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PART IV-B

Rule and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Gujarat Acts

EDUCATION DEPARTMENT

Notification

Sachivalaya, Gandhinagar. 21st June, 2008.

GUJARAT PROFESSIONAL TECHNICAL EDUCATIONAL COLLEGES OR INSTITUTIONS (REGULATION OF ADMISSION AND FIXATION OF FEES) ACT, 2007.

NO.GH/SH/19/2008/PVS-102008-1027-S:- In exercise of the powers conferred by sub-section (1) of section 20 read with section 4 of the Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007 (Guj. 2 of 2008), the Government of Gujarat hereby makes the following rules to regulate admission from Diploma in Pharmacy to Second Year (Third Semester) of Bachelor of Pharmacy Course and Payment of Fees, namely:-

1. **Short Title and Commencement.**- (1) These rules may be called the Diploma in Pharmacy to Second Year (Third Semester) of Bachelor of Pharmacy Course (Regulation of Admission and Payment of Fees) Rules, 2008.

(2) They shall come into force from the 21st June, 2008.

2. **Definitions.**- (1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007 (Guj. 2 of 2008);

(b) "Admission" means admission of candidates of Diploma in Pharmacy to Second Year (Third Semester) of Bachelor of Pharmacy Course;

(c) "Admission Committee" means the "Admission Committee for Professional Course" constituted by the State Government under section 4 of the Act, under Government Notification, Education Department No.GH/SH/7/2008/PVS-102003-639-S, dated the 5th May, 2008;

(d) "B. Pharm." means a Bachelor of Pharmacy Course;

(e) "B. Pharm. Entrance Test (BET)" means the Entrance Test conducted by the B. Pharm. Entrance Test Committee for the purpose of admissions to the Second Year (Third Semester) of the Bachelor of Pharmacy Course;

(f) "Pharmacy Course" means the Bachelor of Pharmacy Course in the Professional Educational Colleges or Institutions of the State;

(g) "Qualifying Examination" means the two years' Diploma in Pharmacy Course as described in the Education Regulations, 1991, framed under section 10 the Pharmacy Act, 1948 (VIII of 1948);

(2) The words and expressions used in these rules but not defined shall have the same meanings as assigned to them in the Act.

3. Constitution of B.Pharm. Entrance Test Committee.- (1) There shall be constituted a committee called "the B.Pharm. Entrance Test Committee" which shall conduct the 'B.Pharm. Entrance Test (BET)' under the observation, control and directions of the Admission Committee, for the purpose of admission from Diploma in Pharmacy to Second Year (Third Semester) of Bachelor of Pharmacy Course.

(2) The B. Pharm. Entrance Test Committee shall consist of "Chairman" and not exceeding four other members as may be determined by the Admission Committee.

4. Admissions to Bachelor of Pharmacy Course.- The admissions to the Second Year (Third Semester) of the Bachelor of Pharmacy Course on all the supernumerary seats shall be given on the basis of merit list prepared by the Admission Committee in accordance with the provisions of these rules or, as the case may be, guidelines issued by the All India Council for Technical Education, New Delhi.

5. Seats Available for Admission.- For the purpose of admission, available seats shall include,-

(a) ten percentage (10%) seats of the sanctioned seats of the previous academic year of each Bachelor of Pharmacy Course, in the,-

(i) the Government Colleges or Institutions,

(ii) the aided Colleges or Institutions, and

(iii) the Unaided Colleges or Institutions of the State, subject to the minimum of two seats; and

(b) (i) the seats remained vacant in the previous year, or

(ii) the seats fallen vacant for any reason during previous year in the first year Pharmacy course.

6. Eligibility for Admission.- (1) For the purpose of admission, a candidate shall have appeared in the B. Pharm. Entrance Test (BET) of the current academic year.

(2) To appear in the B. Pharm. Entrance Test (BET), a candidate shall have passed the qualifying examination from a college or an institution approved by the Pharmacy Council of India and/or the All India Council of Technical Education, New Delhi.

Explanation. - "Pharmacy Council of India" means the Pharmacy Council of India, a statutory body governed by the provisions of the Pharmacy Act, 1948.

(3) Subject to the provisions of sub-rules (1) and (2), the candidates, from the colleges or an institution situated in other than the Gujarat State shall be eligible for admission provided the seats remain vacant after offering the same to the candidates who have passed the qualifying examination from colleges or institutions situated in the Gujarat State.

7. **Minimum aggregate marks.**- For the purpose of admission the minimum aggregate marks which a candidate shall have obtained in qualifying examination shall be as shown against each category in Table below:-

TABLE

Sr. No.	Category of the Candidate	Minimum aggregate Marks
1	2	3
1	Schedule Caste or Schedule Tribe	45 %
2	Socially and Educationally Backward Class, including Widows and Orphan of any caste	50 %
3.	For General, Physically Disabled, Children of Defence Personal and In / Ex -Servicemen	50 %

8. **Reservation of Seats.**- (1) For the purpose of admission, the seats shall be reserved for the candidate who are origin of Gujarat State and falling under the following categories, namely:-

- | | | |
|-----|--|------|
| (a) | Scheduled Castes : | 7 % |
| (b) | Scheduled Tribes : | 15 % |
| (c) | Socially and Educationally Backward Class, including Widows and Orphan of any castes : | 27 % |

(2) A candidate seeking admission on reserved seat shall be required to produce a Certificate of caste from which he originates:

Provided that the candidate belonging to Socially and Educationally Backward Class shall be required to produce a certificate to the effect of non-inclusion in Creamy Layer in addition to the caste certificate.

(3) No caste certificate shall be valid unless it is duly stamped, signed and issued by the authority empowered by the Government of Gujarat.

(4) No certificate to the effect of non-inclusion in Creamy Layer shall be valid, unless it is duly stamped, signed and issued by the authority empowered by the Government of Gujarat. Such certificate shall have been issued on or after the 1st April of the academic year in which the candidate is seeking admission.

(5) If a candidate fails to submit the certificates as required under sub-rule (2) within the stipulated time, his candidature shall be considered for admission under unreserved category.

(6) If a candidate of reserved category gets admission on unreserved seat in order of merits, he may be given admission on the unreserved seat according to his preference.

[7] The admission of a student of a reserved category on a reserved seat shall be valid subject to the verification of cast certificate by the authority empowered by the State Government in this behalf. In case the caste certificate is found invalid on verification, he shall not have right to claim his admission on reserved seat and if he has been already granted admission, such admission shall be cancelled.

[8] After granting admission to all the students of reserved categories on reserved seats, the reserved category seats remaining vacant shall be transferred to the unreserved category seats.

9. Reservation For Physically Disabled Candidates.- Three percent (3%) of the available seats in each category shall be reserved, in accordance with the provisions of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996), for the person with disability who can perform the academic activities in the respective course. A candidate with disability shall have to submit a certificate of disability issued and duly signed by the Civil Surgeon/medical authority.

Explanation.-"Person with disability" means a person suffering from not less than forty percentage (40%) of any disability as certified by a medical authority.

10. Reservation for the Children of Defence personals and Ex-Servicemen.- (1) One percentage(1%)of available seats shall be reserved for the children of Defence personals and Ex-Servicemen, for admission.

(2) A candidate claiming admission against *Ex-Servicemen* category shall be required to submit a certificate to that effect duly issued by the Director, Sainik Welfare Board, Gujarat State or by the District Sainik Welfare Officer. In-Service Defence Personnel shall be required to submit a certificate to that effect duly issued by the Commanding Officer of the respective unit in which they are serving.

11 Preparation of Merit List.- (1) The merit list of the candidates who have applied for admission in the prescribed form, within the prescribed time limit and who are found eligible for admission under these rules, shall be prepared on the basis of the marks obtained in the B. Pharm. Entrance Test (BET)of the current academic year.

(2) The criteria for deciding merit order in case of students having equal merit marks in B. Pharm. Entrance Test (BET), shall be in the following sequence, namely:-

- (a) Total theory marks obtained in the subjects of Physics, Chemistry and Biology or Mathematics of the Higher Secondary School Certificate Examination, (Standard XII, 10+2 pattern) passed in the Science Stream or equivalent examination,
- (b) Aggregate marks obtained in the Higher Secondary School Certificate Examination, (Standard XII, 10+2 pattern) Science Stream examination or equivalent examination,
- (c) Marks obtained in English subject in Standard 12 Science Stream examination or equivalent examination,
- (d) Date of Birth (Candidate who is older in age shall be given priority).

12. Application for admission.- (1) For the purpose of admission, a candidate shall apply, within the time limit specified by the Admission Committee, in the prescribed form as shown in Appendix appended to these rules.

(2) The application form for admission can be obtained from the centers as may be notified by the Admission Committee, on payment of a sum as may be determined by the Admission Committee, from time to time.

(3) Where a candidate has made more than one application, the application made at the later stage shall be taken into consideration for admission and the other applications shall be treated as cancelled.

(4) The application form duly filled, shall be submitted by the candidate, in person, at the notified centers referred to in sub-rule [2], along with the self-attested copies of the certificates and testimonies, as specified in the application form. A receipt for the same shall be given by such person as may be authorized by the Admission Committee.

(5) The admission committee shall, by advertisement in the prominent newspapers widely circulated in the State, and by such other means, as the committee may considers convenient, publish the date of issue of application, centers from where the application form may be obtained

and to where submitted, last date for submission of application form and such other information as may be necessary in this behalf.

13. Admission Procedure.- (1) All the applications duly received shall be scrutinized by the Admission Committee in accordance with the provisions of these rules and prepare a merit list of the candidates found eligible for admission.

(2) The merit list shall be displayed, on the notice board of the office of the Admission Committee, its official web-site and by such other means, as the Committee may consider convenient.

(3) The Admission Committee shall publish the admission programme, by advertisement in the prominent newspapers widely circulated in the State, and by such other means, as the committee may consider convenient. The candidates shall also be informed separately and individually of their merit rank and the date of counseling.

(4) The candidate whose name appears in the merit list shall have to remain present personally for counseling for the purpose of admission at the scheduled date, time and place.

(5) In case the candidate is unable to remain present personally, on the date, time and place of counseling, due to serious illness, accident or unavoidable circumstances, his parents or guardian shall, after obtaining prior approval of the Committee or any officer authorized by the Committee, remain present on the scheduled date time and place. An authority letter signed by the candidate showing his order of preference and choice of branches and colleges or institutions shall have to be produced by the parents or guardian who shall remain present in his behalf, along with the documentary evidence showing reason for the absence or inability to remain present personally.

(6) After getting admission the candidate shall, within a period of seven working days, report to his respective college or Institution. In case the candidate fails to get himself registered, within the time limit the admission granted shall be treated as cancelled.

(7) In case the candidate fails to get himself registered, within the time limit due to unavoidable circumstances, the candidate shall, after obtaining prior approval of the Committee or any officer authorized by the Committee within three days after the expiry of the time limit, produce documentary evidence showing reason for such failure. If the Admission Committee is satisfied, may grant him further period of not more than three days to report to the college or institution for the purpose of registration.

(8) In case the candidate does not remain present for counseling for the purpose of admission at the scheduled date and time and approaches the committee on later date, with an application in writing, to allow him for admission, he may be permitted for counseling and granted admission, in the college or institution and in the respective category available at such later date. He shall have no right to claim for the admission in the college or institution and in the respective category available on the scheduled date and time.

(9) The candidate belonging to reserved category may be allowed to remain present at the scheduled date and time of counseling for admission of the candidates of unreserved category, as per his merit number in the unreserved category. The admission shall be granted to such candidate in unreserved category, only if he is eligible to get admission, in the college or institution of his preference than that in the reserved category.

14. Fee.- (1) A candidate who gets admission shall, at the time of admission, pay such fee as may be determined by the Fee Regulation Committee, constituted under section 9 of the Act.

15. Change of College or Institution.- Except as provided in these rules, no candidate shall, after getting admission, be allowed to change the college or institution, in which he has been granted admission, in any circumstance.

16. Requirement of Documents to be Attached with the application .- (1) The candidate shall attach the self-attested copies of the following documents with the application form, namely:-

Mark-sheets of 1st and 2nd year of Diploma in Pharmacy examination,

H.S.C. Examination (Std. 12th) Mark-sheet,

(i) School Leaving Certificate or Transfer Certificate,

Caste certificate for a candidate belonging to Scheduled Caste (SC), Scheduled Tribes (ST) and Socially and Educationally Backward Class (SEBC), issued by the authority empowered by the Government in this behalf,

Non Creamy Layer (NCL) certificate of the family, issued after 1st April of the relevant academic year, by the authority empowered by the Government in this behalf,

Certificate of Physical Disability, issued and duly signed by the Civil Surgeon, in case of a Physically Handicapped candidate,

Certificate of Ex-Serviceman, duly issued by the Director, Sainik Welfare Board Gujarat State or by the District Sainik Welfare Officer,

(viii) A copy of certificate of In-Serviceman duly issued by the Commanding Officer of the respective unit in which they are serving, and

(ix) Such other certificates as the Admission Committee may deem necessary:

(2) The candidate shall have to produce for verification, at the time of counseling, before Admission Committee, the original certificates and testimonies of the documents attached with the application:

(3) The Admission Committee, may retain any original certificate and testimony of the documents, which it considers necessary until the admission process is completed. The said certificate or testimony shall be handed over by the admission committee to the college or institution, where the student has got admission, after completion of admission process. Such college or institution shall return the original certificate or testimony to the student.

(4) The candidate who is unable to submit original certificates and testimonies necessary for the purpose of admission at the time of counseling, may be granted provisional admission, subject to following conditions, namely:-

(i) On payment of Rs.10,000/- (Rupees Ten thousand) as security deposit by the student. If the student submits the required documents within a period of ten days, the remaining amount of the security deposit shall, after deducting Rs. 500/- (Rupees Five hundred) towards the administrative expenditure, be refunded,

(ii) In the event of failure to submit original certificates and testimonies within the time limit as aforesaid, the provisional admission may be cancelled and the security deposit may be forfeited,

[iii] The student shall not be required to pay the security deposit referred to in sub-clause [i], who has secured admission in other college or institution and submitted his original certificates and testimonies there, provided that the student produces the proof of having taken the admission in other college or institution and submit the undertaking to the effect that he will get his admission cancelled in that other college or institution.

17. Ineligibility for admission on production of false documents.- During verification of documents, if the Admission Committee finds any certificate or testimony or information submitted by any candidate, incorrect or false, the candidature of such candidate shall be cancelled for that year and he shall be disqualified for admission for the period of next two years.

18. Cancellation of Admission and Refund of Fee.- (1) In case of cancellation of admission or transfer of students by the Admission Committee, due to administrative reasons, the college or Institution in which the candidate was granted admission shall refund the amount of fee collected by it, to such candidate.

(2) In case of cancellation of admission due to failure of candidate to get himself registered within the specified time limit, as prescribed in sub-rules (6) and (7) of rule 13, and subject to the condition of such vacated seat being filled up by the Admission Committee, the fees collected from such candidate shall be refunded after completion of the admission process.

(3) (a) In case of a candidate withdrawing his candidature before completion of admission process, for any reason whatsoever, he may request in writing to the Admission Committee for such withdrawal. In such case, the fee collected, if any, by the admission committee shall be refunded to such candidate, subject to the condition of such vacated seat being filled up by the Admission Committee,

(b) In case of a candidate withdrawing his candidature after completion of admission process, for any reason whatsoever, he may request in writing to the college or institution in which he is granted admission, for refund of fee paid by him. In such case the fee shall be refunded, by such college or institution, as per the directions of the Admission Committee.

19. Vacant Seats.- (1) After the completion of admission process or offering admission to all the candidates whose names appear in the merit list, if the seats remained vacant, such vacant seats shall be displayed on the official web-site, on notice board of the office of the Admission Committee and the Committee may by advertisement in prominent news papers, invite applications from the eligible candidates for admission.

20. Penalty.- Any breach of any of the provisions of the Act, these rules and any directions issued by the Government, the Admission Committee, or as the case may be, the Fee Regulatory Committee, by any person, shall be liable for penalty as provided in the Act.

21. Interpretation.- In implementation of the provisions of these rules, if any difficulty or question arises as to the interpretation of any provision, the decision of the Government shall be final.

NOTIFICATION
EDUCATION DEPARTMENT
Sachivalaya, Gandhinagar.
Dated 30th August, 2010.

Gujarat
Professional
Technical
Educational
Colleges or
Institutions
(Regulation of
Admission
and Fixation
of Fees) Act,
2007.

No: GH/SH/30/PVS/102009/EM.52/S :-In exercise of the powers conferred by sub-section (1) of section 20 read with section 4 of the Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007 (Guj. 2 of 2008), the Government of Gujarat hereby makes the following rules further to amend the Diploma in Pharmacy to Second Year (Third Semester) of Bachelor of Pharmacy Course (Regulation of Admission and Payment of Fees) Rules, 2008 (hereinafter referred to as "the said rules"), namely:-

1. These rules may be called the Diploma In Pharmacy to Second Year (Third Semester) of Bachelor of Pharmacy Course (Regulation of Admission and Payment of Fees) (Amendment) Rules, 2010.

2. In the said rules, in rule 19, after sub-rule (1), the following sub-rules shall be inserted, namely:-

"(2) Any seats declared vacant under sub-rule (1) shall, subject to the other provisions of these rules and the provision of sub-rule (1) of this rule, be filled up by the respective institutes on the basis of inter-se merit list prepared by them, after inviting application from eligible candidates by giving wide publicity by an advertisement in the prominent newspapers widely circulated in the State and by maintaining inter-se merit of the candidates who have applied for the admission.

(3) Subject to the other provisions of these rules, for admission in the academic year 2010-11, a candidate who has passed qualifying examination with minimum marks as per rule 7 in any previous year and appeared BET in the previous academic year of the current academic year shall be eligible for the admission to Second Year (Third Semester) of Bachelor of Pharmacy Course, on the seat declared vacant under rule 19."

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


(Lalit Vyas)

Under Secretary to Government.