

Gujarat Panchayat Allocated Servants (Re-allocation to State Service) Rules, 1996

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In exercise of the powers conferred by the Sec. 274 read with Sec. 231 of the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993) the Government of Gujarat hereby makes the following rules, namely:

1. Short title :-

These rules may be called the Gujarat Panchayat Allocated Servants (Re-allocation-to State Service) Rules, 1996.

2. Definitions :-

In these rules, unless the context otherwise requires:

- (i) "the act" means the Gujarat Panchayats Act, 1993;
- (ii) "section" means a section of the Act.

3. Reasons for re-allocation of allocated servants to State Service :-

(1) An officer or servant allotted or transferred to a panchayat under Sec. 175 and allocated to the Panchayat Service under Sec. 230 of the Act may be re-allocated in the State Service for any of the following reasons, namely:

- (i) If at any time before the expiry of the period mentioned in Sec. 231 such office or servant would have become eligible for Promotion to any higher post or cadre in the State Service and would have been promoted thereto had he not been allocated or transferred to a panchayat:

Provided that no such officer or servant who has already been promoted to a higher post in the Panchayat Service shall be so re-allocated to the State Service unless he agrees in writing of such re-allocation;

(ii) If, for completing a departmental inquiry instituted against such officer or servant prior to his allotment or transfer and for passing final orders therein, it is necessary to re-allocate him to the State Service;

(iii) If, it is found absolutely essential to re-allocate such officer or servant to the State Service, on some humanitarian or medical ground, so as to enable him to serve in his home district or taluka or at a place suitable to his health.

(2) Nothing in sub-rule (1) shall be deemed to affect the re-allocation of an officer or servant to the State Service for any of the reasons specified in clauses (i) and (ii) of sub-sec. (1) of Sec. 231.

4. The Gujarat Panchayat Allocated Servants (Re-allocation to State Service) Rules, 1964 are hereby repealed :-

Such repeal shall not affect anything done or any action taken under the rules so repealed.