anything repugnant in the subject or context :-

- (a) “Board” means the Gujarat Infrastructure Development Board.
- (b) “HR Committee” means the HR Committee set up by the regulations of Gujarat Infrastructure Development Board.
- (c) “Chairman” means Chairman of the HR Committee and includes the Member of the Committee functioning as such in a meeting of the HR Committee in absence of the Chairman and in relation to any powers exercisable by him includes any officer authorized by him to exercise his powers and functions.
- (d) “Appointing Authority in relation to an employee” means the authority competent to make the appointment to the Service or post held by the employee under these rules.

- (e) “Chief Executive officer” means the Chief Executive Officer of the Board and in relation to any power exercisable by him, includes any officer authorized by him to exercise the powers of the Chief Executive Officer during his temporary absence.
- (f) “Conveyance Allowance” means an allowance granted to an employee, whose pay has not been fixed with special reference to the expenditure likely to be incurred upon touring in the performance of his duties involve an extraordinary amount of traveling within a limited area.
- (g) “Compensatory Allowance” means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed and includes traveling allowance.
- (h) “Competent Authority” in relation to the exercise of any power, means any committee or officer of the Board to whom the powers delegated by or under these rules.
- (i) “Selection Committee” means HR Committee for the class I and II officers and the Committee constituted by CEO for the selection of officers/employees of Class III and IV .
- (j) “Daily Allowance” means an allowance granted to an employee for each day of his absence from headquarters, which is intended to cover the ordinary daily expenses incurred by employee in consequence of such absence.
- (k) “Duty” means the period during which an employee is on duty and includes service as a probationer, period spent on Casual Leave duly authorized a course of instructions or training authorized by or under orders of the board and joining time.
- (l) “Emoluments” means Basic Pay, Personal Pay, Special Pay, Leave Salary, Dearness Allowance, House Rent Allowance, Local Compensatory Allowance, and other allowances declared from time to time by the Board.
- (m) “House Rent Allowance” means a monthly allowance towards defraying house rent granted to an employee in locations where such rents are high or granted in lieu of free residential accommodation.
- (n) “Pay” means the monthly amount drawn by an employee as:-
- 1) Basic Pay, which has been sanctioned for the post held by him substantively or in an officiating capacity and includes stagnation increments.
 - 2) Special Pay and Personal Pay,
 - 3) Any other emoluments, which may be specially classed as Pay by the Board
 - 4) Deputation allowance, however deputation allowance will not be included in “Pay” for the purpose of H.R.A., C.L.A. or other allowances except Traveling Allowance / Daily Allowance.

- (o) “Average Pay” means the average monthly pay earned during the 10 complete months immediately preceding the month in which the event necessitating the calculation of average pay occurs.
- (p) “Personal Pay” means an additional pay granted to an employee to save him from a loss of substantive pay due to revision of pay or to any reduction of such substantive pay otherwise than as disciplinary measure OR in exceptional circumstances on other personal consideration.
- (q) “Special Pay” means an addition of the nature of pay to the emoluments of a post or of an employee granted in consideration of:
- 1) The specially arduous nature of his duties or.
 - 2) A specific addition to the work or responsibility.
- (r) “Employee” means any person who holds a post under Board, other than a casual employee / on contractual employment, a member of the work charged establishment, a person paid from contingencies or daily rated person and includes any person whose services are temporarily placed at the disposal of the Central Government, State Government, Government undertaking, a local or other authority.
- (s) “Family” means and includes an employee’s wife or husband, legitimate children, and step children ordinarily residing with him / her and wholly dependent on him or her. An adopted child shall be considered a legitimate child if under the personal law of the employee adoption is legally recognized as conferring on it the status of a natural child. It includes, in addition parents, sisters and minor brothers if residing with and wholly dependent upon the employee.
- Note:- Not more than one wife is included in the term “Family” for the purpose of these rules.
- (t) “Rules” means the Gujarat Infrastructure Development Board (employee) Service Rules, 2004 and all modifications thereof and substitutions thereof, and references in these rules to the provisions of the then existing rules shall be read as referring to the provisions substituted thereof.
- (u) “Year” means the financial year of the Board beginning with the first day of April of a calendar year and ending with the thirty first day of March of the same calendar year.
- (v) “Month” means a calendar month.
- (w) The words importing singular number shall also include plural number and vice-versa.
- (x) The words importing masculine gender shall also include the feminine gender and vice-versa.

4) Amendments to the Rules:-

Any amendment by way of addition, alteration, or commission in these rules shall be made only under the authority of a resolution of the Board and shall be notified to the employees either by publishing it on the Notice Board of the Board or by the circulation. Provided that any irregularity or incidental omission in notifying shall not invalidate such amendments.

Provided further that no amendment in the rules shall operate to reduce the scale of pay of an employee on which he is entitled to draw pay in substantive capacity on the day such amendment comes into force.

5) Interpretation and implementation of Rules:-

The power to interpret the rules rests with the Chief Executive Officer who may issue such administrative instructions as may necessary to give effect to, and to carry out the purpose of the provisions of these rules, provided that if, as a result of any decision of the Chief Executive Officer as regards the construction, interpretation or implementation of any of these rules, an employee feels aggrieved, he shall have a right to appeal against such decision of the Chief Executive Officer to the Chairman (HR Committee) whose decision shall be final and binding to all concerned.

6) Delegation of Powers:-

The Board, the HR Committee, and the Chief Executive Officer may, subject to such restrictions as they may think deem fit, delegate any of their powers to any committee or officer not below the rank of class II officer of the Board.

7) Controlling Authority:-

For the purpose of implementing these rules, exercising all administrative and financial control and making all payments, the Chief Executive Officer shall be the Controlling Authority for all the employees of the Board and for himself and he may declare any Class I Officer as a Controlling Authority for this purpose.

CHAPTER II

**CLASSIFICATION OF EMPLOYEES, CREATION OF POSTS,
RECRUITMENT, APPOINTMENT, PROBATION, CONFIRMATION,
RECORD OR SERVICE, SENIORITY, PROMOTION AND
REVERSION.**

8) Classification of Employees:-

The employees of the Board shall be grouped as under:-

1) Chief Executive Officer:-

2) Class – I :- Employees falling in the Pay scale of Rs. 8000-13500 and above.

- 3) **Class – II :-** Employees falling in the Pay scale of Rs. 6500-10500 and above but below the Pay scale or Rs. 8000-13500.
- 4) **Class – III:-** Employees falling in the scale of Rs. 3050-4590 and above but below the Pay scale of Rs. 6500-10500.
- 5) **Class – IV:-** Peons, Jamadars, Chawkidars etc. falling in the Scale of Rs. 2550-3200 and above but below the Pay Scale of Rs. 3050-4590.

The Board, the HR Committee or the authority duly empowered in this behalf may revise this classification from time to time if, necessary.

- 9) The Board shall, from time to time, fix the number of posts of permanent character, sanction approved pay scales for them and create such posts as may be necessary for all classes of employees, while the powers to make recruitment to these posts shall rest with the HR Committee, Chief Executive Officer and other officers of the Board authorized in this behalf.

10) Appointment in the Board's Service:-

The vacancies in various cadres will be filled by the competent appointing authority either:-

- 1) By direct recruitment, or
- 2) By promotion from lower cadre, or
- 3) By way of short term contract basis on fixed remuneration.
- 4) By deputation from amongst the employees of State/Central Government or Board / Corporation / Companies owned by State / Central Government.

- 11) The minimum and maximum age limit for direct recruitment shall be as per the relevant recruitment rules of that cadre. Provided that the Board or HR Committee or CEO or authority empowered by the Board in this behalf may relax or revise the maximum age limit.

- 12) (a) No candidate will be eligible for appointment in the Board unless a certificate of medical fitness from a medical practitioner authorized in this behalf by the CEO is produced by him/her and he/she produces certificate of good character from two respectable persons.

(b) No candidate will be eligible for appointment in the Board service if he has been convicted by a Court of Law for an offence involving moral turpitude.

Reappointment:-

- 13) No person who has been dismissed from the Board services or has otherwise ceased to be in the employment of the Board shall be reemployed in the Board service without approval of the HR Committee in case of Class I & II officer and Chief Executive Officer in case of a candidate for a post of any other class.

- 14) The first appointment to a post shall be made on probation for a period not exceeding one year. Provided that the Appointing Authority may from time to time extend such

period of probation as may be considered necessary, up to two years in case of Class-I & II and up to one year in case of Class – III and IV posts.

15) Even candidate who is offered employment under the Board shall, before joining his duties subscribe to a declaration in the form prescribed in Appendix-I or in such other form as may be prescribed by the CEO from time to time.

16) Grant of initial advance increment:-

No appointment shall be made on any post granting advance increments for having higher educational qualification than required. Provided that the appointing authority may, in exceptional cases grant advance increments up to five to specially qualified or experienced candidate selected for appointment on his first appointment in the Board on any post upon recommendation of the selection committee.

17) Whole time Employee to be at the disposal of Board

Unless in any case it be distinctly provided, the whole time of an employee is at the disposal of Board and he may be employee in any manner required by proper authority, without a claim for additional remuneration. The officers / employees shall be assigned any responsibilities in the interest of the Board.

18) Commencement of Service:-

Except as otherwise provided by or under these rules, “Service” of an employee shall be deemed to commence from the working day in the forenoon of which he reports for duty on an appointment covered by these Rules, at the place and time intimated to him by the competent authority or else from the next following working day.

19) Confirmation:-

On satisfactory completion of the period of probation and extension thereof, if any, the competent appointing authority shall issue conformation order.

20) Record of Service:-

A record of Service shall be maintained in respect of each employee in the form prescribed by the Chief Executive Officer from time to time.

21) Seniority:-

1. In the case of candidates selected by the Selection Committee for appointment to the service of the Board, their inters seniority shall be fixed in accordance with the following provisions namely:-

(a) A candidate, who immediately before his selection, was already in service of the Board on temporary basis, shall rank for seniority in his grade according to his rank in the order of merit arranged by the Selection committee in that grade.

- (b) A candidate, who was not in service, shall rank for seniority in his grade according to the chronological order of the date on which he joined the appointment. Provided that where more candidate than one are simultaneously selected for posts in the same grade and they are called to join appointment within a specific time.
- (i) The candidate who joins the appointment within time so given, shall rank for seniority according to their rank in the order of merit arranged by the selection Committee.
 - (ii) The candidates, who before the expiry of the time so given has applied in writing to the Appointing Authority for an extension of time for joining the appointment and the extension of time as asked for has been granted, shall rank for seniority according to his rank in order of merit arranged by the Selection Committee.
 - (iii) The candidate, who joins the appointment after the expiry of the time so given and to whom clause (ii) does not apply, shall rank for seniority according to the chronological order of the date on which he joins the appointment.
- (3) An employee not covered under (1) or (2) above appointed to a post shall rank for seniority in that grade according to his date of appointment in the grade: Provided that where more employees than one are appointed in the same grade on the same date, such employees shall rank for seniority according to their orders of seniority as existed immediately before their appointment
- 4) In case of employees promoted on permanent posts their seniority shall be determined from the date of their promotion to such posts provided there is no ratio fixed in the Recruitment Rules.

22) Promotion:-

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

(2) In making an appointment to any post by promotion, the appointing authority, may supersede a person 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.

The appointing authority may give promotion to the employee on the recommendations of the HR Committee from Class IV to Class III, Class III to Class III, Class III to Class II, Class II to Class I and class I to class I , employee as and when occasion arises, in accordance with the Recruitment Rules and promotion policy of the Board.

The promotion shall be on temporary basis in the first instance. The appointing authority shall assess his performance on the promotional post on completion of one year on the basis of his Confidential Report and after assessment if he is found fit for the said post, the competent authority shall issue orders for long term appointment on the promotional post.

23) Reversion:-

An employee appointed to officiate on a higher post or promoted on temporary basis to a higher post shall be liable to be reverted without notice, at any time, within two years of such appointment or promotion.

CHAPTER III

CESSATION, DISCHARGED, TERMINATION AND DETERMINATION OF SERVICES, SUPERANNUATION AND RETIREMENT.

24) Cessation:-

In case of termination and determination of service or discharge, dismissal or retirement from service, and employee shall cease to be in the employment of the Board from the date of such termination or determination of service or discharge, dismissal or retirement from service. In case of death, an employee shall cease to be in the employment of the Board with effect from the date following the day on which the death takes place.

25) Discharge or termination of Service during Probation:-

Termination of Service notice:-

- 1) During his probationary period an employee shall not leave or discontinue his service in the Board without giving prior notice in writing to the Chief Executive Officer of his intention to leave or discontinue the service. The period of such notice shall not be less than one month during probationary period.
- 2) An employee after his probation period is completed shall not leave or discontinue his service in the Board without giving prior notice in writing to the Board of his intention to leave or discontinue the service. The period of such notice shall not be less than –
 - (i) Three months in the case of an employee in Class – I and II.
 - (ii) One month in the case of an employee in any other class.

The power to accept or reject the notice referred to sub-regulation (1) or (2), as the case may be, of an employee of his intention to leave or discontinue the service of the Board shall be, exercised by the Chief Executive Officer within the above referred notice period.

- 3) An employee who contravenes the provision of the forgoing sub-rule shall be liable to pay to the Board as compensation a sum equal to his emoluments for the period of notice required of him. Unless the payment of such compensation waived by the Chief Executive Officer at his discretion.
- 4) The Board may determine the service of an employee after expiry of the period of his probation on giving him –
 - (i) Three month's notice, or emoluments in lieu thereof if he is an employee in Class-I and II.
 - (ii) One month's notice or emoluments in lieu thereof if he is an employee in any other class.
The power to determine the service of an employee shall be exercised by the Chief Executive Officer.

26) Discharge or termination of Service after Confirmation:-

After confirmation an employee in Class I and II may be relieved from the service of the Board for sufficient reasons by the competent appointing authority/ CEO or he may leave or discontinue from the service of the Board after giving 3 month's notice or three month's emoluments in lieu of such notice on either side. An employee in any other Class may be relieved from the service of the Board for sufficient reasons by the competent appointing authority/CEO or he may leave or discontinue from the service of the Board after giving one month's notice in writing in that behalf or by payment of one month's emoluments in lieu of such notice on either side.

Provided that the competent appointing authority/CEO may waive such notice or payment in lieu thereof. An employee of the Board may be removed from service, dismissed from service or otherwise proceeded against on the grounds and in the manner provided, in matters relating to conduct discipline and Appeals Rules of the Board.

27) Superannuating and retirement:-

An employee other than a Class IV employee shall retire from the service of the Board on his completing 58 years of age. In the public interest Board may grant re-employment to retiring employee if he is physically and mentally fit to carry out his duty efficiently for the period not exceeding two year and up to the age of 62 years at a time. Class IV employee shall retire from service of the Board on his completing 60 years of age.

CHAPTER IV

PAY, ALLOWANCES AND CONCESSIONS

28) Accrual and Cessation of Pay and Allowances:-

Subject to the provisions in these rules, pay and allowances of an employee shall accrue from the date of commencement of his service and shall cease to accrue from the date of cessation of his services.

29) Adjustment of Pay and Allowances on Change of Charge:-

In case of change of charge by appointment, transfer promotion or otherwise, an employee shall commence to earn the pay and allowances of the post to which he is appointed, transferred or promoted with effect from the day in the forenoon of which he assume duties of that post, or else from the working day following the day on which the charge is taken over.

30) Not more than one person to be appointed to a post at the same time:-

Except as otherwise provided in these rules, not more than one person shall be appointed to or draw the pay and allowances of a post at the same time.

31) Payment:-

Pay and allowances shall be paid to an employee or his authorized agent on the first three working day of the month or as may be decided by Chief Executive Officer.

32) Employee on transfer:-

Where an employee is transferred or promoted from one post to another, he shall during an interval between the dates of his handing over charge of the old post and the date of his taking over charge of the new post, draw pay and allowance of the new post or the old post, whichever is less.

33) Increment:-

- (a) In an incremental scale, the increment shall accrue on the completion of each specified period of services of one year on each stage of that scale whether such service be probationary, officiating or substantive. Acting service in a higher grade will count for increments in an employee's substantive grade as well as in the higher grade in which he is acting and if there is any intermediate grade between the two in which he would have officiated, had he not been appointed to officiate in the higher grade, also in the intermediate grade, but the period during which an employee is on leave without pay will not count for increment unless so authorized by the Chief Executive Officer for reasons to be recorded in writing. Sanction to draw increments will be as per the resolution issued by the Board for delegation of administrative and financial powers.
- (b) No increment will be withheld except as a disciplinary measure under these rules and each withholding increment shall state the reasons and the period

for which it is withheld and whether the withholding of an increment shall have the effect of postponing future increment.

- (c) Employee shall be entitled to draw increment in a post held by him substantively or in an officiating capacity on the first day of the month irrespective of the date on which it falls due.
- (d) Stagnation increment. :- One stagnation increment is allowed to all employees who stagnate at the maximum of their scales of pay, after every two years. Granting of such increment shall be governed subject to following conditions :-
 - i. A maximum of three such increments shall be allowed.
 - ii. The period of two years' stagnation shall count from the date of employee reaches the maximum of the scale after the grant of last increment and shall be computed from the date of reaching the maximum of the scale and includes the period if any, during which the employee officiated in the higher post.
 - iii. The rate of stagnation increment shall be equal to the last increment and shall be treated as personal pay.
 - iv. The stagnation increment shall be reckoned as pay for the purpose of DA, HRA, CLA, TA, LTC. Pension, DCRG and family pension

34) Premature increment:-

The HR Committee may grant cash award or up to three advance increments to an employee, provided that such increments shall be given only in case of special exceptional/meritorious services and outstanding performance rendered by the employee.

35) Re fixation of pay on promotion:-

On promotion from one grade to another and where an employee is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attached to the post held by him, in the normal course of promotion or on transfer, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by one increment at the stage at which such pay has accrued, provided that (a) where an employee immediately before his promotion or appointment to the higher post was drawing pay at the maximum of the time scale of the higher post shall be fixed at the stage in that time scale next above such maximum of the lower post. (b) This clause shall not apply in case where an employee holding a post in any capacity is appointed to another post by nomination or through a competitive selection test.

36) Option for fixation of Pay under rule-33:-

- 1) Where an employee who is promoted before drawing increment due in the lower post, shall be given an option to be exercised within one month of the date of promotion to have –

a) his initial pay fixed in the higher post on the basis of the provision of rule – 33 without any further review on accrual of increment in the pay scale of the lower post;

OR

b) his pay fixed in the higher post initially in the manner as provided under rule – 33 which may be revived and fixed as per provisions of rule - 33 on the date of accrual of next increment in the scale of pay of the lower post.

2) When the pay is fixed under clause (b) of sub-rule (1), the next date of increment shall fall due on completion of twelve months' qualifying service from the date the pay is fixed on the second occasion.

3) The option shall be allowed in cases where the initial fixation of pay in the scale of the higher post in the manner provided under rule-33.

4) The option shall be available to the employee only in cases of promotion to higher posts in normal course and not otherwise. Provided that in case where such stop gap promotion is followed by regular appointment to the higher post without any break in stop gap promotion and the regular appointment, the option may be allowed from the date of initial appointment to the higher post to be furnished within one month from the date of such regular appointment.

5) Option once exercise shall be final.

37) Special Pay:-

(1) Special pay may be granted to an employee for specially arduous nature of duty, additional work, work of higher quality, special work as in addition to pay scale up to 5% of his pay. The grant of special pay shall require the sanction of the Chief executive Officer and it shall not be for more than 12 months unless reviewed and sanctioned otherwise.

(2) The employee already holding a post on substantive or officiating capacity or a probationer may be appointed by the appointing authority at one time to officiate as a temporary measure in one or more posts and he will be entitled to the special pay as under :-

- I. 5% of the presumptive pay for holding additional charge of another post of equivalent rank.
- II. 10% of the presumptive pay for holding additional charge of another post which is next higher in rank.

37 (2) The employees of the Board shall be entitled for Leave Travel Concessions as per the State Government Rules.

CHAPTER V

ALLOWANCES (GENERAL)

38) Kinds of Allowances:-

The following kinds of allowances will be granted in accordance with the provisions of these rules:-

- (i) Dearness Allowance, House Rent Allowance, Compensatory Local Allowance;
- (ii) Traveling Allowance and
- (iii) Halting Allowance, i.e. Daily Allowance.

39) Dearness Allowance:-

- (i) **Rate:-** Until otherwise determined by the Board, Dearness Allowance shall be paid on the pay as defined in rule 3(P) of these rules to the Employees of the Board at the rates prescribed by Government of Gujarat for its employees from time to time.
- (ii) **Dearness Allowance during leave:-** Dearness Allowance may be drawn during leave not being extra ordinary leave.

40) House Rent Allowance:-

Until otherwise determined by the Board, employees shall be paid House Rent Allowance at the rates prescribed by the Government of Gujarat for its employees from time to time.

41) Compensatory Local Allowance:-

(i) City Allowance:-

Until otherwise determined by the Board, City Allowance (Compensatory local allowance) will be sanctioned and paid to the employees of the Board at the rate prescribed and conditions laid down by the Government of Gujarat for its employees.

(ii) Washing Allowance:-

Washing Allowance will be paid to the employees at the rate decided by C.E.O. from time to time to the personnel to whom uniforms are provided by the Board.

42) Traveling Allowance :-

- (a) **Employees on tour:-** An employee traveling on Board's business or on other authorized duty shall be entitled to claim traveling allowance from the Board.
- (b) An employee shall be entitled to travel by the mode and class of accommodation mentioned hereunder and shall be reimbursed his return fare for passage for the journey he is required to undertake from his Head quarter to his destination and back: The pay ranges and travel entitlement will be as follows:-

Pay Range (1)	Entitlement (2)
Rs. 16,400 and above	AC First Class
Rs. 8,000 and above but less than Rs. 16,400.	II AC 2-Tier Sleeper
Rs. 6,500 and above but less than Rs. 8,000.	First Class/II AC III-Tier Sleeper / AC Chair Car.*
Rs. 4,100 and above but less than Rs. 6,500.	First Class /II AC III-Tier Sleeper / AC Chair Car.*
Below Rs. 4,100	Second Sleeper.

*All employees who are entitled to travel on tour/transfer by first Class, II AC, III-Tier Sleeper/ AC Chair Car may, at their discretion, travel by II AC 2-Tier Sleeper where any of the trains connecting the originating and destination stations concerned by the direct shortest route do not provide these three classes of accommodation.

Travel by AC III-Tier sleeper will be permissible in trains in which AC chair Car Accommodation is not provided.

Travel by Shatabdi Express Trains:-

Pay Range (1)	Entitlement (2)
Rs. 16,400 and above.	Executive Class

All other drawing pay below Rs. 16,400.	AC Chair Car.
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Note:- The Chief Executive Officer may grant special permission in cases of emergency to travel by A.C. or Air to employees in pay range of Rs. 6500-10500 and above. For journeys performed by road by an employee, road mileage allowance shall be paid to him as per the rules / orders issued by Government of Gujarat for its employees for each K.M. traveled except in any case for which different rates are specially provided.

Note:-

- (i) For journeys over 80 K.M. by road one way by conveyance other than a public conveyance, special permission of the Chief Executive Officer or an Officer authorized by him shall be required.
- (ii) The General Manager shall decide as to which employee shall travel by car.
- (iii) Distance shall be counted from the Headquarter to the halting place and back for purpose of conveyance allowance.

43) Employees of the Board traveling in Public Conveyance:-

Traveling allowance admissible to an employee of the Board traveling in a motor vehicle plying regularly for conveyance of passengers will be the actual cost of hiring a single seat.

44) Route by which traveling allowance is admissible:-

- (a) Traveling allowance is admissible on the basis of a journey by the shortest route, that is to say, the route by which an employee can reach his destination in the shortest possible time by ordinary mode of travel. Provided that for the purpose of this rule, the expression "Journey by the shortest route" shall not include travel by air.
- (b) Traveling allowance by a route costlier than the shortest shall not be admitted even though the employee may have actually traveled by that route but if an employee travels by route which is not shortest but is cheaper than the shortest, his traveling allowance shall be calculated by the route actually traveled.
- (c) The Chief Executive Officer may in a special case admit longer routes of travel.

45) Traveling Allowance on Transfer – Transportation:-

Until otherwise determined by the Board, Traveling Allowance including Transfer Allowance and expenditure on transportation of conveyance to retiring

employee shall be paid as per the rules of Government of Gujarat in force from time to time.

Note:- Consequent upon the introduction of Revised scale of Pay, under G.C.S (ROP) Rules 1998 the State Govt. has revised the provision of Traveling Allowance / Daily Allowance vide Govt. Reso. F.D. No PGR / 1098 /49 – M dated the 16th Sept 1998. (Appendix II). The same shall be applicable to the employees of the Board.

46) The Chief Executive Officer may for sufficient reasons allow the employees to change the mode of travel from Second Class to First Class or from First Class to Air Conditioned Class/Air. The employee shall be reimbursed the actual expenditure incurred on conveyance.

47) Daily Allowance:-

- (a) “Until otherwise determined by the board, Daily Allowance shall be paid to the employees of the Board in accordance with the rules of the Government of Gujarat in force from time to time.
- (b) If any transport and free boarding and lodging is provided no daily allowance will be admissible.

48) Chief Executive Officer may for sufficient reasons allow employees to draw full daily allowance beyond the limit stipulated in these rules.

49) Transport Allowance:-

Employees of the Board shall be paid transport allowance at the rates and conditions prescribed by the Govt. Of Gujarat in respect of its employees under Govt. Reso. FD. No. PGR/1098 – 36 – M dated the 20th May 1998 or revised from time to time.

CHAPTER VI

MISCELANEOUS

50) Working hours:-

The offices of the Board shall remain open for business during such hours as may be decided by the CEO from time to time.

51) Holiday in lieu of overtime :-

Notwithstanding the fact that the whole time of an employee is at the disposal of the Board, an employee in Class III and IV who is required to work on any Sunday or Holiday, Chief Executive Officer may grant any other holiday in lieu of such Sunday or holiday.

52) Holidays:-

The Chief Executive Officer may, from time to time declare the number of holidays to be observed by the office of the Board.

53) Uniform:-

Until otherwise determined by the HR Committee uniform will be supplied to the peons and drivers of the Board at the following scales;

- (a) Two pairs of Teri cotton coat and pants every two years.
- (b) One pair of woolen coat and pant every three years.
- (c) One pair of shoe every two years.

54) Medical Benefits:-

Employees of the Board may be paid uniform Medical Allowance at the rates prescribed by the Govt. of Gujarat for its employees from time to time.

Provided that employees of the Board may exercise option to govern their medical benefit under the Medical Benefit scheme (Medical scheme approved by GIDB Society). The employees shall give option in every year i.e. in the Month of January .

55) Bonus:-

Employees of the Board may be paid adhoc or any other bonus at the rates and subject to the same restrictions and other terms and conditions as may be prescribed by the Government of Gujarat in respect of its employees from time to time.

CHAPTER – VII

LEAVE RULES

56) In this Chapter:- Kinds of leave

Leave includes earned leave, half pay leave, commuted leave, leave not due, extraordinary leave, study leave, maternity leave, paternity leave and disability leave.

The following are the classes of leave to any of which an employee may be eligible:-

- (i) Earned leave i.e. ordinary leave on average pay.
- (ii) Leave on half average pay.

- (iii) Commuted leave i.e. sick leave on medical certificate.
- (iv) Leave not due on half average pay on medical certificate.
- (v) Extraordinary leave i.e. leave without pay.
- (vi) Study leave.
- (vii) Maternity leave
- (viii) Paternity leave.
- (ix) Disability leave.
- (x) T.B./cancer/Leprosy Leave.

57) General Conditions for grant of leave:-

Leave is a permission granted by the CEO. at its discretion to the employee to remain absent from duty.

- (a) The maximum period of continuous absence from duty on leave granted otherwise than on medical certificate is twenty-eight months.
- (b) Earned leave may be sanctioned ordinarily to an employee on not more than three occasions during a calendar year, and the minimum period on each occasion shall be not less than seven days inclusive on any holidays allowed to be prefixed and or suffixed. If seven days is not admissible in a given case, the authority sanctioning leave may, at its discretion, grant leave for a lesser period.
- (c) Formal joining of the duty at the end of leave with the intention of taking leave again within a few days should not be permitted. The principal on which the requirements of this rule should be enforced is that no deliberate or intentional evasion of the rule should be permitted; but so long as this condition is satisfied, it is left to the discretion of the competent authority to grant or refuse it, may seem proper in each case.
- (d) An employee on leave may not take any service or accept any employment.
- (e) Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

58) Authorities empowered to grant leave:-

The power to grant leave shall vest in the Chief Executive Officer or any other officer authorized in that behalf by the Chief Executive Officer. All applications for leave shall be addressed to the authority empowered to grant leave.

59) Power to refuse leave:-

Leave cannot be claimed as a matter of right by any employee. When the exigencies of the services so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it. All orders recalling an employee to duty before expiry of leave shall state whether the return is optional or compulsory. If it is compulsory, employee shall be treated on duty from the date on which he starts for station.

60) Leave should not be granted to any employee who ought at once to be dismissed or removed from service for misconduct or general incapability.

No leave shall be granted beyond the date on which an employee is to retire compulsorily.

61) Maximum period of continuous leave:-

Unless Board in view of the exceptional circumstances of the case otherwise determines, no employee shall be granted leave of any kind for a continuous period exceeding five years.

62) Payment for leave earned:-

If an employee worker is discharged or dismissed from service or quits his employment or is superannuated or dies while in service, during the course of the calendar year, he or his heir or nominee, as the case may be, shall be entitled to wages in lieu of the quantum of earned leave to which he was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death.

63) Commencement and termination of leave:-

The first day of an employee's leave shall be the working day succeeding that upon which he makes over his charge. The last day of an employee's leave shall be the working day preceding that upon which he reports his return to duty. A substitute appointed in a leave vacancy shall be considered to be on duty on that post during the period of leave.

64) Combination of different kinds of leave:-

Except as otherwise provided in these rules any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

65) Obligation to furnish address during the leave:-

An employee shall, before proceeding on leave, intimate to the authority granting leave his address during leave and shall keep the said authority informed of any change in his address so intimated.

66) Scale on which earned leave can be earned:-

(a)(i) The Leave Account of employee shall be credited with 30 days EL in a Calendar year. This shall be done in advance in two installments of 15 days each on the 1st of January and 1st of July every year.

(ii) The credits afforded under sub-Para (a) above shall be reduced by 1/10th of the period of extraordinary leave only availed of during the previous half year, subject to a maximum of 15 days.

(iii) The EL at the credit of employee at the close of half year, shall be carried forward to the next half year, subject to the condition that the EL so carried forward plus the credit for that half year shall not exceed 300 days.

(iv) If an employee is appointed on or after the 1st of January of a year, EL shall be credited to his leave account at the rate of 2.1/2 days for each completed calendar month of service which he is likely to render in a half year of the calendar year in which he is appointed.

(v) The credit for the half-year in which a member of the service is due to retire or resigns from service shall be afforded only at the rate of 2.1/2 days per completed calendar month in the half year, up to the date of retirement or resignation. If the leave already availed of is more than the credit so due to him, necessary adjustment shall be made in respect of leave salary overdrawn if any.

(vi) When an employee is removed or dismissed from the service or dies while in service, credit of EL shall be allowed at the rate of 2.1/2 days per completed calendar month in which he is removed or dismissed from service or dies in service. Where the quantum of EL is in excess of the leave, the overpayment of leave salary, shall be recovered in such cases.

(b) While affording credit under Para 2, fraction of a day shall be rounded off to the nearest day.

67) Maintenance of Leave Account:-

The Leave account shall be maintained in the form appended.

In case of employees, having at their credit Earned Leave of 275 days or less as on 1st January/1st July, of a year earned leave of 15 days or proportionately less in respect of retiring persons or those leaving service during the next half year may continue to be credited to their leave accounts in advance as at present.

In cases where the Earned Leave at credit as on 1st January / 1st July is 300 days or less; but more than 285 days, credit of earned leave of 15 days may be kept separately and first adjusted against any Earned Leave that employee may take during the ensuing half year and the balance if any, credited to the Earned Leave account at the close of half year subject to the ceiling of 300 days. If the Earned Leave taken during the half year is more than 15 days, the amount in excess of 15 days will, however, have to be debited to the leave account.

For example:

- 1) If as on 1st July, 2000, the employee has at his credit Earned Leave of 285 days, 15 days earned leave will be credited in Advance to his leave account provided he is not due to retire during the ensuing half year.
- 2) If on 1st July, 2000, the employee has at his credit 300 days Earned Leave and (a) if he avails 15 days earned leave during the period 1st July, 2000, to 31st December, 2000, the Earned Leave so taken will be adjusted against the 15 days earned leave kept separately to be credited to his account on 1st July, 2000. He will thus have at credit as on 1st January, 2001, 300 days Earned Leave and (b) if on the other hand, he has taken only 10 days' Earned Leave during the half year ending 31st December, 2000 such leave will be adjusted against the Earned Leave of 15 days to be credited to his earned leave account on 1st July 2000. No further leave will however, be credited to his Earned Leave account and the Earned Leave at his credit as on 1st January, 2001 will continue to be 300 days.
- 3) If as on 1st July, 2000, the employee has 290 days Earned Leave at his credit and,
 - (a) If he takes 15 days Earned Leave during the half year ending 31st December 2000 such leave will be adjusted against the 15 days earned leave to be credited to his account as on 1st July 2000 and the earned leave at credit on 1st January 2001 will remain 295 days.
 - (b) If, however, he has taken only, 10 days earned leave during the same half year, this will first be adjusted against the 15 days earned leave to be credited as on 1st July, 2000 and the balance of 5 days will be credited to his leave account so that as on 1st January, 2001 the Earned Leave at his credit will be 295 days.

68) Pay during leave:-

An employee on earned leave shall draw Leave Pay equal to his last pay drawn including C.L.A., House rent allowance and Dearness Allowance, and other allowances as defined as Pay under rule 3(P) of these rules.

69) Appointment during leave vacancy:-

The Chief Executive Officer or any other officer authorized in that behalf by the Chief Executive Officer may make officiating arrangements for leave vacancies.

70) Half Pay leave:-

- (a) During the full period of his service an employee may be granted half Pay leave at the rate of 20 days for each completed year of service on private affairs or on a medical certificate from a medical practitioner authorized by the Board or from a Registered medical practitioner treating such an employee or any member of his/ her family, who is dependent on him countersigned by the medical practitioner authorized by the Board. Sick leave may be availed of even if ordinary leave is admissible.
- (b) The half pay leave account of every employee shall be credited with half pay leave in advance, in two installments of ten days each on the first days of January and July of every calendar year,
 - (1) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which is likely to render in the half year of the calendar year in which he is appointed.
 - (2) The credit for the half year in which an employee is due to retire or resigns from the service shall be allowed at the rate of 5/3 days per complete calendar month up to the date of retirement or resignation.
 - (3) When an employee is removed or dismissed from service or dies while in Service, credit of half pay leave shall be allowed at the rate of 5/3 days per complete calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies while in service.
- (c) While affording credit under Para 1 above, fraction of a day shall be rounded off to the nearest day.
- (d) While calculation the completed months of service, the month may be rounded off to the next higher, if it exceeds more than 15 days. For example, if an employee who has completed a year's service of 11th May, 1996, he may be given the benefit to half pay leave from May (since it exceeds more than 15 days) to December, 1996 for 13 days ($5/3 * 8 = 12.1/3$).

71) Pay during half Pay leave:-

Half Pay leave shall be on ½ average pay provided that where an employee has served the Board for at least a period of 5 years, he may, if he so requires, be permitted to avail himself of leave on average pay on medical ground, such leave of average pay being entered in his leave account as twice the amount of half pay leave taken.

72) Extraordinary leave:-

Extraordinary leave may be granted to an employee when no ordinary leave and half pay leave are due to him or when other leave is admissible, but the employee applies in writing for the grant of extraordinary leave and when having regard to his length of service, is considered justified to avail of leave. Except in exceptional circumstances, the duration of extraordinary leave shall not exceed 4 months on any one occasion and 36 months during the entire period of an employee's service.

The maximum duration of continuous absence from duty at any time with or without leave should not exceed 28 months.

No pay and allowances are admissible during the period of extraordinary leave and the period spent on such leave shall not count for increments. Such leave is not to be debited in leave account.

73) Study leave:-

Study leave may be granted to an employee for the purpose of undertaking studies of scientific, technical or similar problems or to undergo special course of instructions or training in or outside India having a direct and close connection with the sphere of his duty on such terms and conditions as may be fixed by the Board. Study leave out of India shall not be granted without the prior approval of the State Government.

The other terms and conditions for sanction of study leave shall be as per the rules / orders issued by the State Government for its employees from time to time.

74) Study leave shall not ordinarily be granted to the employee:-

- (i) Who has rendered less than five year's service in the Board;
- (ii) Who is due to retire or has the option to retire, from the service within the years after the expiry of the leave.

75) Maternity leave:

The Competent authority may grant to a female employee who has put it at least one year of continuous service, maternity leave for a period which of one hundred and thirty five from the date of it's commencement. Such leave shall not be debited to the leave account of the employee and shall be granted for

confinement in respect of first two children only, or as may be decided by the State Govt. from time to time for its employees.

76) The leave salary admissible during the period of maternity leave shall be regulated as follows.

(1) Who is permanent or has put in two or more years continues service the salary admissible shall be equal to the pay drawn immediately proceeding on leave.

(2) Who has put in less than two years but more than one year continuous service, leave salary admissible shall be equal to half the pay drawn immediately before proceeding leave.

77) A female employee may be granted leave of any other kind admissible to her in combination with, or in continuation of maternity leave if the request for its grant is supported by medical certificate of the Board authorized medical practitioner. A male or female who undergoes a vasectomy or tubectomy operation as the case may be, duly certified by operating surgeon, will be entitled for six days and fourteen days leave with pay respectively.

78) Paternity Leave:-

The competent authority may grant paternity leave to a male employee for a period of 15 days during the confinement of his wife. During the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity Leave shall not be debited against the leave account and may be combined with any other kind or leave. It may not normally be refused.

79) Disability Leave:-

An employee of the Board disabled by injury intentionally inflicted or caused in consequence of the performance of his official duties or in consequence of his official position, may be granted disability leave on a certificate by the Govt. Medical Officer such a leave shall not in any case exceed 24 months. It may be combined with leave of any other kind and shall be counted as duty in calculating service for gratuity, but shall not be debited against the leave account.

Leave salary during such leave shall be admissible as under:

(a) For the first 4 months : On average pay.

(b) For remaining period : On half average pay.

These provisions may be extended to cases where employee disabled by injury accidentally incurred in or in consequence of the due performance of his duties or in consequence of his official position or by illness incurred in performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the post which he holds.

80) Leave not due:-

Leave not due may be granted to an employee subject to the following conditions:-

- i. Leave not due may be granted to an employee for a period not exceeding 360 days during his entire service.
- ii. On medical certificate without limit of amount and,
- iii. Otherwise than on medical certificate for not more than three months at one time and six months in all, reckoned in term of leave on average pay.
- iv. When an employee returns from leave which was not due and which was debited against his leave account, no leave will become due to him until the expiration of fresh period spent on duty sufficient to earn credit of leave equal to the period of leave which he took before it was due.
- v. The employee asking for leave not due should have put in minimum of 5 years of service in the Board. An employee suffering from T.B., leprosy, cancer or mental illness may be granted leave even if he has put in less than five years service.
- vi. The authority competent to grant leave should be satisfied that there is reasonable prospect of the employee returning to duty on expiry of such leave and earn half pay leave equal to Leave Not Due.
- vii. Leave not due shall be limited to half pay leave he is likely to earn thereafter and shall be debited against the half pay leave.

81) Casual Leave:-

- i. Casual leave may be granted to an employee by the CEO or by an authority to whom such power is delegated by CEO up to a maximum of 12 days in each calendar year. No appointment is required to replace the employee on casual leave. Sunday weekly offs or public holidays may be allowed to be enjoyed in conjunction with any spell of casual leave whether by prefixing or suffixing or by both subject to the condition that if absence of the employee from headquarters as a result of such days being joined with or falling within a period of casual leave is likely to cause inconvenience to the Board, sanctioning authority may see that such cases of absence from headquarters are restricted to a reasonable period, and if necessary, some of the holidays or even a part of casual leave may be required to be spent at Headquarters only. Sundays, weekly offs or public holidays falling within the period of casual leave shall not be counted as part of casual leave.

- ii. In respect of an employee joining service in the middle of a calendar year, the sanctioning authority may grant casual leave proportionate to service rendered by him in the Board i.e. at the rate of one day of casual leave for one calendar month.
- iii. If the absence of an employee is extended beyond the limits mentioned above, or if any of the other conditions stated above is not fulfilled, the employee may be treated as on earned leave or leave without pay for the entire period of his absence at the discretion of the sanctioning authority.

CHAPTER VIII

82) Encashment of Earned Leave:-

An employee shall be entitled of the benefit of encashment of unutilized earned leave at his credit up to the limit of 300 days in respect of the following categories:

- (1) Retirement on attaining the age of superannuating
- (2) Case where the service of an employee has been extended, in the interest of public service, beyond the date of retirement on superannuating.
- (3) Voluntary retirement;
- (4) Pre-mature retirement;
- (5) In the case of death of an employee while in service, to the family of the deceased;
- (6) In case of absorption of the employees in other State Govt. undertaking.

An employee of the Board who resigns or quits service shall be entitled to cash equivalent in respect of Earned Leave at credit on the date of cessation of service to the extent of half of Earned Leave on the date of cessation of service to the extent of half of such leave at his credit subject to a maximum of 150 days.

The cash equivalent shall be equal to the leave salary as admissible for earned leave and the amount so calculated shall be paid in one lump sum as a one time settlement. No house rent allowance or city compensatory allowance shall be payable.

CHAPTER IX

83) Compulsory Retirement and Voluntary Retirement:-

An appointing authority shall, if he is of the opinion that it is in the public interest to do so, have the absolute right to retire any employee other than class IV by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice.

In Case,

- (i) If he is in Class I or II service or post or any unclassified post on or after the date on which he attains the age of 50 years and,
- (ii) If he is in Class III service or post on or after the date on which he attains the age of 55 years;

Any employee of the Board other than class IV may by giving notice of not less than three months, in writing to the appointing authority, to retire from service after he has attained the age of 50 years.

The procedure and criteria to be followed regarding premature retirement under this rule is laid down in Appendix III to these rules.

CHAPTER X **PROVIDENT FUND AND GRATUITY**

84) The Organization shall maintain and administer a Contributory Provident Fund. All officers and employees of the Board who are not on deputation from Government or any Public Body shall subscribe to the Contributory Provident Fund from such date as may be notified. The Fund shall be administered in accordance with the rules framed for the purpose and in force from time to time.

85) Gratuity:-

Eligibility:- Every employee of the Board who is not on deputation from outside shall be eligible for gratuity.

86) Payment of gratuity shall be made to an employee or his legal heirs or successors as the case may be, if he is eligible for it under these rules, on death, resignation, retirement or termination of service of the Board equal to one half of his pay last drawn for each completed year of service, subject to a maximum of 16.5 times the pay.

For the purposes of these rules,

- (a) Period of all leave without break in service shall be counted;
- (b) Pay means basic pay and Dearness Allowance of an Employee on the date he ceased to be in the employment of the Board.

(c) Amount of gratuity under this rule shall in no case exceed rupees three lacs and fifty thousands.

87) Gratuity will not be paid to any employee who is dismissed for dishonesty or misconduct irrespective of the length of his service.

88) No gratuity will be granted in case of an employee if he/she has not completed continues service in the Board for minimum period of five years.

Notwithstanding anything contained in the above provision gratuity will be granted to an employee or his legal heirs if he dies while in service or retirement on account of certified permanent incapacity due to bodily or mental infirmity as under.

Completed year of qualifying service	Amount of gratuity
(1) Less than one year's service.	Two month's pay
(2) One years of more but less than five years.	Six month's pay
(3) Five years or more but less than twenty years.	Twelve month's pay
(4) Twenty years or more.	One month's pay for each completed year of service limited to thirty three pays.

Provided that the amount of gratuity payable **under** this rule shall in no case, exceed rupees three lacs and fifty thousands.

Note:- The pay for the purpose of this rule shall be the last drawn pay plus dearness allowance admissible on the date of retirement or death.

CHAPTER – XI

REPEAL AND SAVINGS

89) Repeal and Savings:-

Service Rules of Gujarat Infrastructure Development Board Society so far as they relate to terms and conditions of appointment, conditions of service, remuneration and other related matters are hereby repealed.

Provided that such repeal shall not affect the previous operation of the rules so repealed or anything done or any action taken there under.

Provided further that all the service matter for which no specific provision is made in these rules, provision made under State Service Rules shall be applicable to the employees of the Board.

APPENDIX I
(See Rule.. 15)
GUJARAT INFRASTRUCTURE DEVELOPMENT BOARD

Place:

Date:

I hereby solemnly declare that I have read and understood the Gujarat Infrastructure Development Board (Employees) Service Rules and I hereby subscribe and agree to be bound by the said Rules. I give below my particulars which are true:-

- 1) Name in full with aliases
And former name or names,
if any (In Block Capital).
- 2) Permanent Address.
- 3) Present address.
- 4) In case of emergency to
Intimate at (Tel. No. if any).
- 5) Date of Birth.
- 6) Place of birth with
district and State.
- 7) Place of domicile.
- 8) Nature of appointment.
- 9) Date of appointment.
- 10) Signature
- 11) Signature of the Head of

The Department.

APPENDIX II
(See Note below rule 45)
Traveling Allowance/Daily Allowance etc
Revision of-
Government of Gujarat,
Finance Department,
Resolution No. RGR-1098-49-M
Sachivalaya, Gandhinagar
Dated the 16th September, 1998.

Read:-

- (1) Government Resolution, Finance Department: No.ECR-1087-28-M, dated the 7th August, 1987 as amended from time to time.
- (2) Government Resolution, Finance Department;MSB-1096-229-J,
- (3) Government Resolution, Finance Department, MSB-1096-CMR-6-J, dated 1st August, 1996
- (4) Government Resolution, Finance Department, MSB-1496-796-J,

RESOLUTION

Consequent upon the introduction of Revised Scale of Pay under the Gujarat Civil Services (Revision of Pay) Rules, 1998 the question of revising the Rates of Traveling Allowance, Daily Allowance etc. was under the consideration of Government. After careful consideration, Government is pleased to direct that the existing provision of Traveling Allowance / Daily Allowance etc. shall be modified as set out in the Annexure to this Government Resolution.

2) The term “pay” for the purpose of these orders refers to pay in the revised scales of pay promulgated under the Gujarat Civil Services (Revision of Pay) Rules, 1998. In the case of employees who opt to retain the pre-revised scales of pay, the “Pay” will include, besides pay in the pre-revised scales of pay, Dearness Allowance and interim Relief at the rates applicable under the orders in force prior to 1-1-1996.

3) These orders take effect from 1st October 1998. However, if the regulation of the results in lowering of the existing entitlements in the case of any individual, groups or classes of employees, the entitlements, particularly in respect of mode of travel, class of accommodation, etc. shall not be lowered. They will instead continue to be governed by the earlier orders on the subject till such time as they become eligible in the normal course, for the higher entitlements The Traveling Allowance entitlements in respect of journeys performed between 1st January, 1996 and 30th September, 1998 will be regulated in accordance with the orders contained in the Government Resolution cited in the preamble.

4) The other existing terms and conditions governing grant of all the allowances mentioned in the Annexure will continue to remain in force.

The necessary amendment to the Bombay Civil Services Rules, 1959 will be issued in due course.

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

A. B. Pathan,
Officer on Special Duty,
Finance Department.

B- Lumpsum Transfer Grant and Packing- Allowance:-

The lumpsum transfer grant and packing allowance may also be replaced by the composite transfer grant equal to half month's basic pay last drawn in case of those employees who on retirement. Settle down at places other than the last station(s) of their duty located at a distance of or more than 20 km. The transfer incidentals and road mileage for journeys between the residence and the railway station/bus stand, etc. at the old and new stations, presently admissible, will also be subsumed in the composite transfer grant and will not be separately admissible.

As in the case of serving employees, government employees who, on retirement, settle at the last station of duty itself or within a distance of less than 20 km may be paid the composite transfer grant equal to one fourth of the basic pay last drawn by them, subject to condition that a change of residence is actually involved.

**Annexure to Government Resolution, Finance Department No. PGR-1098-49-M,
dated the 16th September, 1998.**

1. Accommodation entitlements for Journeys on Tour.

A. Mileage Allowance for journeys by Air

a) In partial modification of existing orders, with effect from 1-10-1998, travel by air within the country will be permissible on tour in the case of officers in receipt of pay of Rs. 16,400 and above at their discretion, provided that officers drawing pay between Rs. 12,300 and Rs. 16,400 may also be permitted to travel by air at their discretion if the distance involved is more than 500 km and journey cannot be performed overnight by direct train service/ direct slip coach service.

b) Secretaries of the Administrative Departments/ Heads of Departments who are in supertime scale of IAS/ Director General of Police and Inspector General of Police, Principal Chief Conservator of Forest would be the competent authorities to permit officers who are drawing pay of Rs. 10,000 per month or more to travel by air under their administrative control if:-

- (i) the distance involved is more than 500 km.
- (ii) The journey cannot be performed overnight by rail and
- (iii) Such journey by air is considered essential in public interest.

c) Officers who are entitled to travel by air on tour as indicated in (a) above may also travel by air along with the members of the family in respect of journeys on transfer.

d) In the case of international travel, officers of and above the level of Principal Secretary to the Government and of equivalent status shall be entitled to travel by First Class, officers of the level of Additional Chief Secretaries and Secretaries and of equivalent status by Business/ Club Class and all other officers by Economy Class.

B. Entitlement for journey by Rail on tour and transfer :-

In super session of the orders relating to the pay ranges and travel entitlement for journey by rail on tour and transfer the revised pay ranges and travel entitlement will be as follows with effect from 1-10-1998:-

Pay range (1)	Entitlement (2)
Rs. 16,400 and above	AC First Class
Rs. 8,000 and above but less than Rs. 16,400	II AC 2-Tier Sleeper
Rs. 6,500 and above but less than Rs.8,000	First Class/II AC III-Tier Sleeper/AC chair Car*
Rs. 4,100 and above but less than Rs. 6,500	First Class/II AC III-Tier Sleeper/AC chair Car*
Below Rs. 4,100	Second Sleeper.

*All Government employees who are entitled to travel on tour transfer by First Class II AC III-Tier Sleeper AC Chair Car may, at their discretion, travel by II AC II-Tier Sleeper where any of the trams connecting the originating and destination stations concerned by the direct shortest route do not provide these three classes of accommodation.

Pay Range (1)	Entitlement (2)
Rs. 16,400 and above	AC First Class
Rs. 8,000 and above but less than Rs. 16,400	II AC 2-Tier Sleeper
All other drawing pay below Rs. 8,000	AC Chair Car*

*Travel by AC III-Tier Sleeper will be permissible in trains in which AC Chair Car accommodation is not provided.

Travel by Shatabdi Express Trains:-

Pay Range	Entitlement
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(1)	(2)
Rs. 16,400 and above All others drawing pay below Rs. 16,400	Executive Class AC Chair Car

Mileage Allowance for journey by Road:-

Pay Range (1)	Entitlement (2)
Rs. 18,400 and above	Actual fare by any type of public bus, including air conditioned bus. OR At prescribed rates for AC Taxi when the journey is actually performed by AC taxi, OR At prescribed rates for auto rickshaw for journey by auto rickshaw. OR At prescribed rates of road mileage for journeys by scooter/motor cycle / moped etc.
Rs. 8,000 and above but less than Rs. 18,400.	Same as at (i) above with the exception that journeys by AC Taxi will not be permissible.
Rs. 6,500 and above but less than Rs. 8,000	Same as at (ii) above with the exception that journeys by AC bus will not be permissible.
Rs. 4,100 and above but less than Rs. 6,500	Actual fare by any type of public bus other than Ac bus. OR At prescribed rates for auto rickshaw for journey by auto rickshaw. OR At prescribed rates of road mileage for journeys by scooter / motor cycle / moped etc.
Below Rs. 4,100	Actual fare by ordinary public bus only, OR At prescribed rates for auto rickshaw for journey by auto rickshaw. OR At prescribed rates of road mileage for journeys by scooter / motor cycle / moped etc.

2) Daily Allowance on Tour:-

The grouping of pay ranges and the rates of Daily Allowance are revised as follows with effect from 1-10-1998, subject to the existing conditions:-

(a) When the Government Employee stays in Government / Public Sector Guest House of makes his own arrangements.

Pay range (1)	Localities other than those mentioned in columns (3) (4) and (5) (2)	B-1 Class cities and expensive localities* (3)	A Class cities and specially expensive localities** (4)	A-1 Class cities. (5)
Rs. 16,400 and above	Rs. 135	Rs. 170	Rs. 210	Rs. 260
Rs. 8,000 and above but less than Rs. 16,400	120	150	185	230
Rs. 6,500 and above but less than Rs. 8,000	105	130	160	200
Rs. 4,100 and above but less than Rs. 6,500	90	110	135	170
Below Rs. 4,100	55	70	85	105

(b) When the Government employee stays in a hotel or other establishment providing boarding and/ or lodging at Scheduled Tariffs.

Pay Range (1)	Localities other than those mentioned in columns (3), (4) and (5) (2)	B-1 Class cities and expensive localities* (3)	A Class cities and specially expensive localities** (4)	A-1 Class cities (5)
Rs. 16,400 and above	Rs. 335	Rs. 425	Rs. 525	Rs. 650
Rs. 8,000 and above, but less than Rs. 8,000	225	330	405	505
Rs. 6,500 and above, but less than Rs. 8,000	200	250	305	380

Rs. 4,100 and above, but less than Rs. 6,500	130	160	195	245
Below Rs. 4,100	65	85	100	125

*As specified by Government form time to time.

3. Journey on Transfer:-

A. Accommodation and Mileage allowance entitlements:-

Accommodation and Mileage Allowance entitlements as prescribed at Serial No. 1 above for journeys on tour by different modes will also be applicable in case of journeys on transfer.

With a view to encouraging the adoption of small family norms by State Government employees, it has also been decided that traveling allowance on transfer will be restricted to only two dependent children of an employee. This restriction, which will come into effect from July 1, 1999, shall not, however, be applicable in respect of those employees who already have more than two children prior to the issue of these orders. Further children of employees born between the date issue of these orders and 30th June, 1998 will also be entitled to such benefits as are admissible under the Traveling Allowance Rules to employees and their families on transfer irrespective of the number of children that they may already have. This restriction shall not also be applicable in respect of those employees who are presently issueless or have only one child and the subsequent pregnancy results in multiple births as a consequence of which the number of children exceeds two.

B. Rates of lump-sum Transfer Grant and Packing Allowance:-

In super session of Para No. 8 of Government Resolution, Finance Department, No. ECR-1087-28-M, dated 7-8-1987, the lump-sum transfer grant and packing allowance presently admissible on transfer will be replaced by a Composite Transfer Grant with effect from 1-10-1998. The Composite Transfer Grant shall be equal to half month's basic pay in case of transfers involving a change of station located at a distance of or more than 20km from the old station and of transfers within the same city, the Composite Transfer Grant will be restricted to one – forth of the basic pay, provided a change of residence is actually involved. Further, the transfer incidentals for the Government employees and the members of his family as well as the road mileage for journeys between the residence and the railway station / bus stand / airport at the old and new stations, which are presently admissible in terms of Government Resolution, Finance Department, No. MSB-1496-796-J dated 16-12-1996 shall no longer be admissible. These will instead be subsumed in the Composite Transfer Grant.

C. Transportation of Personal Effect by Rail:-

The entitlement for carriage of personal effects shall be revised as follows with effect from 1-10-1998:-

Pay Range (1)	Personal effects that can be carried (2)
Rs. 16,400 and above	Full four wheeler wagon or 6000 kg by goods train or one Double Container.
Rs. 8,000 and above but less than Rs. 16,400	Full four wheeler wagon or 6,000 kg by goods train, or one Single Container. 3,000 kg by goods train
Rs. 6,500 and above but less than Rs. 8,000	1,500 kg by goods train
Rs. 4,100 and above but less than Rs. 6,500	
Below Rs. 4,100	1,000 kg by goods train*

*Such of those employees as are in receipt of a revised pay of Rs. 3,350 p.m. and above may also be permitted to transport 1,500 kg of personal effects by goods train.

D. Transportation of Personal Effects by Road:-

The rates of allowance for carriage of personal effects between places connected by road only will be as indicated below with effect from 1-10-1998:-

Pay range (1)	A-1/ A / B-1 Class cities Rs. Per km (2)	Other cities (3)
Rs. 8,000 and above	30.00	18.00
Rs. 6,500 and above but less than Rs. 8,000	15.00	9.00
Rs. 4,100 and above but less than Rs. 6,500	7.60	4.60
Below Rs. 4,100.	6.00	4.00

Notes:-

- 1) The allowance at higher rates mentioned in column (2) will be admissible, as at present, only for carriage of personal effects from one place to another within the limits of A-1/ A/ B-1 Class cities.
- 2) Such of those employees as are in receipt of a revised pay of Rs. 3,350 and above will however, be entitled to the rates of allowance prescribed for employees in the next higher pay range of Rs. 4,100 and above but less than Rs. 6,500. The higher rate mentioned in column (2) will be admissible in their cases

as well only for carriage of personal effects from one place to another within the limits of A-1/ A/ B-1 Class cities.

In cases of carriage personal effects by road between places connected by rail, a government employee can draw the actual expenditure on transportation of personal effects by road for the amount admissible on transportation of the maximum admissible quantity by rail and additional amount of not more than 25 per cent there of, whichever is less.

E. Transportation of Conveyance:-

The scales for transportation of conveyance on transfer at government expense will be as follows with effect from 1-10-1998:-

Pay range (1)	Scale (2)
Rs. 6,500 and above	One motor car or one motor cycle / scooter
Less than Rs. 6,500	One motorcycle / scooter / moped or one bicycle.

4. T.A. entitlements of retiring employees:-

A. Transportation of Conveyance:-

The expenditure on transportation of conveyance by government employees on their retirement shall be reimbursed without insisting on the requirement that the possession of the conveyance by them while in service at their last place of duty should have been in public interest.

APPENDIX III (See Rules 83)

- 1) The appointing authorities shall conduct reviews of cases of such employees who are attaining the age of 50 years or the age of 55 years as the case may be, for considering whether they deserve to be continued further in service or whether they should be retired prematurely.
- 2) Six months before an employee attains the age of 50 years or the age of 55 years, as the case may be, his record should be carefully examined by the authority competent to make an appointment to the post which he is holding, whether in an officiating or substantive capacity, with a view to taking a decision whether he should be retained in service or retired prematurely on or after his attaining the age of 50 years or 55 years, as the case may be.

The procedure to conduct such reviews in a year is indicated below:-

Period in which review process is required to be undertaken.	The category of employees to be covered.
1) January – June period...	Employees attaining the age of 50 years or 55 years, as the case may be, during the July-December period in the same

	year.
2) July-December period...	Employees attaining the age of 50 years or 55 years, as the case maybe, during the January-June period of the next year.

The processing of cases of such reviews should be so arranged as to compete in each case in about three months time so that in the event of retirement being finally decided upon, it is possible to serve a notice on the employee concerned at least three months before the date on which he attains the age of 50 years or 55 years, as the case may be and his retirement can be given effect to, as soon as possible.

3) Authorities competent to retire an employee prematurely;

The appointing authority in respect of an employee with reference to the post which he is holding at relevant time is competent to retire him prematurely from service of the Board.

4) Employees deserve to retire prematurely.

If the authorities concerned have reasonable cause to believe that employee is lacking in integrity, it would be appropriate to consider him for premature retirement irrespective of the assessment of his ability or efficiency in work.

So far as the question of premature retirement of an employee on his attaining the age of 50 years is concerned, if the record of his service is satisfactory, he should not be retired prematurely. It is only when an employee falls below the average standard than he should be proposed for retirement on his attaining the age of 50 years.

Ordinarily, the fitness of an employee to continue in service up to the age of 55 years or 58 years, as the case may be, may also be judged in relation to his substantive post. If he is good enough for that post but not for the higher post in which he has been officiating, he should be reverted to his substantive post, if possible and in that case, he may be retained in service.

The opportunity to avail of reversion to lower posts as an alternative to their impending premature retirement is also available to those employees who are substantive in the higher posts, provided they had been promoted thereto from the lower posts, if they wish to do so. In certain cases, there may be difficulties in adopting such a course or it may not be expedient to do so; for instance, when a employee has been officiating in a higher post for a long period and it appears unlikely that he would put his heart into his work after reversion. This, however, is a question for which no hard and fast rule can be laid down and each case will have to be considered carefully by the competent authority on its merits.

As regards the question of prematurely retiring an employee on his attaining the age of 55 years, the minimum standard expected of an employee for retention in service beyond the age of 55 years should be at least a good record of performance. While reviewing a case for retention /

premature retirement beyond the age of 55 years, consideration should not be restricted only to the last three years of the employee's carrier but reports during the last 8 to 10 years should be invariably taken into account for formulating an opinion whether the employee concerned deserves to be retained in service beyond 55 years of his age or not.

If an employee proposed to be retired prematurely on his reaching the age of 50 years or 55 years, as the case may be, happens to be a Class-I officer, instead of serving a notice on him for retirement straightaway, he should be informed by a confidential letter before he reaches the age of 50 years or 55 years, as the case may be, to effect that Board has decided to retire him prematurely from such and such a date (to be specified) and that if he himself expresses a desire for voluntary retirement, he may serve a notice on Board for being permitted to retire voluntarily. Such a notice for voluntary retirement will have of course to be in unconditional terms. If there is no positive response from the officer concerned, then a notice be issued to him for premature retirement.

However, if it becomes necessary in the interest of the Board to relieve an officer whose premature retirement has been decided upon, immediately, by paying him three months pay and allowances in lieu of notice, he should not be addressed as envisaged above for serving a notice of premature retirement himself. Such an officer can be relieved from service by giving him, along with the letter of retirement, three months notice pay and allowances in lieu of the notice period, as provided under the Service Rules.

In a case in which an employee's physical or mental condition is such as to affect adversely his efficiency or ability for further service, it would be appropriate to consider him for premature retirement. However, in such cases, once it is decided to retire such an employee, it is desirable that the authority concerned first advises him to opt to retire under Service Rules and action to give him notice under Para – 2 should be taken only if the employee fails to act according to this advice.

The position regarding the physical and mental condition of employees, so far as it is likely to affect their efficiency and ability for further service, should be one of the items on which the Reporting Officers writing their confidential reports should give their opinion. The opinion should be expressed in the confidential reports of all such employees who are approaching the age of 50 years or 55 years, as the case may be, when the question of their retention in service or premature retirement from service is going to come up for consideration. In some case, however, where the employee may be known or reported to be suffering from any serious disability, infirmity or disease, which makes it desirable to have a medical opinion, the appointing authority may use his discretion to require such an employee to appear for medical examination.

Once it is decided to retain an employee in service beyond the age of 50 years, he should be allowed to continue up to the age of 55 years without any fresh review unless such review be justified by special reasons such as deterioration in subsequent work or conduct or the state of his physical

health, which may make his earlier retirement clearly desirable. The same thing would apply, mutates, in respect of an employee whom it has been decided to retain in service beyond the age of 55 years. He should ordinarily be allowed to continue up to the age of 58 years without any fresh review unless a fresh review becomes necessary for special reasons referred to.

5) Review Committees:-

For reviewing the cases of Class I and II for their retention in service or premature retirement on or after they attain the age of 50/55 years, the following Committees are required to be constituted;

- (i)** For Class-I,II officers:- Committee consisting of the Chief Executive Officer, General Manager
- (ii)** For Class III and IV :- Committee consisting of General Manager, Senior Manager and Dy. Manager (P&A)

The aforesaid Committees should carefully examine the cases and should submit their recommendations on the point whether the employees under the review should be retained in service or retired on their attaining the age of 50 years.

Where the Review Committee concerned comes to a conclusion as a result of the examination of the employee's record that he should be retired prematurely, it should record fully and clearly the considerations and reasons for its conclusion. A final decision as to the premature retirement of an employee on or after his attaining the age of 50 / 55 years has to be taken by the Chief Executive Officer on the basis of the recommendations made by the Review Committee.

When it is decided to continue an employee in service beyond the age of 50 years or 55 years, as the case may be, it is not necessary to issue formal orders to that effect.

- (iii)** Provisions regarding representations or appeals if any, against the orders of premature retirement.
 - (a)** In case of class I, II HR Committee will act as an Appellate Review Committee and consider the representations against premature retirement orders.
 - (b)** In case of class III and IV employees; the Chief Executive Officer will act as an Appellate Review authority and consider the representations against premature retirement orders.

Where the premature retirement of an employee is found unjustified by the appellate authority on consideration of his representation and he is reinstated in service, pursuant to a decision taken by the competent authority, the period of interruption in his service should be treated as duty for all purposes and he should be paid full pay and allowances.

The time-limit prescribed for preferring an appeal against the orders of premature retirement (either already implemented finally or contemplated as revealed in the notice served in that connection) is 45 days from the date of receipt of the order of premature retirement or the notice of premature retirement, as the case may be. If, an appeal is received after the time-limit is over, it should not be taken into consideration either by the Appellate Review Committee or by the competent authority.

**Gujarat Infrastructure Development Board Classification and Recruitment
(General) Regulation, 2005 & Recruitment Regulations**

**(Approved in the 2nd Human Resource
Committee Meeting held on 16/08/2005)**

1 Short title, commencement and application:-

In exercise of the powers conferred by – Sub section (2) of section 26 of the Gujarat Infrastructure Development Act, 1999. Gujarat Infrastructure Development Board hereby makes the following regulations namely:-

- A** These regulations may be called the Gujarat Infrastructure Development Board Services classification and Recruitment (General) Regulation, 2005.
- B** These regulations will come into force at once.
- C** These regulations shall apply to every whole time employee of the Board; Provided that employees under specific agreement or arrangement shall not be governed by these regulations or shall be governed by them only subject to such special terms, conditions or stipulations as may be provided for by such agreement or arrangement.

2 Definitions :-

i.) In these Regulations, unless the context otherwise requires.

- (a) **“Board”** means the “Gujarat Infrastructure Development Board”.
- (b) **HR Committee”** means the Committee of the Gujarat Infrastructure Development Board set up by the Regulation.
- (c) **“The Chief Executive Officers”** means The Chief Executive of the Board and in relation to any power exercisable by him includes any officers authorized by him to exercise his powers and function.
- (d) **“Appointing authority”** means the authority empowered to make appointment under these regulations.
- (e) **“Employee “** means any person who holds a post under the Board, other than casual employee, a member of the work charged establishment, a person paid from contingencies and includes any persons whose services are temporarily placed at the disposal of the Central Government, State Government ,Government Undertaking or local or other authority.
- (f) **“Government “**means The Government of Gujarat.
- (g) **“Service”** means any service under the Gujarat Infrastructure Development Board included in regulation – 3 of these rules.

- (h) **“Scheduled Caste”** means such cast races or tribes or parts of groups within such caste, 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.
- (i) **“Scheduled Tribes”** means such tribes or tribal Communities or parts of 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.
- (j) **“Socially and Educationally Backward Class”** means such cast ,classes and group as are determined by the State Government as Socially and Educationally Backward Class by Government Resolution, Labour, Social Welfare and Tribal Development N. BCR/1078/13734-H dated 01-04-1978.
- (k) Words and expressions not defined but used in these regulations have the same meaning assigned to them in the relevant regulations of State Government.

3 Classification of Services of Gujarat Infrastructure Development Board.

The Services of Gujarat Infrastructure Development Board employees shall be classified as under:-

- (a) **Class – I:** Employees working in the Pay Scale of Rs.8, 000 and above.
- (b) **Class – II :** Employees working in the Pay Scale of Rs.6,500 -10,500 and above but below the Pay Scale of Rs. 8,000-13,500.
- (c) **Class – III :** Employees working in the Pay Scale of Rs.3,050-75-3,950-80-4,590 and above but below the Pay Scale of Rs. 6,500-10,500.
- (d) **Class – IV:** Employees working in the Pay Scale of Rs.2,550-3,200 and above but below the Pay Scale of Rs. 3,050-4,590.

Note: - The Board \, HR Committee or the authority duly empowered in this behalf may revise this classification from time to time as and when required.

4 Physical fitness:-

Subject to the provision of Service Regulations, 2003 of the Gujarat Infrastructure Development Board 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 Board. Provided that where an appointment is made by promotion or transfer of a person already in service, no medical test ordinarily be required.

5 Evidence of Good Character :-

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

6 Conditions as to Citizenship of India :-

Subject to the provisions of these regulations, no person shall be appointed to any service or post unless he is a citizen of India –

7 Conditions as to prescribed qualification :-

- (1) Subject to the provision of these regulation, no person shall be appointed to any service or post, unless he possessed the qualification, if any, prescribed in the rules relating to the recruitment to such service or post (hereinafter referred to as "the prescribed qualifications")
- (2) Where the prescribed qualification included a qualification as to age limit the appointing authority may relax the age limit in favor of candidates belonging to the Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Class to the following extent, that is to say:-
 - (a) In the case of a service or post in the Gujarat Infrastructure Board Service in respect of which the prescribed age limit dose not exceed forty years, the age limit may be relaxed to the extent of five years.
 - (b) In the case of service or post in the Gujarat Infrastructure Board Service in respect of which the prescribed age limit exceed 40 years but does not exceed 42 years, the age limit may be relaxed to 45 years.
 - (c) In the case of service or post in the Gujarat Infrastructure Board Service in respect of which the prescribed age limit exceed 42, the age limit may be relaxed to the extent 3 years.
- (3) If any case it is considered essential by the appointing 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 HR committee where such 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 newspaper 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 advertisement 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 that age limit before the aforesaid first day of the month.

- (5) Notwithstanding anything to the contrary, contained in any regulations for the time being in force relating to the recruitment to any service or post the upper age limit for the purpose of recruitment prescribed in such rules shall not apply to a candidate who is already in Board Service as a regular employee for continuously for the period of six months and was within the age limit prescribed for the post at the time of his first appointment in Board's Service.

Provided that such upper age limit shall apply to such candidate in a case where recruitment to a post or service is done through competitive examination or by direct selection for which experience has not been prescribed as one of the qualification for such post.

8 Appointment to post and service and service in "Gujarat Infrastructure Development Board".

- (1.) An appointment to any service or post included in the service of the Board shall be made by the Board or by an authority duly empowered in that behalf by the Board either :-
- (a) By direct recruitment or.
 - (b) By promotion from lower cadre or.
 - (c) By deputation from State Government / Boards /Corporation, or from other appropriate Bodies.
 - (d) By way of fixed term contract basis.

From amongst the persons satisfied the conditions prescribed in these regulations and other regulations, if any, relating to recruitment to such service or post.

Notwithstanding anything contained in these regulation or any regulations or orders relating to recruitment to any service or post included in the Gujarat Infrastructure Development Board Services, if and when the services and posts reserved for 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 person satisfying the minimum experience in service or post requisite for appointment by promotion laid down in these regulations orders relating to recruitment or total non availability of Scheduled Castes and Scheduled Tribes in the feeder services or posts, the HR Committee duly empowered in that behalf, shall make appointment even against the service or post meant for appointment by promotion either :

(a) On the result of personal interview held for the purpose, or

(b) By direct selection,

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

- (2.) Where in any regulation 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 (1) 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 regulations or orders and the seniority of such appointees shall be fixed on the same basis as the seniority of others.

- (3.) Where in any regulation or orders relating to recruitment to any services or post, some proportion for appointment by direct selection has not been made, the appointment under clause (1) above, shall resorted to only after prescribing the qualifications as to age, educational qualifications and experience 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 Gujarat Infrastructure Development Board Service.

- (4.) Where in any regulations or orders relating to recruitment to any service or pos, the provision for appointment by direct selection has not been made, the seniority or person appointed under clause (1) above shall be fixed on the basis of continuous date of joining the appointment.

- (5.) 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 clause (1) above, shall be treated as utilized and diminished form the backlog in promotion for the above categories.

9 Period of Probation:-

Not – withstanding anything contained in the relevant regulations relating to the recruitment to any services or post include in The Gujarat Infrastructure Development Board Service, a candidate appointed to any services or post in Gujarat Infrastructure Development Board by direct selection, shall be on probation for a period up to one year. After the original probationary period or subsequently extended probationary period, as the case may be The Chief Executive Officer shall issue an order to the employee in writing either extending the period of probation o terminating his service.

Provided that the appointing authority may, if it thinks fit in any case, extended the period of probation for a further period not exceeding one year.

10 Procedure for recruitment:-

(A) Procedure for Direct recruitment:-

When recruitment to any post mentioned in recruitment regulation is to be made by direct recruitment, the Board shall invite applications by publishing an advertisement in more than on b paper and on Notice Boards of the Board as considered necessary by The Chief Executive Officer specifying the qualifications required to be possessed by the candidate and the number of vacancies likely to be filled in after considering the following aspects:-

(a.) Number of vacancies which are vacant and likely to arise within one year on account of retirement.

(b.) Specify the number of vacancies reserved for candidates belonging to the Scheduled Castes and Scheduled Tribes, Socially, Educationally backward classed, Physically Handicapped and Women.

(c.) The particulars regarding cadres, grades, pay scales etc. in respect of the posts.

(l) Previous consent of employer :-

Any application for appointment to a post in the Board service made by candidate, who is already working in the employment of the Government of Gujarat or the Government of any other State or the Central Government or a local authority or Corporation owned by any such Government, shall be rejected, if it has been made without the consent of the employer.

Explanation:-

In case of an applicant employed under the Government of Gujarat any other State or Central Government the consent of such Government or Corporation 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 organization concerned.

The Committee will consider all application and:-

- (i) Where a qualifying elimination test for recruitment is prescribed under the regulations or otherwise held such test for the candidates who possess the requisite qualifications and are eligible for the post according to the provisions laid down in such regulation.
- (ii) Where no qualifying elimination, test is prescribed, arrange personal interviews of the candidate as eligible for appointment of the post and suitability of the candidates called for in the interview shall be determined by the Personal Committee having regard to personality, extra curricular activity, educational qualification, previous experience, general knowledge etc. having regard to the requirement of the post concerned.
- (iii) The Selection Committee may at its discretion, invite more experts to assist Selection Committee at the interviews. The experts so present may take part in the deliberation of the Selection Committee.

After completion of the elimination test of the interview, the Selection Committee shall prepare a select list and a waiting list and forward it to The Chief Executive Officer, recommend advance increments to any of the candidate or candidates giving reasons thereof.

10.(B)

- (i) **Appointment by Promotion :**

- (a) Every such appointment in respect of posts created on the staff structure of the Board shall be filled in after taking approval of the HR Committee.
- (b) In making an appointment to any post by promotion, the appointing authority may supersede an employee / officer who is apparently not fit to discharge the duties and responsibility of the post and where appointment is likely to affect adversely the efficiency of the work assigned to the post.
- (c) In making an appointment to any post by promotion, the appointing authority may, consider the professional qualification useful in discharging performing duties of a post to which he is to be promoted, give due weight age in addition to seniority and merit.

(ii) Minimum Experience in service or post required for promotion :-

- (1) Where in any regulations or orders relating to recruitment or promotion to any service or post included in the regulation of Gujarat Infrastructure Development Board Services, the possession of experiences in lower service or post for a specified period is not prescribed as a condition precedent to promotion to a higher service or post, the following provisions (a) to (e) shall apply-

- (a) No person shall be promoted for a lower post in class – III service to a higher post in the same service unless he has an experience of 3 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 3 years in class –III service from which he is to be promoted.
- (c) No person shall be promoted from Class – II service to Class –I service, unless he has an experience of 3 years in class –II service from which he is to be promoted.
- (d) 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 the 3 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), (c), (d) or as the case may be (e) is not available for promotion and that it is in the 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 persons who have experience for a period not less than two thirds of the period specified in clause (a), (b), (c), (d) or (e) which applies to him

- (2) The appointment to any post made by promotion shall be on temporary basis for one year. After completion of one year, the performance of the employee / officer will be reviewed and if the performance of the employee/officer is found satisfactory, his promotion to the post will be made regular and in case

of otherwise, he will be reverted to his original post holding prior to his promotion.

(3) Where the recruitment to any of the posts mentioned in the recruitment regulation, is to be made by promotion from lower grade or cadre, the Administrative Section of the Board shall furnish the following details to the Promotion Committee:-

- (a) The details of existing vacancy or vacancies exists or likely to arise.
- (b) The particulars of the person who in the opinion of the Board are fit for promotion in a vacancy or vacancies.
- (c) Furnish a seniority list of employees / officers 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 reports of all such persons, stating reasons for their promotion or super session or exclusion or inclusion in the select list, as the case may be.

(4) The committee shall consider the proposal submitted by the Administrative Section of the Board and; consider the claims of all employees /officer in the light of their record of service and recommendation of the Board. Consider the claims of all employees/officers in the light of their record of service and recommendations of the Board.

Recommended the names of employee/ officer and prepare a final select list in order of seniority and performance of employees / officers who in its opinion, are fit for promotion to the higher grade / post or cadre of the Gujarat Infrastructure Development Board Service, to The Chief Executive Officer.

(iii) **By Deputation:-**

Every such appointment shall be made for fixed period from the Central Government / State Government or from any other Board after getting the approval from the Board of Directors / Governing Body or the Chief Executive Officer as case may be.

(iv) **Contractual Appointment:-**

- (a) The long term Contractual Appointment may be given for the period as may be decided by the HR Committee against the vacant post approved in the staff structure.

Provided that Procuring expert services in the filed of Infrastructure is necessary for the objective of organization HR Committee may approved long term Contractual Appointment even the vacant post is not available.

- (b) The person given Contractual Appointment may be designated appropriately by CEO for sake of administrative convenience.
- (c) The remuneration for Contractual Appointment shall be as decided from time to time or as per the terms of contract. The other terms of contract shall be as decided by the CEO- GIDB.

11. Passing of examination after appointment:-

A person on appointment to any service or post under Board shall be required to pass an examination in Hindi and in Gujarati and such other examination as may be prescribed by the regulations made in that behalf.

12. Confirmation on a post:-

Appointing authority may confirm the employee on the satisfactory completion of probation period.

13. Disqualification for enlisting support:-

Any endeavor on the part of a candidate for services or of any relation of the candidate to enlist supported by direct or indirect methods for his application for appointment to Board Service or for promotion for higher appointment shall be held to disqualify the candidate for the appointment or promotion.

14. Appointment by relaxation of Regulation :-

Notwithstanding anything contained in these Regulations, the Board may in the interest of public service –

- (i) Make an appointment to any service or post by a method other than that prescribed under these regulations, or
- (ii) Relax any of the provisions of these regulation;

Provided that no such appointment or relaxation under clause (i) or (ii) above shall be made except in consultation with the HR Committee as the case may be.

15. Modification, amendment or deletion of these rules:-

The HR Committee reserves to itself the right to modify, delete or amend any or all of these Regulations or orders issued there under and to give effect to such modification or amendment or deletion from such date as it may deem fit.

16. Repeal and saving :-

- (i) Any provisions or regulations prescribed for any, recruitment in the service of the Board here before are hereby repealed.

(ii) Such repeal shall not affect any action taken or the things done under the regulations so repealed.

(iii) Services of existing employees shall be deemed to be in accordance with these regulations.

Gujarat Infrastructure Development Board Regulation for the Recruitment of the General Manager

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of General Manager.

- | | |
|---------------------------------|---|
| 1. Short title and commencement | (1) These Regulations may be called The General Manager Recruitment Regulations, 2005.
(2) This shall come into force from the date of issue / publication. |
| 2. Appointment | (1) Appointment on the Post of General Manager shall be made by ;
(a) Promotion of a person of proved merit and efficiency from among the persons :
1 Have worked not less than 3 years on the post of Dy. General Manager
Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) above.

(b) By deputation of a person having suitable qualifications and experience from Govt. Departments / Boards / Corporation or form other appropriate bodies.

OR

(c) On fixed contract, of a person having qualification and experience suitable to the post.

Member Secretary,
Gujarat Infrastructure Development Board

**Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Dy. General Manager**

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Dy. General Manager.

- | | |
|---------------------------------|---|
| 1. Short title and commencement | (1) These Regulations may be called The Dy. General Manager Recruitment Regulations, 2005.
(2) This shall come into force from the date of issue / publication. |
| 2. Appointment | (1) Appointment on the Post of Dy.General Manager shall be made by ;
(a) Promotion of a person of proved merit and efficiency from among the persons :
1 Have worked not less than 3 years in cadre on the post of Sr. Manager
Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) above.
OR
(b) By deputation of a person having suitable qualifications |

and experience suitable to the post.

OR

- (c) On fixed contract, of a person having qualification and experience suitable to the post.

Member Secretary,
Gujarat Infrastructure Development Board

Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Sr. Manager (Sector officials)

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Sr. Manager.

- | | |
|---------------------------------|---|
| 1. Short title and commencement | (1) These Regulations may be called The Sr. Manager Recruitment Regulations, 2005.
(2) This shall come into force from the date of issue / publication. |
| 2. Appointment | (1) Appointment on the Post of Sr. Manager shall be made by ;
(a) Promotion of a person of proved merit and efficiency from among the persons :
1. Have worked not less than 3 years in the Dy. Manager (sector officials) cadre.
Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) above. |
- OR
- (b) By deputation of a person having qualification and experience suitable to the post.
- OR
- (c) On fixed contract, of a person having qualification and experience suitable to the post.
- OR

- (d) By Direct recruitment
3. Recruitment by direct selection To be eligible for appointment by direct selection to the post of Sr. Manger a candidate shall have following :
4. Essential qualification for direct selection (a) Possess a Degree or equivalent in Engineering / Economics / Management / Commerce or any similar specialized Degree with atleast higher second class from recognized University or reputed Institution
(b) Computer literacy is must, persons must have atleast knowledge of windows and Micro soft office applications
(c) Knowledge of Gujarati, Hindi, and English is essential.
Degree in Law.
5. Desirable qualification for direct recruitment
6. Desirable experiences in similar filed. Have 3 years experiences in similar filed.
7. Age Not more than 35 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provision of the Gujarat Infrastructure Development Board Employees Classification and recruitment (General) Regulation, 2005 as amended from time to time.
8. Probation period A candidate will be kept probation for a period of one year; on completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
9. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board form time to time.
10. Interview of the candidate. The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this.

Member Secretary,
Gujarat Infrastructure Development Board

**Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Sr. Manager**

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Sr. Manager.

- | | |
|---|---|
| 1. Short title and commencement | 1. These Regulations may be called The Sr. Manager Recruitment Regulations, 2005. |
| 2. Appointment | 2. This shall come into force from the date of issue / publication.
(1) Appointment on the Post of Sr. Manager shall be made by ;
(a) Promotion of a person of proved merit and efficiency from among the persons :
1 Have worked not less than 3 years in the Dy. Manager cadre.
Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) above.
OR
(b) By deputation of a person having suitable qualifications and experience suitable to the post.
OR
(c) On fixed contract, of a person having qualifications and experience suitable to the post.
OR
(d) By Direct recruitment |
| 3. Recruitment by direct selection | To be eligible for appointment by direct selection to the post of Sr. Manger a candidate shall have following : |
| 4. Essential qualification for direct selection | (a) Possess a Degree or equivalent in Economics / Management / Commerce/Planning /accounts or any similar specialized Degree with atleast higher second class from recognized University or reputed Institution |

- (b) Computer literacy is must, persons must have atleast knowledge of windows and Micro soft office applications
(c) Knowledge of Gujarati, Hindi, and English is essential.
Degree in Law.
5. Desirable qualification for direct recruitment
6. Desirable experiences in similar filed. Have 3 years experiences in similar filed.
7. Age Not more than 35 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of The Gujarat Infrastructure Development Board Employees Classification and recruitment (General) Regulation, 2005 as amended from time to time.
8. Probation period A candidate will be kept probation for a period of one year; on completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
9. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
10. Interview of the candidate. The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this.

Member Secretary,
Gujarat Infrastructure Development Board

Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Dy. Manager (P&A)

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Dy. Manager (P&A).

- | | |
|---|--|
| 1. Short title and commencement | 1. These Regulations may be called The Dy. Manager (P&A) Recruitment Regulations, 2005. |
| 2. Appointment | 2. This shall come into force from the date of issue / publication.
(1) Appointment on the Post of Dy. Manager (P&A) shall be made either by ;
(a) By Promotion of a person of proved merit and efficiency from among the persons :
1. Have worked not less than 3 years in the Asst. Manager cadre.
Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) above.
(b) By deputation of a person having qualifications and experience prescribed in clause 3(a) from Govt. Departments / Boards / Corporation or form other appropriate bodies.
OR
(c) On fixed contract, of a person having qualification and experience suitable to the post.
OR
(d) By Direct recruitment |
| 3. Recruitment by direct selection | To be eligible for appointment by direct selection to the post of Dy. Manager (P&A) a candidate shall have following : |
| 4. Essential qualification for direct selection | (a) Possess a Degree or equivalent in any discipline with at least higher second class from recognized University or reputed Institution
(b) Must possess Post Graduate Diploma in Human Resource Management / Personnel Management.
(c) Computer literacy is must, persons must have at least knowledge of windows and Micro soft office applications
(d) Knowledge of Gujarati, Hindi, and English is essential. |
| 5. Desirable qualification for | Degree in Law. |

- direct recruitment
6. Desirable experiences in similar filed. Have 3 years of experiences in a similar filed.
 7. Age Not more than 30 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.
 8. Probation period A candidate appointed will be kept probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
 9. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
 10. Interview of the candidate. The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by selection committee and or appointing authority.

Member Secretary,
Gujarat Infrastructure Development Board

**Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Dy. Manager (Sector Official)**

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board

hereby makes the following regulation to provide for regulating the recruitment to the post of Dy. Manager (Sector Official)

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|---|--|
| 1. Short title and commencement | 1. These Regulations may be called The Dy. Manager (Sector Official) Recruitment Regulations, 2005.
2. This shall come into force from the date of issue / publication. |
| 2. Appointment | 1. Appointment on the Post of Dy. Manager shall be made either by ;
(a) By deputation of a person having suitable qualifications and experience prescribed in clause 4 from Govt. Departments / Board /Corporation or form other appropriate bodies.
OR
(b) On fixed contract, of a person having qualification and experience suitable to the post.
OR
(c) By Direct recruitment |
| 3. Recruitment by direct selection | To be eligible for appointment by direct selection to the post of Dy. Manager a candidate shall have following : |
| 4. Essential qualification for direct selection | (a) Possess a Degree or equivalent in Engineering / Economics / Management / Commerce with at least higher second class from recognized University or reputed Institution.
(b) Computer literacy is must, persons must have at least knowledge of windows and Micro soft office applications
(c) Knowledge of Gujarati, Hindi, and English is essential. |
| 5. Desirable qualification for direct recruitment | Degree in Law. |
| 6. Desirable experiences in similar filed. | Have 3 years of experiences in a similar filed. |
| 7. Age | Not more than 30 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time. |
| 8. Probation period | A candidate appointed will be kept on probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected. |
| 9. Training | A candidate appointed shall have to undergo such training as may be prescribed by the Board form time to time. |
| 10. Interview of the candidate. | The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority. |

Member Secretary,
Gujarat Infrastructure Development Board

Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Dy. Manager (Secretarial)

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Dy. Manager (Secretarial).

1. Short title and commencement
1. These Regulations may be called The Dy. Manager (secretarial) Recruitment Regulations, 2005.
2. This shall come into force from the date of issue / publication.

2. Appointment
1. Appointment on the Post of Dy. Manager (Secretarial) shall be made either by ;
 - (a) By Promotion of a person of proved merit and efficiency from among the persons :
 1. Have worked not less than 3 years on the Asst. Manager and having knowledge of secretarial function.
Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) (1) above.
 - (a) By deputation of a person having suitable qualifications and experience prescribed in clause 4 from Govt. Departments / Boards / Corporation or form other appropriate bodies.
OR
 - (b) On fixed contract, of a person having qualification and experience suitable to the post.
OR
 - (c) By Direct recruitment
3. Recruitment by direct selection
4. Essential qualification for direct selection
5. Desirable qualification for direct recruitment
6. Desirable experiences in similar filed.
7. Age
8. Probation period
- To be eligible for appointment by direct selection to the post of Dy. Manager (secretarial) a candidate shall have following :
- Possess a Degree or equivalent in any discipline with at least higher second class from recognized University or reputed Institution and Post Graduate Diploma in Management.
- (a) Computer literacy is must, persons must have at least knowledge of windows and Micro soft office applications
- (b) Knowledge of Gujarati, Hindi, and English is essential.
- Degree in Law.
- Have 3 years of experiences in a similar filed.
- Not more than 30 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.
- A candidate appointed will be kept probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.

- | | |
|---------------------------------|---|
| 9. Training | A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time. |
| 10. Interview of the candidate. | The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority. |

Member Secretary,
Gujarat Infrastructure Development Board

**Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Dy. Manager (Accounts)**

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Dy. Manager (Accounts).

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|---------------------------------|---|
| 1. Short title and commencement | <ol style="list-style-type: none"> 1. These Regulations may be called The Dy. Manager (Accounts) Recruitment Regulations, 2005. 2. This shall come into force from the date of issue / publication. |
| 2. Appointment | <ol style="list-style-type: none"> 1. Appointment on the Post of Dy. Manager (Accounts) shall be made either by ; <ol style="list-style-type: none"> (a) By Promotion of a person of proved merit and efficiency from among the persons : <ol style="list-style-type: none"> 1. Have worked not less than 3 years in the Asst. Manager cadre. <p>Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a)</p> |

above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) (1) above.

OR

(b) By deputation of a person having qualifications and experience in cause 4 from Govt. Departments / Boards / Corporation or from other appropriate bodies.

OR

(c) On fixed contract, of a person having qualification and experience suitable to the post.

OR

(d) By Direct recruitment

3. Recruitment by direct selection To be eligible for appointment by direct selection to the post of Dy. Manager (Accounts) a candidate shall have following :
4. Essential qualification for direct selection (a) Possess a Master Degree or equivalent in Commerce with at least higher second class from recognized University or reputed Institution
(b) Computer literacy is must, persons must have at least knowledge of windows and Micro soft office applications
(c) Knowledge of Gujarati, Hindi, and English is essential.
5. Desirable qualification for direct recruitment Degree in Law.
6. Desirable experiences in similar filed. Have 3 years of experiences in a similar filed.
7. Age Not more than 30 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of The Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.
8. Probation period A candidate appointed will be kept on probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
9. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
10. Interview of the candidate. The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Asst. Manager (Systems)

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Asst. Manager (Systems).

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|---|--|
| 1. Short title and commencement | 1. These Regulations may be called The Asst. Manager (systems) Recruitment Regulations, 2005. |
| 2. Appointment | 2. This shall come into force from the date of issue / publication.
1. Appointment on the Post of Asst. Manager (Systems) shall be made either by ;
(a) By deputation of a person having suitable qualifications and experience in clause 4 from Govt. Departments / Boards / Corporation or form other appropriate bodies.
OR
(b) On fixed contract, of a person having qualification and experience suitable to the post.
OR
(c) By Direct recruitment |
| 3. Recruitment by direct selection | To be eligible for appointment by direct selection to the post of Asst. Manager (Systems) a candidate shall have following : |
| 4. Essential qualification for direct selection | (a) B.E. Electronics or BE Computers from recognized University or reputed Institution
(b) Knowledge of Gujarati, Hindi, and English is essential. |
| 5. Desirable experience for | Have 3 years of experiences in a similar filed. |

- direct selection.
6. Age Not more than 30 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of The Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.
 7. Probation period A candidate will be kept probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
 8. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
 9. Interview of the candidate. The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,
Gujarat Infrastructure Development Board

Regulation for the Recruitment of the Asst. Manager (Resource Center)

In exercise of the powers conferred by Sub-section (2) of section 26 of the Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes following regulation to provide for regulating the recruitment to the post of Asst. Manager (Resource System).

1. Short title and commencement
 1. These Regulations may be called The Asst. Manager (system) Recruitment Regulations, 2005.
 2. This shall come into force from the date of issue / publication.
2. Appointment
 1. Appointment on the Post of Asst. Manager (System) shall be made either by ;
 - (a) By deputation of a person having suitable qualifications & experience in clause 3(a) from Govt. Depts / Boards /Corporation or form other appropriate bodies. OR
 - (b) On fixed contract, of a person having qualification and experience suitable to the post. OR
 - (c) By Direct recruitment
3. Recruitment by direct selection To be eligible for appointment by direct selection to the post of Asst. Manager (Resource Center & Library) a candidate shall have following :
4. Essential qualification for direct selection
 - (a) Possess a Bachelors Degree in library science with at least higher second class from recognized University or reputed Institution
 - (b) Computer literacy is must; person must have at least knowledge of windows Microsoft Office applications.
 - (c) Knowledge of Gujarati, Hindi, and English is essential.
5. Desirable experience for direct selection. Have 3 years of experiences in a similar filed.
6. Age Not more than 30 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of The Gujarat Infrastructure

Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.

7. Probation period A candidate will be kept on probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
8. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
9. Interview of the candidate. The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,

Gujarat Infrastructure Development Board

**Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Asst. Manager**

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Asst. Manager.

1. Short title and commencement
1. These Regulations may be called The Asst. Manager (system) Recruitment Regulations, 2005.
2. This shall come into force from the date of issue / publication.
2. Appointment
1. Appointment on the Post of Asst. Manager shall be made either by ;
(a) By Promotion of a person of proved merit and efficiency from among the persons :
1 Have worked not less than 5 years on the post of Jr. Manager
Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) above.
(b) By deputation of a person having qualifications and experience prescribed in clause 4 from Govt. Departments / Boards / Corporation or from other appropriate bodies.
OR
(c) On fixed contract, of a person having qualification and experience suitable to the post.
OR
(d) By Direct recruitment
3. Recruitment by direct selection
To be eligible for appointment by direct selection to the post of Asst. Manager a candidate shall have following :
4. Essential
(a) Possess a Master Degree or equivalent in

- qualification for direct selection Accounts/Management /Commerce / Economics and Statistics from a recognized University or reputed Institution
- (b) Computer literacy is must; person must have at least knowledge of windows and Microsoft Office application.
- (c) Knowledge of Gujarati, Hindi, and English is essential filed.
5. Desirable experiences for direct selection. Have 3 years of experiences in a similar filed.
6. Age Not more than 30 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.
7. Probation period A candidate will be kept on probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
8. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
9. Interview of the candidate. The appointment of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,
Gujarat Infrastructure Development Board

**Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Steno Grade- 1**

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Steno Grade – 1.

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|---|---|
| 1. Short title and commencement | 1. These Regulations may be called Steno Grade – 1 Recruitment Regulations, 2005.
2. This shall come into force from the date of issue / publication. |
| 2. Appointment | 1. Appointment on the Post of Steno Grade- 1 shall be made either by ;
(a) By deputation of a person having qualifications and experience in clause 3 (a) from Govt. Departments / Boards / Corporation from other appropriate bodies.
OR
(b) On fixed contract, of a person having qualification and experience suitable to the post.
OR
(c) By Direct recruitment |
| 3. Recruitment by direct selection | To be eligible for appointment by direct selection to the post of Steno Grade – 1 a candidate shall have following : |
| 4. Essential qualification for direct selection | (a) Possess a Bachelors Degree or equivalent in any discipline from recognized University or reputed Institution having speed of 120 words per minute in English steno and 40 words per minute in English Typing. In case of Gujarati Steno., should have a speed of 90 words per minute in steno and 40 words per minute in Gujarati typing.
(b) Computer literacy is must; person must have at least knowledge of windows and Microsoft Office applications.
(c) Knowledge of Gujarati, Hindi, and English is essential. |
| 5. Desirable experiences in similar filed. | Have 3 years of experiences in a similar filed. |
| 6. Age | Not more than 30 years of age.
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board. Employees |

Classification and recruitment (General) Regulation, 2003 as amended from time to time.

7. Probation period
A candidate will be kept on probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
8. Training
A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
9. Interview of the candidate.
The appointment of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,
Gujarat Infrastructure Development Board

Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Jr. Manager

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Jr. Manager.

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|---|--|
| 1. Short title and commencement | 1. These Regulations may be called the Jr. Manager Recruitment Regulations, 2005.
2. This shall come into force from the date of issue / publication. |
| 2. Appointment | 1. Appointment on the Post of Jr. Manager shall be made either by ;
(a) By promotion of a person or proved merit and efficiency from among the persons:
1 Have worked not less than 3 years on the post of Assistant in Personal Administration /Accounts /Planning /Receptionist and as Personal Secretary (Steno Grade – 3) Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) above.
OR
(b) By deputation of a person having qualifications and experience in clause 4 from Govt. Departments / Boards / Corporation or from other appropriate bodies.
OR
(c) On fixed contract, of a person having qualification and experience suitable to the post.
OR
(d) By Direct recruitment |
| 3. Recruitment by direct selection | To be eligible for appointment by direct selection to the post of Jr. Manager a candidate shall have following : |
| 4. Essential qualification for direct selection | (a) Possess a Bachelors Degree or equivalent in Commerce /Statistics/Economics/Management from recognized University or reputed Institution.
(b) Computer literacy is must; person must have at least knowledge of windows and Microsoft Office applications.
(c) Knowledge of Gujarati, Hindi, and English is essential. |
| 5. Desirable experiences in similar filed. | Have 3 years of experiences in a similar filed. |
| 6. Age | Not more than 30 years of age.
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in |

accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.

7. Probation period
A candidate will be kept on probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
8. Training
A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
9. Interview of the candidate.
The appointment of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,
Gujarat Infrastructure Development Board

**Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Assistant**

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Assistant.

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| 1. Short title and commencement | <p>1. These Regulations may be called The Assistant Recruitment Regulations, 2005.</p> <p>2. This shall come into force from the date of issue / publication.</p> |
| 2. Appointment | <p>1. Appointment on the Post of Assistant shall be made either by ;</p> <p>(a) By Promotion of a person of proved merit and efficiency from among the persons :</p> <p>1. Have worked not less than 5 years on the post of Clerk, Typist, Receptionist, Library Assistance etc.
 Provided that where the appointing authority is satisfied that a person having the experience specified in clause (a) above is not available for promotion and that is necessary in the interest of the Board 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 third of the period specified in clause (a) above.</p> <p>OR</p> <p>(b) By deputation of a person having qualifications and experience prescribed in clause 4 from Govt. Departments / Boards / Corporation or form other appropriate bodies.</p> <p>OR</p> <p>(c) On fixed contract, of a person having qualification and experience suitable to the post.</p> <p>OR</p> <p>(d) By Direct recruitment</p> |
| 3. Recruitment by direct selection | To be eligible for appointment by direct selection to the post of Assistant a candidate shall have following : |
| 4. Essential qualification for direct selection | <p>(a) Possess a Bachelors Degree or equivalent in any discipline from recognized University or reputed Institution</p> <p>(b) Computer literacy is must, persons must have at least knowledge of windows and Micro soft office applications</p> <p>(c) Knowledge of Gujarati, Hindi, and English is essential.
 Have at least 2 years of experiences in a similar filed.</p> |
| 5. Desirable experiences for direct selection. | |
| 6. Age | <p>Not more than 30 years</p> <p>Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.</p> |
| 7. Probation period | A candidate will be kept probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected. |

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| 8. Training | A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time. |
| 9. Interview of the candidate. | The appointed of a candidate shall be made only on the result of an elimination test or personal interview held for this purpose by Selection Committee and or appointing authority. |

Member Secretary,
Gujarat Infrastructure Development Board

**Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Steno Grade -III**

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of
Steno Grade - III.

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| 1. Short title and commencement | 1. These Regulations may be called the Steno Grade - III Recruitment Regulations, 2005.
2. This shall come into force from the date of issue / publication. |
| 2. Appointment | 1. Appointment on the Post of Steno Grade - III shall be |

- made either by ;
- (a) By deputation of a person having qualifications and experience prescribed in clause 4 from Govt. Departments / Boards / Corporation or form other appropriate bodies.
OR
- (b) On fixed contract, of a person having qualification and experience suitable to the post.
OR
- (c) By Direct recruitment
3. Recruitment by direct selection To be eligible for appointment by direct selection to the post of Steno Grade - III a candidate shall have following :
4. Essential qualification for direct selection (a) Possess a Bachelors Degree or equivalent in any discipline from recognized University or reputed Institution having speed of 80 words per minute in English steno and 30 words per minute in English Typing. In case of Gujarati Steno., should have a speed of 70 words per minute in steno and 30 words per minute in Gujarati typing.
(b) Computer literacy is must, persons must have at least knowledge of windows and Micro soft office applications
(c) Knowledge of Gujarati, Hindi, and English is essential.
5. Essential experiences for direct selection. Have at least 2 years of experiences in as a Steno. In any Govt. Board/Corporation or large industrial organization .
6. Age Not more than 28 years
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.
7. Probation period A candidate appointed will be kept on probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
8. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
9. Interview of the candidate. The appointed of a candidate shall be made only on the result of an elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,
Gujarat Infrastructure Development Board

Gujarat Infrastructure Development Board
Regulation for the Recruitment of the Clerk/Typist/Library
Assistant/Receptionist/Computer Operator

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to the post of Clerk/Typist/Library Assistant/Receptionist/Computer Operator.

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| 1. Short title and commencement | 1. These Regulations may be called the Clerk/Typist/Library Assistant/Receptionist/Computer Operator Recruitment Regulations, 2005. |
| | 2. This shall come into force from the date of issue / publication. |
| 2. Appointment | 1. Appointment on the Post of the Clerk/Typist/Library Assistant/Receptionist/Computer Operator shall be made either by ;
(a) By deputation of a person having qualifications and experience prescribed in clause 4 from Govt. Departments |

- / Boards / Corporation or from other appropriate bodies.
OR
- (b)** On fixed contract, of a person having qualification and experience suitable to the post.
OR
- (c)** By Direct recruitment
3. Recruitment by direct selection To be eligible for appointment by direct selection to the post of the Clerk / Typist / Library Assistant / Receptionist / Computer Operator a candidate shall have following :
4. Essential qualification for direct selection
- (a)** Possess a Bachelors degree or equivalent in any discipline from recognized University or reputed Institution. In case of Typist must possess typing speed of 40 w.p.m in English or 25 w.p.m. in Gujarati typing.
- (b)** Computer literacy is must, persons must have at least knowledge of windows and Microsoft office applications
- (c)** Knowledge of Gujarati, Hindi, and English is essential.
5. Age Not more than 28 years of age.
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.
6. Probation period A candidate appointed will be kept probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
7. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
8. Interview of the candidate. The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,
Gujarat Infrastructure Development Board

Regulation for the Recruitment of Driver

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes following regulation to provide for regulating the recruitment to the post of Driver

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| 1. Short title and commencement | 1. These Regulations may be called the Driver Regulations, 2005.
2. This shall come into force from the date of issue / publication. |
| 2. Appointment | 1. Appointment on the Post of Driver shall be made either by ;
(a) By deputation of a person having suitable qualifications and experience prescribed in clause 4 from Govt. Departments / Boards / Corporation or form other appropriate bodies.
OR
(b) On fixed contract, of a person having qualification and experience suitable to the post.
OR
(c) By Direct recruitment |
| 3. Recruitment by direct selection | To be eligible for appointment by direct selection to the post of Driver a candidate shall have following : |
| 4. Essential qualification for direct selection | (a) Have passed SSC Board Certificate Examination or equivalent and Having Authorized License for Driving Motor Vehicle.
(b) Knowledge of Gujarati, Hindi, and English is essential. |
| 5. Age | Not more than 35 years.
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in |

accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.

6. Probation period
A candidate appointed will be kept probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
7. Training
A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
8. Interview of the candidate.
The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,

Gujarat Infrastructure Development Board

Regulation for the Recruitment of Peon

In exercise of the powers conferred by Sub-section (2) of section 26 of The Gujarat Infrastructure Development Act, 1999 Gujarat Infrastructure Development Board hereby makes the following regulation to provide for regulating the recruitment to post of Peon

1. Short title and commencement
1. These Regulations may be called the Peon Recruitment Regulations, 2005.
2. This shall come into force from the date of issue / publication.
2. Appointment
1 Appointment on the Post of Peon shall be made either by ;
(a) By deputation of a person having qualifications and experience prescribed in clause 4 from Govt. Deptts / Boards / Corporation or form other appropriate bodies OR
(b) On fixed contract, of a person having qualification and experience suitable to the post. OR
(c) By Direct recruitment
3. Recruitment by direct selection
To be eligible for appointment by direct selection to the post of Peon a candidate shall have following :
4. Essential qualification for direct selection
(a) Have a Passed 8th slandered or higher than that.
(b) Knowledge of Gujarati and Hindi is essential.
5. Essential experiences for direct selection.
Have at least 1 year of experiences in Govt. Board/ Corporation or other appropriate bodies.
6. Age
Not more than 26 years of age.
Provided that upper age limit may be relaxed in favor of a candidate who is already in service of the Board in accordance with the provisions of the Gujarat Infrastructure Development Board. Employees Classification and recruitment (General) Regulation, 2003 as amended from time to time.

7. Probation period A candidate appointed will be kept probation for a period of one year. On completion of the probation period satisfactorily the candidate will be appointed on the post for which he is selected.
8. Training A candidate appointed shall have to undergo such training as may be prescribed by the Board from time to time.
9. Interview of the candidate. The appointed of a candidate shall be made only on the result of elimination test or personal interview held for this purpose by Selection Committee and or appointing authority.

Member Secretary,
Gujarat Infrastructure Development Board

GUJARAT ACT NO.11 OF 1999

AN ACT

to provide for a framework for participation by persons other than the State Government and Government agencies in financing, construction, maintenance and operation of infrastructure projects and for that purpose to establish a Board and to provide for the matters connected therewith.

It is hereby enacted in the fiftieth Year of the Republic of India, as follows :-

CHAPTER 1

PRELIMINARY

1. **Short title, extent and commencement.**- (1) This Act may be called the Gujarat Infrastructure Development Act,1999.
 - (2) It extends to the whole of the State of Gujarat
 - (3) It shall be deemed to have come into force on the 28th April,1999.

2. **Definition.**- In this Act, unless the context otherwise requires.-
 - (a) “Board” means the Gujarat Infrastructure Development Board established under section 17.
 - (b) “concession agreement” means a contract of the nature specified in Schedule II between a developer and the State Government, a Government agency or a specified Government agency, relating to a project.
 - (c) “developer” means a person with whom concession agreement is entered into by the State Government, the Government agency or the specified Government agency,
 - (d) “escrow account” means a bank account in which cash is deposited or from which cash is withdrawn in such manner as specified in the concession agreement.
 - (e) “Government agency” means a Corporation or a body owned or controlled by the State Government or an authority established by or under any law and includes a local authority.
 - (f) “Infrastructure” means facilities and services provided by a project.
 - (g) “local authority” means a municipal corporation, nagar panchayat, municipal council, notified area committee, district panchayat, taluka panchayat, village panchayat or such other body.

- (h) “member” means a member of the Board including Chairman, Vice-Chairman and Member-Secretary.
- (i) “prescribed” means prescribed by rules made under this Act.
- (j) “project” means a project specified in Schedule 1
- (k) “regulations” means regulations made under section 38,
- (l) “rules” means rules made under section 37
- (m) “senior loan” means a loan in respect of which a claim on assets is prior to the claim on the assets in respect of other loan and which is specified as such in an agreement providing finance.
- (n) “specified Government agency” means an agency consisting of the State Government and a Government agency participating jointly,
- Guj.XXII of 1963 (o) “State Government guarantee” means a guarantee given by the State Government to a developer consistent with the provisions of the Gujarat State Guarantees Act, 1963.
- (p) “subordinate loan” means a loan in respect of which a claim on assets is subsequent to the claim on the assets in respect of another loan and which is specified as such in an agreement providing finance.
- (q) “subsidy” means financial assistance in cash or kind provided by the State Government, the Government agency or the specified Government agency.
- (r) “user charges” means the amount charged under section 11.

CHAPTER II INFRASTRUCTURE PROJECTS

3. **Participation in projects.**- Any person may participate in financing, construction, maintenance and operation of projects.
4. **Concession agreement** (1) (a) A person may enter into a concession agreement of the nature specified in Schedule II with the State Government, a Government agency or a specified Government agency.

- (b) The scheme for a concession agreement shall be such as may be prescribed
- (2) Where the Board having regard to the nature of a project is satisfied that, it is necessary so to do, it may permit combination of two or more agreements of the nature specified in Schedule II into one agreement.
- (3) No concession agreement shall provide for transfer of a project by a developer to the State Government, a Government agency or a specified Government agency later than thirty five years from the date of agreement.
- (4) (a) The State Government may, by notification in the *Official Gazette*, add to Schedule II any other nature of agreement and thereupon the nature of agreement so added shall be deemed to be a nature of agreement specified in schedule II for the purpose of this Act.
- (b) Every notifications issued under clause (a) shall be laid before the State Legislature as soon as may be after it is issued.

5. ***Recommendation by Board.***- (1) A proposal prepared by the State Government, a Government agency or a specified Government agency for participation by a person other than the State Government, a Government agency or a specified Government agency in financing, construction, maintenance and operation of the project, the cost of which exceeds such amount as may be prescribed, shall be submitted to the Board along with proposed concession agreement relating thereto for its consideration and different amount of cost may be prescribed for different nature of project.

- (2) The Board shall consider the proposal and the proposed concession agreement submitted to it under sub-section (1) or sub-section (1) of section 10 and may either recommend with or without modifications or not recommend, or return the proposal and concession agreement for reconsideration of the State Government, the Government agency or, as the case may be, the specified Government agency.

6. ***Assistance by State Government, Government agency or specified Government agency.***-The State Government, a Government agency or a specified Government agency may provide to a person assistance in the following manner, namely:-

- (a) participation in the equity of the project not exceeding forty-nine per cent of the total equity.
- (b) Subsidy not exceeding fifteen per cent of the cost of the project.
- (c) Senior or subordinate loans,

- (d) Guarantee by the State Government, a Government agency or a specified Government agency in respect of liability of a Government agency arising out of a concession agreement.
- (e) Opening and operation of escrow account
- (f) Conferment of a right to develop any land.
- (g) Incentives by the State Government in the form of exemption from the payment of, or deferred payment of, any tax or fees levied by the State Government under any law, or
- (h) In such other manner as deemed fit.

7. ***Procedure for concession agreement.*** No concession agreement for undertaking a project shall be entered into with any person unless the procedure specified in section 8 and 9 or, as the case may be, section 8 and 10 has been followed.

8. ***Selection of a person*** (1) A concession agreement for undertaking a project may be entered into with a person who is selected through a competitive public bidding as provided in section 9 or by direct negotiation as provided in section 10.

(2) The matters relating to competitive bidding and direct negotiation shall be such as may be prescribed.

9. ***Selection of a person by competitive public bidding*** (1) On the acceptance of the recommendation of the Board made under sub-section (2) of section 5, the State Government, the Government agency or, as the case may be, the specified Government agency shall select a developer for the project through the competitive public bidding in the manner provided hereunder-

(a) A public notice inviting persons to participate in competitive public bidding for undertaking the project.

(i) shall be published once in a week for two consecutive weeks in at least three newspapers, two in general circulation and one in circulation in the area in which the project is to be undertaken, and

(ii) may be published by any other means of mass communication.

(b) (I) Any person who intends to participate in the competitive public bidding to undertake the project in pursuance of a public notice published under clause (a) shall provide information with regard to his legal, technical, managerial and financial capacity to undertake the said project in such form along with such particulars as may be specified by the State Government, the Government agency or, as the case may be, the specified Government agency.

(ii) The State Government, the Government agency or, as the case may be, the specified Government agency shall examine the information and other particulars submitted by the person under sub-clause (I) and decide as to whether such person fulfills the criteria for pre-qualification as laid down by the State Government, the Government agency or, as the case may be, the specified Government agency.

(iii) A person who fulfills the criteria as laid down under sub-clause (ii) shall be the pre-qualified person

(c) (i) Where after a person who is a consortium is pre-qualified under clause (b) but before such person enters into a concession agreement with the State Government, the Government agency or, as the case may be, the specified Government agency, any constituent of the consortium disassociates from such consortium, then the State Government, the Government agency or, as the case may be, the specified Government agency shall call upon the consortium to include, within thirty days, such constituent in the consortium as specified by it so that in the opinion of the State Government, the Government agency or, as the case may be, the specified Government agency, the consortium fulfills the criteria referred to sub-clause (ii) of clause (b)

(ii) Where the consortium fails to comply with the requirement specified in sub-clause (I), the consortium shall cease to be the pre-qualified person.

(d) All pre-qualified persons shall be permitted to submit their proposals to undertake the project in such form (containing technical and financial aspects) as may be specified by the State Government, the Government agency or, as the case may be, the specified Government agency.

(2) On receipt of the proposals from the pre-qualified persons, the State Government, the Government agency or, as the case may be, the specified Government agency shall evaluate the proposals from technical aspect

(3) If the proposals are in order from the technical aspect, the State Government, the Government agency or, as the case may be, the specified Government agency shall evaluate the proposals from the financial aspect, having regard to different factors specified below in respect of different nature of the agreements specified in Schedule II-

(a) In relation to the build own operate and transfer agreement and the build operate and transfer agreement, any of the following factors shall be taken into consideration for the purpose of evaluation of the proposal, namely.-

- (i) lowest bid in terms of the present value of user charges, where period of concession is fixed;
 - (ii) the highest revenue share to the State Government, the Government agency or the specified Government agency.
 - (iii) a bid in terms of the shortest concession period, where the user charges is fixed.
 - (iv) the lowest present value of the subsidy, where the period of concession is fixed.
- (b) In relation to the build and transfer agreement and the build lease and transfer agreement, the lowest net present value of the amortization payment from the State Government, the Government agency or the specified Government agency shall be taken into consideration.
 - (c) In relation to the lease management agreement, highest present value of the lease payment to the State Government, the Government agency or the specified Government agency shall be taken into consideration.
 - (d) In relation to the management and service agreement, the lowest present value of the management fees to be paid by the State Government, the Government agency or the specified Government agency shall be taken into consideration.
 - (e) In relation to any other nature of agreement, the State Government, the Government agency or the specified Government agency may consider such factors as may be recommended by the Board.

(4) Where –

- (a) the proposals are evaluated under sub section (3) from the financial aspect having regard to a relevant factor specified in that sub section and referred to in the proposal, and
- (b) One of the proposal so evaluated satisfies the financial aspect having regard to the relevant factor,

The State Government, the Government agency or, as the case may be, the specified Government agency, may enter into a concession agreement with the person who has submitted the proposal referred to in clause (d) of sub-section (1)

(5) Where no proposal stands the scrutiny from the technical or financial aspect, the competitive bidding shall stand cancelled.

(6) Nothing in sub-section (5) shall prohibit the State Government, the Government agency or, as the case may be, the specified Government agency from inviting persons to participate in competitive public bidding in respect of the proposal which stands cancelled under that sub-section after, if necessary, revising the same.

10. ***Selection by direct negotiation*** (1) Where-

(i) a proposal for participation by a person for undertaking a project and a proposed concession agreement have not been prepared by the State Government, a Government agency or the specified Government agency for being submitted to the Board under sub-section (1) of section 5, and

(ii) a proposal for undertaking a project and a proposed concession agreement prepared by a person are submitted to the State Government, the Government agency or the specified Government agency.

The State Government, the Government agency or, as the case may be the specified Government agency may-

(a) consider the proposal and the proposed concession agreement from all aspects (including technical and financial) and if necessary modify the same in consultation with the person who has submitted the proposal and the proposed concession agreement, and

(b) submit the proposal and the proposed concession agreement to the Board if-

(i) the cost of the project exceeds the limit prescribed under sub-section (1) of section 5 and

(ii) the undertaking of the project does not require financial assistance in the form of subsidy from the State Government, the Government agency or the specified Government Agency.

(2) On acceptance of the recommendation of the Board made under sub-section (2) of section 5, the State Government, the Government agency or, as the case may be, the specified Government agency shall adopt the proposal as the basis for selecting a person with whom concession agreement for undertaking the project may be entered into, and for selecting such person, the State Government, the Government agency or, as the case may be, the specified Government agency shall follow the procedure of competitive public bidding specified in section 9

- (3) Where a person is selected by following the procedure of the competitive public bidding (hereinafter referred to as “the selected person”) the proposal of the selected person shall be compared with the proposal which is earlier submitted by a person to the State Government, the Government agency or, as the case may be, the specified Government agency under sub-section (1) (hereinafter referred to as “the earlier proposer”)
- (4) Where the proposal of the earlier proposer is not preferable to the proposal of the selected person, the earlier proposer shall be given an opportunity to make his proposal competitive with that of the selected person within a period of thirty days from the date on which he has been given the opportunity and where the earlier proposer fails to do so within the said period, the State Government, the Government agency or, as the case may be, the specified Government agency may enter into a contract with the selected person.
- (5) (a) Where a concession agreement has not been entered into with the earlier proposer, the cost of preparation of the proposal and the concession agreement incurred by him shall be reimbursed by the State Government, the Government agency or, as the case may be, the specified Government agency and on such reimbursement, the proposal and the concession agreement submitted by the earlier proposer shall be the property of the State Government, the Government agency or, as the case may be, the specified Government agency.
- (b) the cost of preparation of the proposal and the concession agreement shall be determined in such manner as may be prescribed.
- (11) ***Amount to be charged for providing goods and services.***- (1) Where, in pursuance of a concession agreement with the State Government, the Government agency or as the case may be the specified Government agency.
- (a) (I)the developer has constructed a project for providing goods or services, and
 (II)the project vests in the developer for a period specified in the concession agreement and
 (iii)on expiry of such period , the project is to vest in the State Government, the Government agency or the specified Government agency.
- the developer may charge such amount as specified in the agreement, for providing goods or services by the project so long as the project continues to vest in him, or
- (b) An existing project is vested to a person to renovate, operate and maintain the developer may charge such amount as specified in the agreement for providing goods or services by the project so long as the project continues to vest in him.

(2) A concession agreement may provide that a developer may having regard to the rate of inflation, variation in the rate of foreign exchange and such other factors, as may be prescribed revise the amount of charges referred to in subs section (1) in such manner as may be prescribed.

12. *Financial security for maintenance of project.*- Where a provision is made in a concession agreement requiring the developer to maintain the project constructed by him for a period specified in such agreement,-

- (a) there shall be opened an escrow account by the developer, the money out of which shall be expended for the maintenance of the project in accordance with the provision made in the concession agreement or in any other agreement with the State Government, the Government agency or, as the case may be, the specified Government agency, or
- (b) the developer shall execute a bond in the favour of the State Government, the Government agency or, as the case may be, the specified Government agency binding himself to make payment of such amount of money as specified in the bond to the State Government, the Government agency or, as the case may be, the specified Government agency in case he fails to maintain the project in accordance with the provisions made in the concession agreement or any other agreement with the State Government, the Government agency or, as the case may be, the specified Government agency.

13. *Training to employees.*- A developer shall provide at his expense, training to the employees of the State Government, the Government agency or, as the case may be, the specified Government agency in respect of maintenance or operation of the project in accordance with the provisions made in the concession agreement or in any other agreement with the State Government, the Government agency or, as the case may be, the specified Government agency.

14. *Transfer of certain rights* :-Where the project is transferred to the State Government, the Government or the specific Government agency according to the provisions of the concession agreement, all the rights of the developer in respect of the project shall stand transferred to the State Government, the Government agency or, as the case may be, the specified Government agency.

15. *Termination of concession agreement*- (1) Where a concession agreement is terminated by the State Government, the Government agency or, as the case may be, the specified Government agency with the consent of the developer or in absence of any default of the developer, the developer shall be entitled to such amount of compensation for such termination as specified in the concession agreement.

- (2) A concession agreement may provide that if a default specified therein is committed by the developer, the State Government, the Government agency or, as the case may be, the specified Government agency shall, after giving to the developer an opportunity of being heard in such manner as may be prescribed, be entitled to terminate the concession agreement and-
- (a) take over the project without repaying the amount invested by the developer in the equity and shall assume the liability of the developer towards loans taken by him in respect of the project, or
- (b) enter into a concession agreement with another person whose name is recommended by the lenders of the developer and approved by the State Government, the Government agency or, as the case may be, the specified Government agency, on the same terms and conditions as are specified in the concession agreement so terminated.

16 Power to add to Schedule 1 (1) The State Government may, by notification in the Official Gazette, add to Schedule 1 any other project which falls within the executive power of the State and thereupon the project so added shall be deemed to be a project specified in schedule I for the purpose of this Act.

(2) Every notifications issued under sub-section (1) shall be laid before the State Legislature as soon as may be after it is issued.

CHAPTER III

ESTABLISHMENT AND CONSTITUTION OF BOARD

17 Establishment of Board.- As soon as may be after the commencement of this act, the State Government may, by notification in the *Official Gazette* establish a Board to be called the Gujarat Infrastructure Development Board with effect from such date as may be specified in the notification.

18 Head Quarter of the Board.- The Head Quarter of the Board shall be at Gandhinagar or at such other place as the State Government may, by notification in the *Official Gazette*, specify

19 Constitution of Board.- The Board shall consist of Chairman, Vice-Chairman, Member-Secretary appointed by the State Government and such number of other members not exceeding fifteen, who shall be appointed by the State Government.

- 20 Term of office of members** – Every member shall hold office during the pleasure of the State Government.
- 21 Filling up of casual vacancies** – If any vacancy arises in the Board or any committee thereof by reason of death, resignation or otherwise, the same shall be filled by the State Government as soon as possible.
- 22 Meetings of Board** – The Board shall meet at such time and place and shall observe such rules of procedure in regard to transaction of its business at its meeting (including the quorum at such meeting) as may be provided by regulations.
- 23 Temporary association of persons with Board** – The Board may associate with itself any person whose assistance or advice is required in performing any of its functions under this act.
- 24 Providing information to Board** – The Board may obtain the information with regard to the progress of the project which was submitted to it under sub-section (1) of section 5 or which was undertaken as per the provisions of section 10 from the State Government, the Government agency or the specified Government agency.
- 25 Constitution of committees** – The Board may constitute an Executive Committee and such other committees consisting of such number of members, for performing such of its functions, as may be provided by regulations.
- 26 Officers and servants of Board** – (1) The Board may appoint such officers and servants as it may consider necessary for the efficient discharge of its functions.
- (2) The remuneration, allowances and conditions of service of the officers and servants of the Board shall be such as may be provided by the regulations.
- 27 Acts and proceedings of Board presumed to be valid** – No act or proceeding of the Board or of any of its committees shall be invalid merely by reason of –
- (a) any vacancy therein or any defect in the constitution thereof, or
 - (b) any irregularity in its procedure not affecting the merit of the case.

CHAPTER IV

FUNCTIONS OF BOARD

28 Functions of Board – The functions of the Board shall be as follows, namely :-

- (a) to promote participation of a person in financing, construction, maintenance and operation of any project irrespective of its cost;

- (b) to advise the State Government, the Government agency or the specified Government agency on matters of policy in respect of participation referred to in clause (a);
- (c) to lay down priorities of projects to be undertaken by the State Government, the Government agency or the specified Government agency.
- (d) To consider the proposal for undertaking a project and the proposed concession agreement submitted to it and to recommend with or without modifications or not recommend or return the proposal and proposed concession agreement for reconsideration of the State Government, the Government agency or, as the case may be, the specified Government agency;
- (e) To elicit information relating to National and International Financial Institutions and to ensure co-operation of such Institutions ;
- (f) To co-ordinate and monitor the projects undertaken in the State ;
- (g) To assist in developing concepts of projects by undertaking pre-feasibility and feasibility studies of the project ;
- (h) To undertake such project as may be entrusted to it by the State Government ;
- (i) To perform such other functions as may be entrusted to it by the State Government.

CHAPTER V

FINANCE, ACCOUNT, AUDIT AND REPORT

29 Fund of Board - (1) The Board shall have its own fund.

- (2) All sums which may, from time to time, be paid to the Board by the State Government or by any body and the amount charged by the board under section 32 shall be carried to the fund of the Board and all payments shall be made therefrom.
- (3) The Board may spend such sums as it thinks fit for the performance of its functions under this act, and such sums shall be treated as expenditure payable out of the fund of the Board.

30 Accounts and audit – (1) The accounts of the Board shall be prepared and maintained in such form and in such manner as may be provided by regulations.

- (2) The Board shall cause to be prepared for each financial year an annual statement of accounts in such form as may be provided by regulations.
- (3) The accounts of the Board shall be audited by an auditor duly qualified to act as an auditor of the Companies under section 226 of the Companies Act, 1956.
- (4) The auditor shall send a copy of the report together with audited copy of accounts to the Board which shall as soon as may be after the receipt of the audit report forward the same to the State Government.
- (5) The State Government shall cause the audit report together with audited copy of accounts to be laid before the State Legislature as soon as may be after the receipt of the same under sub-section (4).

31. **Annual report** – (1) The Board shall during each financial year prepare in such form and at such time as may be provided by regulations, an annual report giving a true and full account of its activities during the previous financial year and an account of the activities likely to be undertaken by it in current financial year and copies of such report shall be forwarded to the State Government.

- (2) The State Government shall cause every such report to be laid before the State Legislature as soon as may be after the receipt of the report under sub-section (1).

CHAPTER VI

MISCELLANEOUS

32. **Amount to be charged by Board** – The Board may charge such amount as may be determined by it for considering the proposal and the proposed concession agreement under sub-section (2) of section 5.

33. **Members, officers and servants to be public servants** – All members and officers and servants of the Board shall, while acting or purporting to act in pursuance of the provisions of this act or any rules or regulations made thereunder, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

34. **Protection of action taken in good faith** – No suit, prosecution or other legal proceeding shall lie against the Board or any member and officer or servant of the Board for anything which is in good faith done or intended to be done in pursuance of the provisions of this act or any rules and regulations made thereunder.

35. **Arbitration** – A concession agreement shall contain an arbitration clause providing that –

- (a) all parties to the agreement shall submit to arbitration any dispute which may arise between them out of the provisions of this agreement,
- (b) the place of arbitration shall be at Ahmedabad or any other place in India agreed to by the parties, and
- (c) the disputes referred to in clause (a) shall be decided in accordance with the law for the time being in force in India.

36. Gujarat Public Works Contracts Disputes Arbitration Tribunal Act, 1992 not to apply – Nothing contained in the Gujarat Public Works Contracts Disputes Arbitration Tribunal Act, 1992 shall apply to any arbitration arising out of the provisions of the concession agreement entered into by the State Government, the Government agency or the specified Government agency with a developer.

37. Power to make Rules –(1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this act.

- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-
 - (a) the scheme for concession agreement under clause (b) of sub-section (1) of section 4 ;
 - (b) the amount of cost of a project exceeding which a proposal shall be submitted to the Board under sub-section (1) of section 5; and different amounts of costs for different nature of projects;
 - (c) the matters relating to competitive public bidding and direct negotiation under sub-section (2) of section 8;
 - (d) the manner in which the cost of preparation of the proposal and the concession agreement shall be determined under clause (b) of sub-section (5) of section 10;
 - (e) the other factors having regard to which charges may be revised and the manner in which they may be revised under sub-section (2) of section 11;
 - (f) the manner in which an opportunity of being heard shall be given to the developer under sub-section (2) of section 15;
 - (g) any other matter which is to be or may be prescribed.
- (3) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and shall be subject to rescission by the State Legislature or to such modification as the State Legislature may make during the session in which they are so laid or the session immediately following.
- (4) Any rescission or modification so made by the State Legislature shall be published in the Official Gazette and shall thereupon take effect.

38. **Power to make regulations** – (1) The Board may make regulations not inconsistent with provisions of this act and the rules made thereunder, for enabling it to discharge its functions under this act.

- (2) In particular and without prejudice to the foregoing power, such regulations may provide for all or any of the following matters, namely :-
- (a) the time and the place at which the Board shall meet and rules of procedure the Board shall observe in regard to transaction of its business at its meeting under section 22 ;
 - (b) the other committees which the Board may constitute the number of members which the Executive Committee and other committees may consist of and the functions of the Board which they may perform under section 25.
 - (c) the remuneration, allowances and conditions of service of officers and servants of the Board under sub-section (2) of section 26;
 - (d) the form and manner in which the accounts of the Board shall be prepared and maintained under sub-section (1) of section 30;
 - (e) the form in which an annual statement of accounts of the Board shall be prepared under sub-section (2) of section 30;
 - (f) the form in which and the time at which an annual report of the Board shall be prepared under sub-section (1) of section 31;
 - (g) any other matter which is, or may be, necessary to be prescribed for the efficient conduct of the affairs of the Board.

39. **Savings** – (1) Nothing in this act shall affect the validity of –

- (a) a concession agreement entered into by the State Government, the Government agency or the specified Government agency with a any person before the date of the commencement of this act (hereinafter referred to as ‘the said date’).
- (b) (i) a letter of intent or any other writing issued to a person before the said date entrusting to him a project for execution if a concession agreement is entered into with respect to the project in pursuance of the said letter of intent or the writing, by the State Government, the Government agency or the specified Government agency with such person within a period of one year from the said date or such further period as may be extended by the State Government.

(ii) a concession agreement entered into under sub-clause (I) notwithstanding that the procedure specified in sections 8 and 10, or, as the case may be, section 9 and 10 is not followed before entering into such concession agreement.

40. Repeal and Saving – (I) The Gujarat Infrastructure Development Ordinance, 1999 is hereby repealed.

(ii) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

SCHEDULE I

(See clause (j) of section 2)

PROJECTS

1. Power Generation, Transmission and Distribution Systems.
2. Roads, Bridges and By-passes.
3. Ports (other than major ports) and Harbours thereof.
4. Urban Transportation.
5. Dams.
6. Water Storage, Water Supply and Sewerage System.
7. Irrigation
8. Land Reclamation Projects.
9. Industrial Estates including Industrial Parks.
10. Tourism Projects.
11. Solid Waste Management.
12. Information Technology related Projects.
13. Education.
14. Health Facilities.
15. Public Markets.
16. Post-harvest Facilities.
17. Inland Waterways other than National Waterways.
18. Fisheries not beyond territorial waters.
19. Development of Minor Minerals.
20. Gas and Gas Works.

SCHEDULE II

(See sub section (I) of Section 4)

NATURE OF CONCESSION AGREEMENT

1. **Build own Operate and Transfer Agreement** : An agreement whereby the developer undertakes to finance, construct, maintain and operate a project and whereby such project is to vest in the developer for a specified period. During the period of operation of the project by the developer, he may be permitted to charge user charges as specified in an agreement. The

developer

is required to transfer the project to the State Government, the Government agency or, as the case may be, the specified Government agency after the expiry of the period of operation.

- 2. Build Own Operate and Maintain Agreement: An agreement whereby a developer undertakes to finance, construct, operate and maintain a project and whereby such project is to vest in the developer for specified period. During the period of operation of the project, he may be permitted to charge user charges as specified in the agreement.**
- 3. Build and Transfer Agreement : An agreement whereby developer undertakes to finance and construct a project. After the completion of the project, the developer is required to transfer the project to the State Government, the Government agency or, as the case may be, the specified Government agency. The developer shall be paid such amount as is fixed in amortization schedule specified in the agreement.**
- 4. Build Lease and Transfer Agreement : An agreement whereby a developer undertakes to finance and construct the project. On completion of the project, the developer hands it over to the State Government, the Government agency or, as the case may be, the specified Government agency for operation under a lease agreement for period specified in the agreement after the expiry of which the project stands transferred to the State Government, the Government agency or, as the case may be, the specified Government agency.**
- 5. Build Transfer and Operate Agreement : An agreement whereby the developer undertakes to finance and construct the project. On completion of the project, the developer transfers the project to the State Government, the Government agency or, as the case may be, a specified Government agency which permits the developer to operate the project on its behalf for a period specified in the agreement.**
- 6. Lease Management Agreement : An agreement whereby the State Government, the Government agency or the specified Government agency leases a project owned by the State Government, the Government agency or, as the case may be, the specified Government agency to the person who is permitted to operate and maintain the project for the period specified in the agreement and to charge user charges therefor.**
- 7. Management Agreement : An agreement whereby the State Government, the Government agency or the specified Government agency entrusts the operation and management of a project to a person for the period specified in the agreement on payment of specified consideration. In such agreement the State Government, the Government agency or, as the case may be, the specified Government agency may charge the user charges and collect the same either itself or entrust the collection for consideration to any person who shall after collecting the user charges pay the same to the State Government, the Government agency or, as the case may be, the specified Government agency.**

- 8. Rehabilitate Operate and Transfer agreement :** An agreement whereby an existing project is vested in a person to renovate, operate and maintain for the period specified in the agreement after the expiry of which the project is required to be transferred to the State Government, the Government agency or, as the case may be, the specified Government agency. During the period of operation of the project by the developer, he may be permitted to charge user charges as specified in the agreement.
- 9. Rehabilitate own Operate and Maintain Agreement :** An agreement whereby an existing project is vested in a person to renovate, operate and maintain. The developer shall be permitted to charge user charges as specified in the agreement.
- 10. Service Contract Agreement :** An agreement whereby a person undertakes to provide services to the State Government, the Government agency or the specified Government agency for a specified period. The State Government, the Government agency or, as the case may be, the specified Government agency shall pay him an amount according to the agreed schedule.
- 11. Supply Operate and Transfer Agreement :** An agreement whereby a person supplies to the State Government, the Government agency or the specified Government agency the equipment and machinery for a project and undertakes to operate the project for a period and consideration specified in the agreement. During the operation of the project, he shall undertake to train employees of the State Government, the Government agency or, as the case may be, the specified Government agency to operate the project.
- 12. Joint Venture Agreement :** An agreement whereby the State Government, the Government agency or the specified Government agency enters into an agreement with a developer to jointly finance, construct, operate and maintain a project for a period specified in the agreement after the expiry of which the project is required to be transferred to the State Government, the Government agency or, as the case may be, the specified Government agency.



Government of Gujarat

**THE GUJARAT INFRASTRUCTURE DEVELOPMENT
(AMENDMENT)
ACT, 2006**

Gujarat Act No. 18 of 2006

**[As published in the part IV of
The Gujarat Government Gazette,
on dtd 31st March - 2006]**

GUJARAT ACT NO.18 OF 2006

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette", on the 31st March, 2006).

AN ACT

Further to amend the Gujarat Infrastructure Development Act, 1999.

It is hereby enacted in the fiftieth Year of the Republic of India, as follows :-

1. (1) This Act may be called the Gujarat Infrastructure Development (Amendment) Act, 2006. Short title and commencement.
 - (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.
2. in the Gujarat infrastructure Development Act, 1999 (hereinafter referred to as " the principal Act"), in section 2,- Amendment of section 2 of Guj. 11 of 1999.
 - (1) after clause (a), the following clause shall be inserted, namely :-

“(aa) “concession” means grant of financial assistance or conferment of right on Government property and public assets to a person other than the State Government, Government agency or specified Government agency, as per the terms specified in the concession agreement;”;
 - (2) after clause (j), the following clause shall be inserted, namely :-

“(jj) “proposal” means a document which may include among others, details of the project, feasibility study or any other study, financial viability analysis and structuring of project as such other information as may be decided by the Board ;”;
 - (3) clause (q) shall be deleted.
3. In the principal Act, in section 4, - Amendment of section 4 of Guj. 11 of 1999.
 - (1) in sub-section (1), clause (b) shall be deleted ;
 - (2) to sub-section (3), the following proviso shall be added, namely :-

“Provided that if the State Government, Government agency or, as the case may be, specified Government agency, is satisfied with the performance of the developer during the concession period, it may by order, extend the concession period on such terms and conditions as may be mutually agreed. ”;

- (3) in sub-section (4), for clause (a), the following clause shall be substituted, namely :-
- “(a) The State Government may, by notification in *Official Gazette*, add to, amend or omit therefrom any other nature of agreement in Schedule II and on issue of such notification, the Schedule shall be deemed to have been amended accordingly.”.
4. In the principal Act, in section 5,-
- (1) in sub-section (1),-
- (a) for the words “as may be prescribed”, the words “as may be provided by the regulations” shall be substituted ;
- (b) for the word “prescribed”, the word “provided” shall be substituted ;
- (2) in sub-section (2), after the word and figures “section 10”, the words, figures and letter “or section 10A” shall be inserted.
5. In the principal Act, in section 6, for clause (b), the following clause shall be substituted, namely:-
- “(b) financial assistance, either one time or in installments, not exceeding twenty percent of the cost of the project ;”.
6. In the principal Act, in section 7, for the words “ No concession agreement”, the words, figures and letter “Subject to the provisions of section 10A, no concession agreement” shall be substituted.
7. In the principal Act, in the section 8,-
- (1) in sub-section (1), for the words and figures “direct negotiation as provided in section 10”, the words, figures and letter “inviting comparative bids as provided in section 10 or by direct negotiation as provided in section 10A” shall be substituted;
- (2) in sub-section(2), for the words “ competitive bidding “, the words “competitive bidding, inviting comparative bids” shall be substituted.
8. In the principal Act, for section 9, the following section shall be substituted, namely :-
- Selection of person by competitive public bidding. “9. On the acceptance of the recommendation of the Board made under sub-section (2) of section 5, the State Government, the Government agency or, as the case may be, the specified Government agency shall select a developer for the project through competitive public bidding in the manner as may be prescribed.”.
- Amendment of section 5 of Guj. 11 of 1999.
- Amendment of section 6 of Guj. 11 of 1999.
- Amendment of section 7 of Guj. 11 of 1999.
- Amendment of section 8 of Guj. 11 of 1999.
- Substitution of section 9 of Guj. 11 of 1999.

9. In the principal Act, in section 10,-
- (1) for the existing marginal note, the following marginal note shall be substituted, namely:-
- “Inviting comparative bids.”;
- (2) for sub-section (1), the following sub-section shall be substituted, namely :-
- “(1) Where a proposal for undertaking a project and a proposed concession agreement prepared by a person are submitted to the State Government, the Government agency or a specified Government agency, it may,
- (a) consider the proposal and the proposed concession agreement from all aspects (including technical and financial) and if necessary, modify the same in consultation with the person who has submitted the proposal and the proposed concession agreement; and
- (b) submit the proposal and the proposed concession agreement to the Board, if -
- (i) the cost of the project exceeds the limit provided by regulations under sub-section (1) of section 5, and
- (ii) the undertaking of the project does not require financial assistance from the State Government, the Government agency or the specified Government agency.”;
- (3) in sub-section (2), for the words “specified in”, the words “prescribed under” shall be substituted.
10. After section 10, the following section shall be inserted, namely :-
- “10A.(1) Notwithstanding anything contained in sections 9 and 10, a person other than the State Government, Government agency or specified Government agency, may submit a proposal and proposed concession agreement for direct negotiation to the State Government, Government agency or the specified Government agency for any of the project specified in Schedule III.
- (2) If the State Government, Government agency, or, as the case may be, the specified Government agency is satisfied that the project is of a nature specified in Schedule III, it may, -
- (a) consider the proposal from all aspects (including technical and financial) and if necessary modify the same in consultation with the
- Amendment of section 10 of Guj. 11 of 1999.
- Insertion of new section 10A in Guj. 11 of 1999.
- Selection by direct negotiation.

person who has submitted the proposal and the proposed concession agreement, and

(b) submit the proposal and the proposed concession agreement to the Board, if the cost of the project exceeds the limit provided by the regulations.

- (3) On acceptance of the recommendation of the Board made under sub-section (2) of section 5, the State Government, Government agency or, as the case may be, the specified Government agency may enter into a concession agreement with a person who has submitted the proposal under sub-section (1).”.

11. In the principal Act, in section 16,-

Amendment of section 16 of Guj. 11 of 1999.

(1) for sub-section (1), the following sub-section shall be substituted, namely :-

“(1) The State Government may, by notification in the *Official Gazette*, add to, amend or omit therefrom any project in Schedule I or Schedule III which falls within the executive power of the State and on issue of such notification, the Schedule I or, as the case may be, Schedule III shall be deemed to have been amended accordingly.”;

(2) for the marginal note, the following shall be substituted, namely :-

“ Power to amend Schedules I and III. ” .

12. In the principal Act, in section 37, in sub-section (2) -

Amendment of section 37 of Guj. 11 of 1999.

(1) clauses (a) and (b) shall be deleted ;

(2) for clause (c), the following clauses shall be substituted, namely:-

“(c) the matters relating to competitive public bidding, inviting comparative bids and direct negotiation under sub-section (2) of section 8;

(cc) the manner in which the developer for the project shall be selected under section 9;”.

13. In the principal Act, in section 38, in sub-section (2), before clause (a), the following clause shall be inserted, namely:-

Amendment of section 38 of Guj. 11 of 1999.

“(aa) the amount of cost of a project exceeding which a proposal shall be submitted to the Board under sub-section (1) of section 5 and different amounts of costs for different nature of projects;”.

14. In the principal Act, after Schedule II, the following Schedule shall be added, namely:-

Insertion of new
Schedule III in
Guj. 11 of 1999.

“ SCHEDULE III ”

(See sub-section (1) of section 10A)

PROJECTS OF SPECIAL NATURE

1. A project which is innovative or involves proprietary technology or franchise which is exclusively available with the person globally.
2. A project wherein competitive public bidding as provided in section 9 has failed to select a developer.
3. A project to provide social services to the people including community services and public utilities.
4. An infrastructure project which is an essential link for another bigger infrastructure project owned or operated by the same person.”.



GOVERNMENT OF INDIA

**MINISTRY OF FINANCE
DEPARTMENT OF ECONOMIC AFFAIRS
(INFRASTRUCTURE SECTION)**

**SCHEME
FOR
SUPPORT TO PUBLIC PRIVATE PARTNERSHIPS IN
INFRASTRUCTURE**

JULY, 2005

Scheme for Support to Public Private Partnerships in Infrastructure

- A. Whereas the Government of India recognizes that there is significant deficit in the availability of physical infrastructure across different sectors and that this is hindering economic development;
- B. whereas the development of infrastructure requires large investments that cannot be undertaken out of public financing alone, and that in order to attract private capital as well as the techno-managerial efficiencies associated with it, the Government is committed to promoting Public Private Partnerships (PPPs) in infrastructure development; and
- C. whereas the Government of India recognizes that infrastructure projects may not always be financially viable because of long gestation periods and limited financial returns, and that financial viability of such projects can be improved through Government support.
- D. Now, therefore, the Government of India has decided to put into effect the following scheme for providing financial support to bridge the viability gap of infrastructure projects undertaken through Public Private Partnerships.

1. Short Title and Extent

- (i) This scheme will be called the Scheme for Financial Support to Public Private Partnerships (PPPs) in Infrastructure. It will be a Plan Scheme to be administered by the Ministry of Finance. Suitable budgetary provisions will be made in the Annual Plans on a year-to-year basis.
- (ii) The scheme shall come into force with immediate effect.

2. Definitions

In this scheme, unless the context otherwise requires:

Empowered Committee means a Committee under the Chairmanship of Secretary (Economic Affairs) and including Secretary Planning Commission, Secretary (Expenditure) and the Secretary of the line ministry dealing with the subject.

Empowered Institution means an institution, company or inter-ministerial group designated by the Government for the purposes of this scheme.

Lead Financial Institution means the financial institution (FI) that is funding the PPP project, and in case there is a consortium of FIs, the FI designated as such by the consortium;

Private Sector Company means a company in which 51% or more of the subscribed and paid up equity is owned and controlled by a private entity;

Project Term means the duration of the contract or concession agreement for the PPP project;

Public Private Partnership (PPP) Project means a project based on a contract or concession agreement, between a Government or statutory entity on the one side and a private sector company on the other side, for delivering an infrastructure service on payment of user charges;

Total Project Cost means the lower of the total capital cost of the PPP Project: (a) as estimated by the government/statutory entity that owns the project, (b) as sanctioned by the Lead Financial Institution, and (c) as actually expended; but does not in any case include the cost of land incurred by the government/statutory entity; and **Viability Gap Funding** or **Grant** means a grant one-time or deferred, provided under this Scheme with the objective of making a project commercially viable.

3. Eligibility

1. In order to be eligible for funding under this Scheme, a PPP project shall meet the following criteria:

(a) The project shall be implemented i.e. developed, financed, constructed, maintained and operated for the Project Term by a Private Sector Company to be selected by the Government or a statutory entity through a process of open competitive bidding; provided that in case of railway projects that are not amenable to operation by a Private Sector Company, the Empowered Committee may relax this eligibility criterion.

(b) The PPP Project should be from one of the following sectors:

- (i) Roads and bridges, railways, seaports, airports, inland waterways;
- (ii) Power;
- (iii) Urban transport, water supply, sewerage, solid waste management and other physical infrastructure in urban areas;
- (iv) Infrastructure projects in Special Economic Zones; and
- (v) International convention centers and other tourism infrastructure projects;

Provided that the Empowered Committee may, with approval of the Finance Minister, add or delete sectors/sub-sectors from the aforesaid list.

- (c) The project should provide a service against payment of a pre-determined tariff or user charge.
- (d) The concerned Government/statutory entity should certify, with reasons;
 - (i) that the tariff/user charge cannot be increased to eliminate or reduce the viability gap of the PPP;
 - (ii) that the Project Term cannot be increased for reducing the viability gap; and
 - (iii) that the capital costs are reasonable and based on the standards and specifications normally applicable to such projects and that the capital costs cannot be further restricted for reducing the viability gap.

4. Government Support

- (1) The total Viability Gap Funding under this scheme shall not exceed twenty percent of the Total Project Cost; provided that the Government or statutory entity that owns the project may, if it so decides, provide additional grants out of its budget, but not exceeding a further twenty percent of the Total Project Cost.
- (2) Viability Gap Funding under this scheme will normally be in the form of a capital grant at the stage of project construction. Proposals for any other form of assistance may be considered by the Empowered Committee and sanctioned with the approval of Finance Minister on a case-by-case basis.
- (3) Viability Gap Funding up to Rs. 100 crore (Rs. One hundred crore) for each project may be sanctioned by the Empowered Institution subject to the budgetary ceilings indicated by the Finance Ministry. Proposals up to Rs. 200 crore (Rs. Two hundred crore) may be sanctioned by the Empowered Committee, and amounts exceeding Rs. 200 crore may be sanctioned by the Empowered Committee with the approval of Finance Minister.
- (4) Unless otherwise directed by the Ministry of Finance, the Empowered Institutions may approve project proposals with a cumulative capital outlay equivalent to ten times the budget provisions in the respective Annual Plan.
- (5) In the first two years of operation of the Scheme, projects meeting the eligibility criteria will be funded on a first-come, first served basis. In later years, if need arises, funding may be provided based on an appropriate formula, to be determined by the Empowered Committee, that balances needs across sectors in a manner that would make

broad base the sectoral coverage and avoid pre-empting of funds by a few large projects.

5. Approval of project proposals.

- (1) Project proposals may be posed by a Government or statutory entity which owns the underlying assets. The proposals shall include the requisite information necessary for satisfying the eligibility criteria specified in paragraph 3 above.
- (2) Projects based on standardized/model documents duly approved by the respective Government would be preferred. Stand-alone documents may be subjected to detailed scrutiny by the Empowered Institution.
- (3) The Empowered Institution will consider the project proposals for Viability Gap Funding and may seek the required details for satisfying the eligibility criteria.
- (4) Within 30 days of receipt of a project proposal, duly completed as aforesaid, the Empowered Institution shall inform the sponsoring Government/statutory entity whether the project is eligible for financial assistance under this Scheme. In case the project is based on stand-alone documents (not being duly approved model/standard documents), the approval process may require an additional 60 (sixty) days.
- (5) In the event that the Empowered Institution needs any clarifications or instructions relating to the eligibility of a project, it may refer the case to the Empowered Committee for appropriate directions.
- (6) Notwithstanding the approvals granted under this scheme, projects promoted by the Central Government or its statutory entities shall be approved and implemented in accordance with the procedures specified from time to time.
- (7) In cases where viability gap funding is budgeted under any on-going Plan scheme of the Central Government, the inter-se allocation between such on-going scheme and this scheme shall be determined by the Empowered Committee.

6. Procurement process for PPP Projects

- (1) The Private Sector Company shall be selected through a transparent and open competitive bidding process. The criterion for bidding shall be the amount of Viability Gap Funding required by a Private Sector Company for implementing the project where all other parameters are comparable.
- (2) The Government or statutory entity proposing the project shall certify that the bidding process conforms to the provisions of this Scheme and convey the same to the Empowered Institution prior to disbursement of the Grant.

7. Appraisal and monitoring by Lead Financial Institution

- (1) Within four months from the date on which eligibility of the project is conveyed by the Empowered Institution to the concerned Government / statutory entity, the PPP project shall be awarded in accordance with paragraph 6 above; provided that upon application made to it by the concerned Government/statutory entity, the Empowered Institution may extend this period by not more than two months at a time.
- (2) The Lead Financial Institution shall, within three months from the date of bid award, present its appraisal of the project for the consideration and approval of the Empowered Institution; provided that upon application made to it by the concerned Government/statutory entity, the Empowered Institution may extend this period by not more than one month at a time.
- (3) The Lead Financial Institution shall be responsible for regular monitoring and periodic evaluation of project compliance with agreed milestones and performance levels, particularly for the purpose of disbursement of Viability Gap Funding. It shall send quarterly progress reports to the Empowered Institution which will make a consolidated progress report once every quarter for review by the Empowered Committee.

8. Disbursement of Grant

- (1) A Grant under this scheme shall be disbursed only after the Private Sector Company has subscribed and expended the equity contribution required for the project and will be released in proportion to debt disbursements remaining to be disbursed thereafter.
- (2) The Empowered Institution will release the Grant to the Lead Financial Institution as and when due, and obtain reimbursement thereof from the Finance Ministry.
- (3) The Empowered Institution, the Lead Financial Institution and the Private Sector Company shall enter into a Tripartite Agreement for the purposes of this scheme. The format of such Tripartite Agreement shall be prescribed by the Empowered Committee from time to time.

9. Revolving Fund

A revolving fund of Rs. 200 crore (Rs. Two hundred crore) shall be provided by the Finance Ministry to the Empowered Institution. The Empowered Institution shall disburse funds to the respective lead financial Institutions and claim reimbursement thereof from the Ministry of Finance.

10. Guidelines

The Guidelines issued vide Ministry of Finance Press Release as well as OM of F. No. 2/10/04-Inf. dated 19th August 2004 stands withdrawn with immediate effect.

Government of Gujarat

Scheme for Financial support to Public Private Partnership in Infrastructure i.e. Viability Gap Fund

Read :

- 1) A Scheme for support to public Private partnerships in Infrastructure. Issued by Ministry of Finance, Department of Economic Affairs of July,2005.

Preamble :

Ministry of Finance Department, Department of Economic affairs has introduced a scheme for support to public private partnership (PPP) in infrastructure. G.O.I.has made provision to financially support the viability gap to the tune of 20% of the cost of the project in the form of capital grant from its viability gap fund. The scheme is confined to Public Private Partnership projects taken by the Government or its agencies, where the private sector is selected through open competitive public bidding.

Under the scheme of Government of India, a provision has been made that Government of India's support will be limited to tune of 20% of the cost of the Project. It is also mentioned that State Government or its agencies that owns the project may also provide additional grants out of its budget not exceeding further 20% of the total cost of the Project.

Infrastructure Development is a crucial sector as recognized in the current five year plan. Even State Government's vision 2020, envisages huge requirement of 169918 crores considering five years' shelf of projects in various sectors. So the development of infrastructure facilities is of paramount importance for the State in order to ensure flourishing of economic development across all sectors.

The development of Infrastructure Projects requires large investments and cannot be undertaken out of public financing. Similarly such projects are not financially viable on stand alone basis as they have long gestation period and having limited financial return. Hence they are not attractive to the private sector. State Government was therefore considering introducing a new scheme for extending financial support to such PPP Projects in the sectors of infrastructure.

Government Resolution

Accordingly, on due consideration, Government is pleased to introduce a new scheme as under :

1. The Scheme :

The Scheme will be for financial assistance to the projects having Public Private

Partnership in the sectors of Infrastructure. It will known as "Viability Gap Funding Scheme" and will be implemented by GIDB. It will come in force from the date of issue of this G.R. and will remain in operation for the period of 5 years

2. Definitions :

In this Policy, unless the context otherwise requires :

(i) "Empowered Committee" means Executive Committee of GIDB constituted under section 25 of the Gujarat Infrastructure Development Act, 1999

(ii) "Steering Institution" means the Gujarat Infrastructure Development Board (GIDB)

(iii) "Lead Financial Institution" means the financial institution (FI) which is funding the PPP project and in case there is a consortium of FIs, the FI designated as such by the consortium.

(iv) "Private Sector Company" : means a Company in which 51% or more of the subscribed and paid up equity is owned and controlled by a private entity.

(v) "Project Term" means the duration of the concession agreement for the PPP Projects, entered in to upon recommendation of the GIDB under section 5 of the GID Act, 1999

(vi) "Public Private Partnership (PPP) Project" means a project based on a concession agreement between State Government, Government agency or specified Government agency on one side and private sector (company) on the other side, for delivering infrastructure services on payment of user charges, as per the provision laid down under section 9 of the GID Act, 1999.

(vii) "Total Project Cost" means the lower of the total capital cost of the PPP Project; (a) as estimated by the State Government, Government agency or specified Government agency which owns the project. (b) Sanctioned by the Lead Financial Institution, but does not in any case include the cost of land incurred by the State Government, Government agency or specified Government agency;

(viii) "Viability Gap Funding or Grant" means a grant, one – time or deferred, provided under this Scheme with the objective of making a project commercially viable.

3. Eligibility :

(a)The project shall be implemented i.e. developed, financed, constructed, maintained and operated for the Project Term by a Private Sector Company to be selected by the Government or Government agency or specified Government agency through a process of competitive Public Bidding prescribed under section 9 of GID Act, 1999 as amended from time to time. In case of Railway projects

that are not amenable to operation by a Private Sector Company, the empowered Committee may relax this eligibility criterion. Provided that the projects where any nature of concession agreement as provided in schedule II of the GID Act, 1999 has been entered into shall be eligible projects under this policy. Provided further that no assistance under this policy can be sanctioned to existing ongoing BOT / BOOT projects.

(b) The PPP Project should be from one of the following sectors :

1. Roads (including but not limited to new alignment, over bridges by passes and / or widening and strengthening and up gradation of existing roads).
2. Ports and it Harbours (including but not limited to construction of ne Ports. Extension and / or capacity augmentation of the existing Ports).
3. Power (including but not limited to generation, transmission and distribution network and modernization or up gradation of existing plant).
4. Urban transport (limited to new or Greenfield systems).

Water Supply & Sewerage (including but not limited to water supply through canal, pipeline or any other network and / or widening and strengthening or up gradation of such existing network).

5. Solid waste management (including but not limited to new system and or modernization or improvement of existing system).
6. Tourism and Convention Centres. (Including but not limited to new system and or modernisation or improvement of existing projects).
7. Infrastructure projects in the vicinity of Special Economic Zones

Provided that the Empowered Committee may, with approval of GID Board, add or delete sectors / sub-sectors from the aforesaid list.

(c) The project shall provide a Service against Payment of a pre-determined Tariff or User charges.

(d) The State Government, Government agency or specified Government agency as the case may be, should certify, with reasons :

1. That the tariff / user charges cannot be increased to eliminate or reduce the viability gap of the PPP Project
2. That the Project Term cannot be increased for reducing the viability gap; and.

That the capital costs are reasonable and based on the standards and specifications normally applicable to such projects and that the capital costs cannot be further restricted for reducing the viability gap

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(e) The Scheme shall be applicable to both types of projects i.e. projects where in Government of India has sanctioned assistance under their Scheme and those, wherein such assistance is not sanctioned or the project has not been submitted to Government of India for such assistance.

4. Eligible expenditure and quantum of Assistance

(1) The total viability Gap Funding under this scheme shall not exceed 20% of the Total Project Cost.

(2) Viability Gap Funding under this scheme will normally be in the form of a capital grant at the stage of project construction. Proposals for any other form of assistance may be considered by the Empowered Committee and sanctioned on a case to case basis, with the approval of GIDB.

(3) Viability gap funding and the amount thereof will be sanctioned by the Empowered Committee subject to budgetary ceiling and with regard to the nature of the project and priority of the State including regional and sectoral balance.

(4) In the first two years of operation of the scheme, projects meeting the eligibility criteria will be funded on a first-come, first served basis. In later years, if need arises, funding may be provided based on an appropriate formula, to be determined by Empowered Committee, that balances needs across sectors in a manner that would make broad base the sectoral coverage and avoid preempting of funds by a few large projects.

(5) It shall not be open for the project owner to get benefit of any other Scheme of the State Government when assistance has been sanctioned under this scheme.

5. Approval of Project proposals :

(1) Project proposals may be submitted to GIDB by a State Government, Government agency or specified Government agency which owns the underlying assets. The proposals shall include the requisite information necessary for satisfying the eligibility criteria specified in paragraph 3 above.

(2) Projects based on standardized / model documents duly approved by the State Government would be preferred. Stand-alone documents may be subjected to detailed scrutiny by GIDB.

(3) Empowered Committee will consider the project proposals for Viability Gap Funding and may seek the required details for satisfying the eligibility criteria.

(4) Within 3 months of receipt of a project duly completed as aforesaid, GIDB shall inform State Government, Government agency or specified Government agency as the case may be whether the project is eligible for financial assistance

under this scheme. In case the project is based on stand alone documents (not being duly approved model / standard documents), the approval process may require an additional 60 days.

(5) Notwithstanding the approval granted under this scheme, projects promoted by the State Government or its agencies shall be approved and implemented in accordance with the procedure specified by the Board from time to time.

6. Procurement process for PPP Projects :

(1) The Private Sector Company shall be selected through a transparent and open competitive bidding process, as specified under Section 9 of the GID Act, 1999. The criterion for bidding shall be the amount of Viability Gap Funding required by a Private Sector Company for implementing the project where all other parameters are comparable.

(2) The Government or statutory entity proposing the project shall certify that the bidding process conforms to the provisions of this scheme and convey the same to GIDB prior to disbursement of the grant.

7. Appraisal and monitoring by lead financial institution :

(1) Within four months from the date on which eligibility of the project is conveyed by GIDB to the concern Government / statutory entity, the PPP Project shall be awarded in accordance with paragraph 6 above. Provided that upon application made to it by the concerned Government / statutory entity. GIDB may extend this period by not more than two months at a time.

(2) The Lead Financial Institution shall within three months from the date of bid award, present its appraisal of the project for the consideration and approval of empowered Committee. Provided that upon application of the State Government or concerned agency, Empowered Committee may extend this period by not more than one month at a time.

(3) The Lead Financial Institution shall be responsible for regular monitoring and periodic evaluation of project compliance with agreed milestones and performance levels, particularly for the purpose of disbursement of Viability Gap Funding. It shall send quarterly progress report once every quarter for review by the Empowered Committee.

8. Disbursement of Grant :

(1) A Grant under this scheme shall be disbursed only after the Private Sector Company has subscribed and expended the equity contribution for the project and will be released in proportion to debt disbursements remaining to be disbursed thereafter.

(2) Empowered Committee will release the Grant to the Lead Financial Institution

as and when due. In case of additional grant to be released by the local State Government or any other statutory body, the GIDB may release fund under this scheme in proportion to the grant released by such bodies.

(3) The representative of the GIDB, the Lead Financial Institution and the Private Sector Company shall enter into a Tripartite Agreement for the purpose of this scheme. The format of such Tripartite Agreement shall be prescribed by GIDB, GIDB shall disburse funds to the respective lead Financial Institutions and debit as the case may be to :

For General Sector Demand No. 49

M.H. 285 – Industries (800) Other Expenses Minor Head (29) Scheme for Financial support to PPP Project in Infrastructure sectors. Viability Gap Fund. For Tribal Sector Demand No. 96 MH 2852 – Industries Sub-Major Head (80) General (796) TASP In or head (1) Scheme for Financial Support to PPP Projects in infrastructure sector i.e. Viability Gap Fund.