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PART IV-B

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

PORTS AND TRANSPORT DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 13th July, 2020.

GUJARAT ROAD SAFETY AUTHORITY ACT, 2018.

No. PT/2020/17/MVD/102017/1684/KH :- WHEREAS certain draft rules were published as required by section 6 read with sub-section (2) of section 34 of the Gujarat Road Safety Authority Act, 2018 (Guj. 1 of 2018), at pages 204-1 to 204-4 in the Gujarat Government Gazette, Extraordinary, Part IV-A, dated the 29th November, 2019, under the Government Notification Ports and Transport Department No. PT/2019/28/MVD/102017/1684/KH, dated the 21st November, 2019, inviting objection or suggestion from all persons likely to be affected thereby within a period of thirty days from the date of publication of the said notification in the *Official Gazette*;

AND WHEREAS objections and suggestions received in respect of the said draft notification have been considered by the Government;

NOW, THEREFORE, in exercise of powers conferred by sub-section (2) of section 34 of the Gujarat Road Safety Authority Act, 2018 (Guj. 1 of 2018) the Government of Gujarat hereby makes the following rules, namely:-

1. Short title, commencement and application.-

- (1) These rules may be called the Gujarat Road Safety Authority Rules, 2020.
- (2) These rules shall come into force from the date of their publication in the *Official Gazette*.
- (3) They shall apply in the whole of the State of Gujarat.

2. Definitions.-

- (1) In these rules, unless the context otherwise requires,-
 - (a) 'Act' means the Gujarat Road Safety Authority Act, 2018 (Guj. 1 of 2018);
 - (b) 'Authority' means the Gujarat Road Safety Authority (GUJROSA);
 - (c) 'Form' means a Form appended to these rules;
 - (d) 'Government' means the Government of Gujarat;
 - (e) 'Section' means a section of the Act;
- (2) Words and expressions used and not defined but defined in the Act shall have the meanings assigned to them in the Act.

3. Additional functions of the Authority.-

The Authority shall perform the following functions in addition to the functions provided in section 4, namely :-

- (i) to issue directions for the appointment of any public or private agency as provided in clause (iv) of section 33;
- (ii) to create awareness through social media;
- (iii) to declare awards and prizes for the outstanding works done in the various field of road safety;

4. Method of appointment and other conditions of service of the officer and staff of the Authority.-

- (1) The State Government shall, for carrying out the purpose of provisions of Act; appoint officers and employees as may be necessary for the efficient performance of the functions of the Authority. Then the State Government may establish zonal offices in such number as may be necessary. The manpower and administrative requirement of the offices shall be determined by the State Government.

- (2) The method of appointment of the officers and staff of the authority shall be as under:-

- (i) The Road Safety Commissioner shall be appointed by the Government from the IAS cadre not below the rank of the Secretary to the Government of Gujarat:

Provided that the Government may appoint a retired IAS officer, who has worked on the post not below the rank of the Secretary to the Government of Gujarat and who shall not have attained the age of 62 years;

- (ii) The Joint Road Safety Commissioner shall be appointed by the Government from the officer not below the rank of the Deputy Secretary to Government of Gujarat:

Provided that the Government may appoint a person, who has retired from the post not below the rank of the Deputy Secretary to the Government of Gujarat and who shall not have attained the age of 62 years;

- (iii) The Chief Enforcement Officer shall be appointed on deputation basis from amongst the Inspectors of Motor Vehicles having minimum experience of 7 years;
- (iv) The Regional Enforcement Officer shall be appointed on deputation basis from amongst the officers not below the rank of the Inspector of Motor Vehicles;

- (v) The Assistant Enforcement Officer shall be appointed on deputation basis from amongst the officers not below the rank of the Assistant Inspector of Motor Vehicles;
- (vi) The Road Safety Co-ordinators for one or more departments, such as Home, Motor Vehicles, Health, Education, Roads and Buildings, Urban Development, Employment and Training and Information and Broadcasting shall be Class III officers of such departments;
- (vii) The Accounts Officer shall be appointed on deputation basis from the Directorate of Accounts and Treasury, Gujarat State;
- (viii) The Statistical Research Officer shall be appointed on deputation basis or from retired Statistical Research Officer of the Bureau of Economics and Statistics; or by outsourcing of person having master's degree in Statistics or Mathematics or Economics:

Provided that in case of appointment of a retired officer on contractual bases, maximum age limit shall be 62 years and shall have designation not below the rank of the Statistical Research Officer from the Bureau of Economics and Statistics or equivalent designation at the time of his retirement;
- (ix) The appointment of Clerks shall be made by deputation or outsourcing or through appointment of a retired government employee who was not below the rank of Clerk, Class III at the time of retirement, on contractual basis having age not more than 62 years;
- (x) The appointment of Assistant co-ordinator, computer operator, personal assistants and other staff shall be made by outsourcing.
- (3) The uniform, epaulettes, badges, head badges and strip of the officers and employees shall be of design and descriptions as may be specified by the State Government.
- (4) The salary and other terms and conditions of service of the officers and staff of the Authority shall be as under:-
 - (i) unless it is otherwise provided, salaries, allowances, terms and conditions of the services of the officers and employees appointed other than contractual basis shall be as per the Gujarat Civil Services (General Conditions of Services) Rules, 2002, the Gujarat Civil Services (Joining time, Foreign Service, Deputation out of the India, Payment during Suspension, Dismissal and Removal) Rules, 2002, the Gujarat Civil Services (Leave) Rules, 2002, the Gujarat Civil Services (Salaries and Allowances) Rules, 2002, the Gujarat Civil Service (Pension) Rules, 2002, the Gujarat Civil Services (Habitat in the residential houses) Rules, 2002, the Gujarat Civil Services (Travelling Allowance) Rules, 2002, the Gujarat Civil Services (Pay) Rules, 2002 and the Gujarat Civil Services (Discipline and Appeal) Rules, 1971;
 - (ii) in case of the contractual appointment of retired Government employee, the provisions of the Government Resolution, General Administration Department No. REM/102002/UOR/ 82/G-2, dated the 7th July, 2016 shall be followed:

Provided that where the contractual appointment is made from retired IAS officer the provisions contain in. General Administration Department, Circular No. AIS/1098/5302/G, dated the 24th June, 2004 shall be followed.

Provided further that where the appointment made by the Government approved or any outsourcing agency approved by the Government Corporation or Company or through tender process undertaken by the Authority, the post shall be filled after the approval of the Government on the fixed monthly wages/remuneration decided under the terms and conditions of the contract between the Authority and the outsourcing agency:

Provided also that the Authority may consider the increase in such wages/remuneration of employees appointed on contractual basis after review of the performance of the employees as per the terms and conditions of the contract subject to the prior approval of the Government.

5. Office vehicles and other administrative requirements.-

- (1) The Government after publishing the notification in the *Official Gazette* under sub-section (1) of section 3 of the Act shall set-up state/regional level offices of the Authority; preferably in a Government building, failing which in a rented space.
- (2) The Government shall provide vehicles as per the requirement of the Authority:

Provided that the vehicles may be purchased or hired as per requirement by the Authority itself, both for enforcement as well as for administrative purpose with the prior approval of the Government.

6. Annual Report.-

The Authority shall as soon as may be possible after the end of the financial year, but not later than the 30th day of September in next year ensuing, prepare and submit to the Government an annual report in FORM I, giving a complete account of its activities during the said financial year in accordance with sub-section (1) of section 20 of the Act.

FORM I

(See rule 6)

Format of Annual Report.

1. Details of Chairperson and members of the Authority.
2. Details of the Officials and Staff of Authority.
3. Details of the Budgetary Allocation and expenditure.
4. Details of performance of the functions of the Authority.
5. Details of the Targets and its achievement.
6. Any other details.

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

PRAKASH MAJMUDAR,
Deputy Secretary to Government.