

असाधारण
EXTRAORDINARY

Daman 8th May, 2017, 18 Vaisakha 1939 (Saka)

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No.

सरकारी राजपत्र
OFFICIAL GAZETTE



सत्यमेव जयते
भारत सरकार
Government of India

संघ प्रदेश दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित
PUBLISHED BY AUTHORITY

U.T. Administration of Daman & Diu,
Department of Personnel & Administrative Reforms,
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NOTIFICATION

In exercise of the powers conferred by the provision of Article 239 of the Constitution of India, the Administrator of Daman & Diu is pleased to make following rules to regulate the method of recruitment to all Group "B" and "C" categories of posts under the Administration of Daman & Diu.

PREAMBLE :

It aims to "ensure a uniform and transparent process and procedures for recruitment of all Group "B" & "C" categories of posts under the Administration of Daman & Diu through an autonomous body, without disturbing the existing recruitment rules and by making effective use of technology in the recruitment processes and procedures and for ensuring that cumulative outcome of the recruitment is to provide just an fair opportunities to all the candidates and for matters connected therewith or incidental thereto."

1. SHORT TITLE AND COMMENCEMENT :

- (1) These rules may be called Daman & Diu (Union Territory) Staff Selection Board Rules, 2017.
- (2) They shall come into force on the date of their publication in the official gazette of Union Territory of Daman & Diu.

2. DEFINITION :

In these rules, unless the context otherwise requires -

- a) "Government" means the Administrator of the Union Territory of Daman & Diu;
- b) "Staff Selection Board" means Board constituted under Rule-3 of these rules; (here in after referred to as 'Board').
- c) "Department of Personnel and Administrative Reforms" means the Department of Personnel & Administrative Reforms of Union Territory of Daman & Diu;
- d) "Heads of Department" means Heads of Department as declared by the Government from time to time;
- e) "Heads of Office" means Heads of Office as declared by the Government from time to time;
- f) "Secretary" means the Secretary of the Board;
- g) "Scheduled Castes" and "Scheduled Tribes" means such castes and tribes as notified by the President of India under Articles 341 and 342, respectively, of the Constitution of India from time to time; and
- h) "Group "B" and "C" categories of Posts" (including Technical) means the posts as indentified by the Government of India under these categories in the Union Territory of Daman & Diu from time to time.

3. Constitution of Staff Selection Board :

- (1) There shall be an autonomous Staff Selection Board in the Union Territory of Daman & Diu.
- (2) The Headquarters of the Board shall be located at such place as may be determined by the Government from time to time.
- (3) The Board shall consist of a Chairman and two Members to be appointed by the Government.
- (4) The Adviser to the Hon'ble Administrator of the UT Administration of Daman & Diu shall be the ex-officio Chairman. In case the post of the Advisor to Administrator is vacant, then in such circumstances, the Senior most Secretary of the U.T. of Daman & Diu would be Ex-Officio Chairman of the Board.
- (5) Members shall be appointed from the Secretaries / Special Secretaries by the Government from the UT Administration.
- (6) The Chairman may Co-opt expert(s) in particular discipline/ trade for each selection wherever necessary from among the UT Administration officers, Professors of Universities or Academicians or officers of Government of India or of other state or of Public Sector undertakings whether in service or retired and from among other eminent persons having specialized knowledge in the particular discipline/ trade.

- (7) There shall be a Secretary and such other staff appointed by the Government to assist the Board in its day to day functioning.
- (8) The rank of the Chairman and Members of the Board shall be such as may be determined by the Government from time to time.
- (9) Department of Personnel & Administrative Reforms, Daman & Diu shall be the nodal department for the requirements of the Board.
- (10) The Chairman of the Board shall exercise all the administrative and financial powers vested in Heads of Department and the Secretary shall function as Head of the Office.
- (11) The Board shall conduct the recruitment examination for Group "B" and "C" categories of Posts as mentioned in Rule-4 and ensure the declaration of results of the said examinations.
- (12) The Board shall formulate a set of regulation to regulate the manner for conduction recruitment examinations.
- (13) The Board on the basis of the results declared shall recommend suitable candidates to the Government for their appointment on the basis of the requisition made to the Board for various Group "B" and "C" categories of Posts.
- (14) The Secretary shall be responsible under the supervision of the Chairman for carrying out the entire process of conducting the recruitment examinations including appointment of the question setters/examiners, obtaining question papers, keeping them in safe custody, ensuring the identity of the candidates, timely supply of question papers, to the different centers, proper invigilation, safe custody of answer books, tabulation of marks obtained by candidates in such examinations and publishing the results.

4. DIRECT RECRUITMENT:

The Board shall conduct direct recruitment through competitive examination in respect of all the post of Group "B" and "C" Posts as identified by the Government.

Provided that any of the Gazetted posts from Group 'B' may be recruited by the Board with due approval of the Competent Authority (UPSC).

5. INTIMATION TO THE BOARD REGARDING REQUISITION :

The Head of Offices concerned through their Departmental Secretary shall every year preferably in the month of January intimate the Board indicating their requisition i.e. the number of vacancies including those anticipated in course of the year in the prescribed format.

6. ADVERTISEMENT OF VACANCIES :

On receipt of intimation of vacancies under Rule-5, the Secretary in consultation with the Chairman shall issue advertisement through giving wide publicity in the leading newspapers/ UT Administration website inviting online application from eligible candidates for appearing in the competitive recruitment examination. The application for the competitive examination may be in such form as may be decided by the Board.

7. ELIGIBILITY OF CANDIDATES :

A candidate desirous for applying shall have to meet the following criteria's, namely :-

- (a) He shall be a citizen of India;
- (b) He shall possess requisite qualification prescribed for the post/service in the recruitment rules or instructions for which examination is being conducted;
- (c) His age shall not be less than the minimum age limit or more than the maximum age limit as prescribed under the recruitment rules of Union Territory of Daman & Diu from time to time or recruitment rules of Government of India as applicable.

Provided that the maximum age limit shall be relaxed by such period and for such category as specified by the UT Administration in recruitment rules or Government of India;

- (d) He shall be of Good character;
- (e) He shall be of sound health, good physique and active habits and free from organic defects or bodily infirmity except the relaxation prescribed for physically handicapped candidate;
- (f) He must fulfill any other special condition as may be specified under relevant recruitment rules; and
- (g) No person who has more than one spouse living eligible for appearing at the competitive examination.

8. ADMISSION OF THE CANDIDATE TO EXAMINATION :

The decision of the Chairman / Board as to the eligibility or otherwise of a candidate for admission to any examination shall be final.

9. PREFERENCE FOR THE POST BY THE CANDIDATE :

A candidate is required to indicate the order of preference for the post for which he intends to appear at the combined competitive examination and the service in which he wants to be appointed, if selected, in his application form, in case the Board decides to conduct an examination for common category of posts.

10. EXAMINATION FEES AND REMUNERATION TO THE EXAMINERS :

- (1) No application for admission to any examination shall be considered unless it is accompanied by a Treasury Challan showing payment in the Government Treasury, or by the prescribed mode for the examination fees as specified in the advertisement.

Provided that the candidates belonging to Scheduled Castes and Scheduled Tribes shall be eligible for concession in fees as determined by the Government / Government of India from time to time.

- (2) No claim for refund of fees shall be entertained in any circumstances.
- (3) The Board shall decide the rates of remuneration payable to different examiners/staff/officers/Invigilators engaged in connection with the examination.

11. COMPETITIVE EXAMINATION :

- (1) Competitive Examination shall be held at a center or centers to be announced by the Board considering the number of the candidates appearing for the said examination.
- (2) The Board may fix up such centers at the district or Sub-Divisional headquarters, if necessary, in consultation with the Government. The date, time and place for the examination shall be intimated to the candidates at least 21 days before the examination and the same shall be published sufficiently ahead in leading newspapers and website of the UT Administration.

12. ARRANGEMENTS FOR AND CONDUCT OF THE EXAMINATION :

- (1) The Board shall conduct the written examination under guidance and direction of the Chairman.
- (2) The Board shall in consultation with the Government appoint Gazetted Officers and Non Gazetted staff of the Government in order to ensure smooth conduct of the said written examination.
- (3) The Board shall have powers for requisitioning the local educational building or the buildings belonging to the Government, Public Sector undertakings or the like for the purpose of conducting the examination.
- (4) The examination shall be held preferably on any public holidays so that, the education of the students does not suffer.
- (5) The Board shall have powers to appoint required number of Invigilators from among the Gazetted or non-Gazetted staff under jurisdiction of the Government.
- (6) The Board shall make necessary sitting arrangements for the candidates admitted for the examination.
- (7) The Board shall exercise the powers to recommend any penalty under Rule 18 of these rules. The decision of the Board in this respect shall be final.
- (8) The Board shall ensure safe custody and dispatch of all confidential matters relating to the examination.
- (9) Whenever necessary the Board may seek advice of the Administrator/ Government and Administrator/ Government may give instructions in the interest of impartiality and fair play in conducting the examination;
- (10) Setting of questions and evaluation of the answer papers shall be done centrally.
- (11) Invigilators and Supervisors of the written examination shall be appointed from outside the Sub-Division as far as practicable.

13. PATTERN OF EXAMINATION :

The Board shall conduct the recruitment examination as per Syllabus and the patter of examination as may be decided by them in consultation with the concerned Administrative Department of Government / UT Administration.

14. SELECTION OF CANDIDATES :

The following guidelines shall be followed in conducting recruitment to various posts and services by the Board, namely:-

- (i) There shall be a written test / online test as prescribed by the Board from time to time.
- (ii) In addition to the written test viva voce/ skill / physical test may be decided and conducted by Board if it is satisfied that such test is necessary to select candidates for the post for which examination is held.
- (iii) Method of central evaluation of answer papers shall be such as may be decided by the Board.
- (iv) If two or more candidates have obtained equal marks in the aggregate, the order of merit shall be determined in accordance with their seniority in age.
- (v) Any other standards and syllabus prescribed by the Government, if any, for any particular post/service from time to time shall be adopted by the Board.

15. SELECT LIST AND ITS VALIDITY:

- (1) The Board shall prepare the select list of the successful candidates in order of merit on the basis of the recruitment examination which shall be equal to the number of vacancies for which requisitions are received.
- (2) The select list shall be published in the notice board and Website of the UT Administration in the form of notification under intimation to the appropriate appointing authority if any, specified in the respective recruitment rules.
- (3) The select list for each recruitment examination shall be valid for one year from the date of its publication or till the publication of the result of the next recruitment examination whichever is earlier.
- (4) A suitable number of candidates will be kept in the reserved panel as per the orders / instructions / resolutions of the Government of India, as amended from time to time.

16. ALLOTMENT OF CANDIDATES AND SENIORITY :

- (1) The Board shall allot candidates in the order in which their names appear in the select list to Departments of Government and Heads of Departments as per their vacancy position intimated under Rule-4. At the time of allotment due consideration shall be given to the preference indicated by the candidates in their applications. In case, no preference is exercised by a selected candidate, the allotment of posts shall be done by the Board as per the guidelines prescribed by the Board in this regard.
- (2) The relative seniority of a candidate appointed to a post in a particular grade or service by the appointing authority in particular year shall be determined with reference to his position in the select list from which he is appointed.
- (3) In case of failure of any selected candidate to join the post, the appointing authority may request the Board for furnishing a supplementary list of the successful candidates and in that case the Board shall furnish a supplementary list of successful candidates as per guidelines issued by UT Administration / Government of India from time to time.

17. RELAXATION:

Where the Government is of the opinion that, if it is necessary or expedient to do so, they may by order and for reasons to be recorded in writing, relax any of the provisions of these rules as per guidelines and rules issued by Government of India from time to time.

18. PENALTY :

A candidate who is or has been, declared by the Board to be guilty of-

- (1) Obtaining support for his candidature by any means; or
- (2) Impersonation; or
- (3) Procuring impersonation by any person; or
- (4) Submitting fabricated documents, or documents which have been tampered with; or
- (5) Making statements which are incorrect or false or suppressing material information; or
- (6) Resorting to any other irregular or improper means in connection with his candidature for the examination; or
- (7) Adopting unfair means during the examination; or
- (8) Writing obscene language or pornographic matter, in the scripts; or
- (9) Misbehaving with fellow examinees or the invigilators in any manner in the examination hall; or
- (10) Harassing or causing bodily harm to the staff employed/engaged by the Board for the conduct of the examination; or
- (11) Violating any of the instructions contained in the admission certificates; or
- (12) Attempting to commit or, as the case may be, abetting to commit all or any of the acts specified in the foregoing clauses shall be liable-
 - (a) To be disqualified by the Board from the examination for which he is candidate; or
 - (b) To be debarred, either permanently or for a specified period-
 - (i) By the Board, from appearing in any examination or selection held by them; or
 - (ii) By the Government, from entering to any employment under them; or
 - (c) If he is already in service under Government, to disciplinary action under the appropriate rules;

Provided that no penalty under this rule shall be imposed except after-

- (i) Giving the candidate an opportunity of making such representation to the Board in writing within 30 days of such declaration as he may wish to make in that behalf; and

(ii) Taking into consideration the representation, if any, submitted by the candidate within the specified period allowed to him by the Board.

19. RULES NOT APPLICABLE TO STAFF OF CERTAIN OFFICES:

These rules shall not apply to recruitment of the staff of Department/ office which are put out of recruitment jurisdiction of the Board.

20. BOARD PROGRESS REPORT :

The Board shall submit a detailed progress report every year in the month of December to the Government.

21. OVERRIDING EFFECT :

Save as otherwise provided, the provisions of these rules shall have overriding effect on the provision of other recruitment processes and procedures regulating direct recruitment of all Group "B" & "C" categories of the posts notified by the Government for time to time.

22. INTERPRETATION :

If any question arises relating to the interpretation of these rules, the Board shall refer to the Department of Personnel & Administrative Reforms Daman & Diu for decision.

23. POWER TO REMOVE ANOMALIES :

Notwithstanding anything contained in these rules or other rules for the time being in force, any act or omissions by the Board to give effect to provisions of these rules, taken in public interest / good faith shall be covered under the power to remove any anomaly with the Board.

By Order and in the name of
Administrator of Daman & Diu

Sd/-
(Gurpreet Singh)
Deputy Secretary (Pers.)
