



NOTIFICATION  
EDUCATION DEPARTMENT  
Sachivalaya, Gandhinagar.  
Dated the 2<sup>nd</sup> September, 2020.

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

**NO.GH/SH/39/2020/PVS/102020/473/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) and in supersession of all the rules made in this behalf, 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, 2020.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.

**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;
- (d) "AICTE" means the All India Council for Technical Education, a statutory body constituted under section 3 of the All India Council for Technical Education, Act 1987 (52 of 1987);
- (e) "B. Pharm." means a Bachelor of Pharmacy Course;
- (f) "Help Centres" means the Centre notified by the Admission Committee for facilitation of the candidate for off-campus online admission process;

- (g) "Foreign National (FN) Student" shall have the meaning assigned to it in clause (dd) of section 2 of the Act;
- (h) "Non-Resident Indian Seats" shall have the meaning assigned to it in clause (i) of section 2 of the Act;
- (i) "Pharmacy Course" means the Bachelor of Pharmacy Course in the Professional Educational Colleges or Institutions of the State;
- (j) "Qualifying Examination" means two years' Diploma in Pharmacy Course as described in the Education Regulations, 1991 made under section 10 of the Pharmacy Act, 1948 (8 of 1948);
- (k) "PCI" means Pharmacy Council of India, a statutory body constituted under section 3 of the Pharmacy Act, 1948 (8 of 1948);
- (l) "Sanctioned intake" means intake sanctioned by registering or statutory body and/or recognized University;
- (m) "Semester Theory Performance Index (STPI)" means performance index based only on the marks obtained in theory subjects in qualifying examination conducted and evaluated by respective University;
- (n) "Supernumerary Seats" shall have the meaning assigned to it in clause (ll) of section 2 of the Act;
- (o) "Website" means the official website of the Admission Committee to carry out off-campus online admission process.

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

### **3. 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 AICTE.

### **4. Seats Available for Admission.-**

#### **(I) (A) Government Seats:-**

- (a) Ten percent (10%) seats of the sanctioned seats of the immediate previous academic year in the Government Colleges or Institutions and aided Colleges or Institutions and unaided Colleges or Institutions of the State.
- (b) Fifty percent (50%) seats of institute having the PCI/AICTE permission of separate division (if applicable) of institutions having the PCI/AICTE permission to separate division for lateral entry for corresponding academic year of each Bachelor Pharmacy Course in the unaided Colleges or Institutions of the State.

- (c) All supernumerary seats of the professional courses in the Government colleges or institutions and in the aided and unaided Colleges or Institutions.

**(B) Management Seats:-**

- (a) Fifty percent (50%) seats of the total sanctioned seats of the pharmacy course to institute having the PCI/AICTE permission of separate division (if applicable) for lateral entry for corresponding academic year of each Bachelor of Pharmacy Course in the unaided Colleges or Institutions of the State including 15 % of NRI seats.
- (b) The intimation received, in respect of sanction of seats, by the Admission Committee three days prior to the counselling program, shall be considered as available seats.
- (II) (a) the seats remained vacant in the previous year in the first year pharmacy course as per the guideline issued by AICTE time to time, or
- (b) the seats fallen vacant during previous year in the first year pharmacy course; duly intimated by the concerned university or institute for admission.

**5. Eligibility for Admission.-**

**A. Government Seats: -**

For the purpose of admission, a candidate,

- (1) A candidate shall have passed the qualifying examination from the college or an institution approved by the PCI and/or AICTE and situated in Gujarat State, and
- (2) Five percent (5%) of seats in Government and aided institutions are available for the candidates who have cleared qualifying examination from the college or an institution approved by the PCI and/or AICTE from time to time from an eligible Board from school located in India.

**B. Management Seats:-**

For the purpose of admission in Management seats,-

- (1) candidates who have cleared qualifying examination from the college or an institution approved by the PCI and/or AICTE from school located in India (Including Gujarat State) from recognized Board/University or institute approved by PCI and/or AICTE;
- (2) candidates who have cleared qualifying examination from the college or an institution approved by the PCI and/or AICTE from school located outside India with minimum eligibility criteria as prescribed by the PCI and/or AICTE from time to time, and equivalency defined by Association of Indian Universities (AIU), New Delhi shall also be eligible for admission subject to the guidelines of the PCI and/or AICTE in this regard.

6. **Minimum aggregate marks.-** For the purpose of admission, the minimum aggregate marks which a candidate shall have obtained in qualifying examination shall be as per norms and requirements prescribed by the AICTE for lateral entry to Second Year (Third Semester) of the Bachelor of Pharmacy Course for current academic year.

7. **Reservation of Seats.-**

(1) For the purpose of admission, the seats shall be reserved for the candidate who are of Gujarat origin and falling under the following categories and in following proportion, namely:-

(a) Scheduled Castes :	7 %
(b) Scheduled Tribes:	15 %
(c) Socially and Educationally Backward Classes	27%
(d) Economically Weaker Sections (EWSs)	10 %

including Widows and Orphan of any castes.

(2) A candidate seeking admission on reserved seat shall be required to produce a Certificate of Caste/Category:

Provided that the candidates belonging to the Socially and Educationally Backward Classes 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/category certificate shall be valid unless it is duly stamped, signed and issued by the competent authority as specified by the State Government.
- (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 competent authority specified by the State Government. Such certificate shall have validity as per the prevailing rules of the Government of Gujarat.
- (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 candidate of a reserved category on a reserved seat shall be valid subject to the verification of caste/category certificate issued to him by the competent authority as specified by the State Government in this behalf. In case, the caste/category certificate is found to be invalid on verification, he shall not have right to claim his

admission on reserved seat and if he has already been granted admission, such admission shall be cancelled. Admission of such candidate may be continued in case of availability of vacant unreserved seats, subject to the condition of eligibility of merit.

- (8) After granting admission to all the candidates of reserved categories on respective reserved seats, the reserved category seats remaining vacant shall be considered as the unreserved category seats.

**8. *Reservation for Physically Disabled Candidates.-***

Five percent (5%) of the available seats in each category shall be reserved, in accordance with the provisions of the section 32 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), for the persons with benchmark disability who can perform the academic activities in the respective course. A candidate with disability shall have to submit certificate of disability issued and duly signed by the certifying authority.

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

**9. *Reservation for the Children of Defence personnel and Ex-Servicemen.-***

- (1) One percent (1 %) of available seats shall be reserved for the children of Defence personnel 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 Persons / retired defence persons notified by the Ministry of Home Affairs, Police Division-II, Government of India shall be required to submit certificate to that effect duly issued by the Commanding Officer of the respective unit in which they are serving or were serving just before the retirement respectively.
- (3) The seats remaining vacant against the category of Defence personnel and Ex-Servicemen shall be filled up from the merit list of unreserved category candidates.
- (4) The children of Defence personnel and Ex-Servicemen of Gujarat origin and children of defence personnel serving in Gujarat shall be included under the reserved category specified in this rule, if they have passed the qualifying examination from the schools located outside the Gujarat State.
- (5) The admission on such reserved seat shall be valid subject to the veracity of the certificate being confirmed by the authority by which the certificate is issued.

**10. Supernumerary seats.-**

- (1) The supernumerary seats shall be filled in accordance with the directions of the AICTE and the Ministry of Human Resources Development, Government of India.
- (2) (i) The Tuition Fee Waiver Scheme shall be applicable to seats as per rule 4 (I) (A) (a) (for the Diploma in Pharmacy to Second Year (Third Semester) of Bachelor of Pharmacy Course;
- (ii) The supernumerary seats not exceeding five percent (5%) of sanctioned seats of the colleges or institutions shall be filled in on the basis of merit of the candidate, whose parent's annual income does not exceed to Rs. 8.00 lakhs from all sources of income. These supernumerary seats shall be available only to such courses in the colleges or institutions, where a minimum of 30% of sanctioned seats are filled up;
- (iii) no supernumerary seat which remains vacant shall be offered to any category other than the category to which the supernumerary seat belongs;
- (iv) the Tuition Fee Waiver Scheme shall be for the complete duration of the course and the candidate admitted under this scheme shall not be allowed to change the institution or the course in any circumstances.

**11. Distribution of Seats.-** For the purpose of admission, the available seats shall be distributed on the pro-rata basis among the respective Boards/Universities on the basis of number of eligible candidates of such Boards/ Universities who have applied for admission and obtained minimum aggregates marks in qualifying examination conducted by any professional educational college or institute/university:

Provided that, if Government seats remain vacant which were to be filled by the candidate falling under sub-rule (1) of rule 5, such vacant seats shall be offered to and filled in by the candidate falling under sub-rule (2) of rule 5 and vice-versa.

**12. Preparation of Merit List.-**

**A. Government Seats:-**

- (1) Separate Diploma passing Board/University wise merit lists of the eligible candidates who have applied for admission in the prescribed form and within the prescribed time limit shall be prepared under these rules, on the basis of theory marks/STPI obtained in the D. Pharm Part I and II examination.
- (2) The criteria for deciding merit order in case of students having equal merit marks in D. Pharm. Part I and II 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 Higher Secondary School Certificate Examination (Standard XII, 10+2 pattern ) Science Stream examination or equivalent examination.

(d) Date of Birth (Candidate who is older in age shall be given priority).

**B. Management Seats: -**

Merit list for candidates who have passed qualifying examination from school located in India (Including Gujarat State) shall be based on the theory marks obtained in the subject of last two semesters of the diploma course.

**13. Registration for Admission (Government Seats).-**

- (1) A candidate seeking admission shall apply online, for the registration of his candidature, on the website, within the time limit specified by the Admission Committee.
- (2) The Admission Committee shall, by advertisement in the prominent newspapers widely circulated in the State, by website and by such other means, as it may consider convenient, publish the date of registration, the list of Help Centres, last date for submission of registration form, courses offered and such other information as may be necessary in this behalf.
- (3) For the purpose of registration in any mode of admission either through Admission Committee or at the college or institute level, the candidate shall be required to make payment of such sum towards the Registration fee, etc. as may be determined by the Admission Committee.
- (4) Where a candidate has made more than one registrations, the registration made at the later stage shall be taken into consideration for admission purpose and the other registration shall be treated as cancelled.
- (5) After successful completion of registration, the candidate shall be required to upload the necessary documents on the admission portal. At the time of admission the candidate shall have to produce the original certificates and testimonials of the documents attached with the registration form for verification. Pending verification of original documents, the admission shall be treated as provisional only.

- (6) The candidate who is unable to produce original certificates and testimonials necessary for the purpose of admission at the time of admission within the time-limit prescribed in these rules, may be registered for admission. In the event of failure to submit original certificates and testimonials within the time limit as prescribed, the registration / admission shall be cancelled by the concerned college or institution.

#### **14. Admission Procedure.-**

##### **A. Government Seats :-**

The admission procedure shall be online in the following manner, namely:-

- (1) The Admission Committee shall prepare merit list of the eligible candidates as per these rules, after verification of the documents submitted.
- (2) The merit lists shall be displayed on the website of the Admission Committee and by such other means, as it may consider convenient.
- (3) The Admission Committee shall publish the schedule of online counselling program on its website, by advertisement in the prominent newspapers widely circulated in the State, and by such other means, as it may consider convenient.
- (4) The candidate shall be required to indicate his order of choices of courses and colleges or institutions, online. Allotment of seats shall be made on the basis of merit, category of the candidate and availability of seats. The allotment of seats shall be published on the website of the Admission Committee. The candidates shall be required to obtain the print out of the Information letter and bank receipt copies from the website.
- (5) The candidate shall be required to pay such fee, as may be determined by the Admission Committee.
- (6) On payment of token tuition fee as required, either online payment or in the branches of banks as specified, the admission allotted to the candidate shall get confirmed. The candidate shall be required to login to his account to get the print out of the Admission Slip. In case, the candidate fails to pay the token tuition fee within the prescribed time limit as aforesaid, the admission offered to him shall be treated as cancelled. Such candidate shall not be eligible to get admission on same course and same shift in the same college or institute in subsequent round of counselling:

Provided that a candidate who has been allotted admission on Non-TFW seat and he has not confirmed his admission to the said seat shall be eligible to get admission on TFW seat on same course and same shift in the same college or institute. However, such candidate shall be eligible to participate in the successive



up-gradation/reshuffling round of counselling provided the candidate has given consent for the same, but shall not be eligible for admission on the seat already allotted to him in previous rounds.

- (7) Where considerable number of seats fall vacant and it appears to the Admission Committee to fill the vacant seats, it may conduct the online admission process for up-gradation/reshuffling of seats. The candidate, who opts to take part in such process by giving online consent, shall be considered for such admission. The candidate may up-graded by the choices he already given under sub-rule (4). If the candidate gets the admission on the basis of up-gradation, then his earlier admission shall be treated as cancelled.

**B. Management Seats:-**

- (1) The admission procedure of the management seats shall be online and managed and finalized by the concerned college or institution. The merit lists shall be displayed on the website of the concerned college or institution.
- (2) Each college or institute shall have to conduct admission process in a fair, transparent and non-exploitative manner and no eligible candidate should be denied issuing or accepting his admission form.

**15. Fee.-**

- (1) A candidate who gets admission in the Government or aided college or institution shall have to pay such fee, as may be determined by the Government, at such stages, as may be determined by the Admission Committee.
- (2) A candidate who gets admission in unaided colleges or institutions shall have to pay such fee, as may be determined by the Fee Regulatory Committee constituted under section 9 of the Act and at such stages as may be determined by the Admission Committee.
- (3) If a candidate, who has paid the fees after getting admission, gets his admission cancelled, within the time limit specified by the Admission Committee, his fees shall be refunded after completion of the admission process, provided the seat vacated by him is filled by another candidate.
- (4) If a candidate who has paid the fees after getting admission and gets his admission changed in another course and/or college or institution in the readjustment (reshuffling) process, he shall pay the difference of fees, if any, at the time of getting admission or, as the case may be, fees shall be refunded after the completion of admission process.

## **16. 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 circumstances.

## **17. Documents to be Attached/Uploaded.-**

### **A. At the time of application.-**

The candidate shall upload/submit the documents or submit the self-attested copies of the following documents, namely:-

- (i) S.S.C. Examination (Std. X) Mark-sheet,
- (ii) H.S.C. Examination (Std. XII) Mark-sheet,
- (iii) Diploma Examination Mark-sheets,
- (iv) Caste/Category certificate for a candidate belonging to Scheduled Castes (SC), Scheduled Tribes (ST) and Socially and Educationally Backward Classes (SEBC), Economically Weaker Sections (EWSs), issued by the authority empowered by the State Government in this behalf,
- (v) Certificate of Physical Disability, issued and duly signed by the Civil Surgeon/competent Medical Authority, in case the candidate is a Physically Handicapped,
- (vi) Certificate of Ex-Serviceman, duly issued by the Director, Sainik Welfare Board, Gujarat State or by the District Sainik Welfare Officer
- (vii) A copy of certificate of In-Serviceman duly issued by the Commanding Officer of the respective unit in which he is serving,
- (viii) A copy of valid certificate of income issued by the authority empowered by the State Government in this behalf, if applicable,
- (ix) Photograph of candidate for other State / other than Gujarat Secondary and Higher Secondary Education Board.

### **B. Before declaration of online merit list:-**

The candidate shall upload/submit the documents or submit the self-attested copies of the following documents, namely:-

- (i) Final year mark-sheet/CGPA result based on which the Class or Grade awarded by the University/institutions,
- (ii) School Leaving Certificate or Transfer Certificate,
- (iii) Non Creamy Layer (NCL) certificate of the family, valid as per the prevailing rules of the State Government issued by the authority empowered by the State Government in this behalf,

- (iv) A copy of valid certificate of income issued by the authority empowered by the State Government in this behalf, if applicable, and
- (v) Such other certificates as the Admission Committee deems necessary.

**18. *Ineligibility for admission on production of false documents.-***

During the verification of documents or subsequently, 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.

**19. *Cancellation of Admission and Refund of Fee.-***

- (1) In case of cancellation of admission of candidate by the Admission Committee, due to administrative reasons, the college or institution in which the candidate was granted admission shall refund the fee collected by it, to such candidate.
- (2) (a) In case of a candidate withdrawing his candidature before completion of online admission process, for any reason whatsoever, he may login to his account on the website of the admission committee for online admission process and put the request for cancellation of admission within the time limit specified by the Admission Committee. In such case, the token tuition fee collected, if any, by the Admission Committee shall be refunded to such candidate.
- (b) After completion of online admission process and before declaration of schedule of admission on vacant seats, if any candidate who has withdrawn his candidature in the manner as stated in clause (a) above, the token tuition fee paid by him shall be refunded, subject to the condition of vacated seat being filled up by the institution, as per the directions of Admission Committee and prevailing rules of AICTE.
- (c) A candidate desirous to withdraw his candidature after completion of admission on vacant seats, for any reason whatsoever, shall have to request in writing in person to the college or institution in which he is granted admission but he shall not be entitled to get refund of the fees paid by him for getting admission.
- (d) In case of cancellation of admission at college or institute level on the request of the student, he shall be liable to pay the fees for the current semester and no college or institution shall demand fees for further semester.

**20. Vacant Seats.-**

(1) The vacant seats of Government and aided Colleges / Institution shall be filled by Admission Committee through online/offline counselling.

(2) In the unaided college or institution, after offering admission to all the candidates whose names appear in the merit list or after completion of the online admission process, if the seats remain vacant, such vacant seats shall be filled by the unaided college or institution as Management Seat. Such vacant seats shall be filled by college or institution by inviting application from the eligible candidates and preparing common **inter-se merit list**:

Provided that the vacant seats shall be filled in accordance with the guidelines/eligibility norms issued by the AICTE/PCI from time to time.

**21. Admission to Unaided colleges or Institutions.-**

(1) The unaided colleges or institutions shall collect the fees, as may be determined by the Fee Regulatory Committee, constituted under section 9 of the Act and such other fees as provided under the provisions of the Act.

(2) No college or institution shall retain the original documents or testimonial of the candidate. In case of breach of such provision, the college or institution shall be liable to penalty as provided in the Act.

**22. Penalty.-**

Any breach of any of the provisions of the Act or these rules or 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.

24. **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.

By order and in the name of Governor of Gujarat.

  
(Ronak Mehta)

Deputy Secretary to Government.

**Copy to:-**

1. Principal Secretary to the H E the Governor (by letter)
2. Principal Secretary to the Hon'ble Chief Minister
3. Personal Secretary to Hon'ble Education Minister.
4. Personal Secretary to Hon'ble MoS (Education).

- ✓ 5. Director of Technical Education, Gujarat State, Gandhinagar.
6. Member Secretary, Admission Committee for Professional Courses, L.D.Engg. College Campus, Navrangpura, Ahmedabad.
7. The Chairman, Fee Regulatory Committee, L.D. Engg. College Campus, Navrangpura, Ahmedabad
- ✓ 8. Principal, State's all Government /Grant- in-Aid/ Self-Financed. Degree/Diploma Engineering /Pharmacy Colleges (Through Director of Technical Education)
- ✓ 9. Vice Chancellors of all the Universities under Education Department. (Through Director of Technical Education)
- ✓ 10. Director of Information (Through Directorate of Technical Education) ( For Wide publicity)
11. Manager, Government Central Press, GH-7, Opp. Sector-29, Gandhinagar
12. Select file.