

Annexure- I

Procedure and Guidelines for Engagement of Sardar Patel Good Governance CM Fellowship 2023

In supersession of "Procedure and Guidelines for engagement of Sardar Patel Good Governance CM Fellows in Government of Gujarat, the following guidelines and procedures are being prescribed for the engagement of CM Fellows until these guidelines are amended or new guidelines are issued. These guidelines will come into effect from the date of issue.

Purpose and Scope of Application

Purpose - To contribute to the enhancement of governance in the state of Gujarat by infusing innovative and effective approaches into policy-making and service delivery processes. To serve as a catalyst for transformation within government departments promoting a culture of innovation, efficiency, and excellence.

Definition: The following definition applies for the purpose of the present instructions

- 2.1 Individual Fellows " means CM Fellows depending upon their experience they will be placed at their designated area of work. They may be independent experts not permanently associated with any particular firm, or they may be employees of a firm recruited on an individual basis. They are normally recruited for project implementation supervision, provision of specific expert advice on a highly technical subject, policy guidance, special studies, compliance supervision, training, or implementation monitoring
- 2.2 "CM Fellowship " covers a range of services that are of an advisory or professional nature and are provided by fellows. These services typically involve providing expert or strategic advice e.g. management, policy or communications. Advisory and project related services which include, for example, feasibility studies, project management, engineering services, architectural services, finance accounting and taxation services, training and development, etc.
- 2.3 "Competent Authority" for the purpose of these guidelines, would be the Principal Secretary, ARTD, Government of Gujarat or any official who may specifically be delegated by the Principal Secretary, ARTD, Government of Gujarat
- 2.4 "Remuneration" means a consolidated payment that will be processed by Government of Gujarat on a monthly basis to the Individual Fellows as per terms of engagement and is distinct from Salaries.

3. Fellowship terms and conditions

3.1. **Legal Status:** The Individual Fellow shall have the legal status of an independent Fellows and shall not be regarded, for any purposes, as being either a "staff member" of Government of Gujarat, or an "official" of Government of Gujarat.

3.2 Standards of Conduct:

3.2.1 The Individual Fellow shall neither seek nor accept instructions from any authority external to Government of Gujarat in connection with the performance of

their obligations. The Individual Fellow shall not take any action during their engagement in respect of the performance or otherwise related to their obligations that may adversely affect the interests of Government. The Individual Fellow shall perform their obligations with the fullest regard to the interests of Government of Gujarat. The Individual fellow are enjoined not to offer any direct or indirect benefit arising from or related to performance or the award there of the engagement to any representative, official, employee or other agent of Government of Gujarat. The Individual Fellows shall comply with all laws, ordinances, rules and regulations bearing upon the performance of their obligations under the Contract. In the performance the Individual Fellow shall comply with the Standards of Conduct. Failure to comply with the same is grounds for termination of the fellowship.

Prohibition of Sexual Exploitation and Abuse

During the performance of the Fellowship, the Individual Fellow shall comply with the "Sexual Harassment of Women at Workplace (Prevention, prohibition & Redressal) Act, 2013" and any amendment in the law made consequently read with any rules or regulations issued in this regard by Government of India and Government of Gujarat. Violation of the said provisions will constitute a breach of the terms of the Fellowship and will attract penal provisions, including the termination. In addition, nothing herein shall limit the right of Government of Gujarat to refer any alleged breach of the foregoing standards of conduct to the relevant statutory authorities for appropriate legal action.

3.3 Title Rights, Copyrights, Patents and Other Proprietary Rights:

3.3.1 Title to any equipment and supplies that may be furnished by Government to the Individual fellows for the performance of any obligations under the Fellowship shall rest with Government of Gujarat, and any such equipment shall be returned to the respective department of posting at the conclusion of the Fellowship or when no longer needed by such Individual Fellow. Such equipment, when returned to respective department or work place, shall be in the same condition as when delivered to the Individual Fellow, subject to normal wear and tear, and the Individual Fellow shall be liable to compensate Government of Gujarat for any damage or degradation of the equipment that is beyond normal wear and tear.

3.3.2 The Government of Gujarat shall be entitled to all intellectual property and other proprietary rights, including, but not limited to, patents, copyrights, and trademarks, with regard to products, processes, inventions, ideas, know-how, or documents, and other materials which the Individual Fellow has developed for the Government of Gujarat under the Fellows Program and which bear a direct relation to or produced or prepared or collected in consequence of, or during the course of, the performance of the Fellows Program. The Individual Fellow acknowledges and agrees that such products, documents, and other materials constitute works made during the engagement for the Government of Gujarat. Subject to the foregoing provisions, all maps, drawings, photographs, mosaics, plans, reports, estimates, recommendations, documents, and all other data compiled by or received by the Individual Fellow under

the Fellows Program or as a result of such Fellows Program shall be the property of the Government of Gujarat and shall be made available for use or inspection by the Government of Gujarat at reasonable times and in reasonable places. It shall be treated as confidential and shall be delivered only to the Government of Gujarat's authorized officials on completion of work under the Fellows Program

Confidential Nature of Documents and Information: The Individual Fellow shall be subject to the provisions of relevant confidentiality laws and regulations applicable within the State of Gujarat. The Individual Fellow shall not, except with the previous sanction of the Government of Gujarat or in the bona fide discharge of their duties, publish a book or a compilation of articles or participate in TV/Radio broadcasts/Social Media or contribute an article or write a letter in any newspapers or periodical either in their own name or anonymously or pseudonymously in the name of any other person if such book, article, broadcast, or letter relates to subject matter assigned to them by the Government of Gujarat. The Individual Fellow is prohibited from sharing any material (as described in Para 3.3.2 above) that was created as part of the Fellows Program or received during their engagement with the Government of Gujarat from external agencies or from within the Government of Gujarat. In the event of premature termination or upon completing the Fellows Program, the Individual Fellow shall duly hand over all related documents, communications, reports, etc., to the relevant authorities, while the obligations of the provisions of confidentiality laws and regulations shall remain effective for all intents.

3.5 Use of Name, Emblem, or Official Seal of the Government of Gujarat: Individual Fellows shall not advertise or otherwise make public, for purposes of commercial advantage, Furthermore, Individual Fellows shall not, in any manner whatsoever, use the name, emblem, or official seal of the Government of Gujarat, or any abbreviation of the name of the Government of Gujarat, in connection with any business or otherwise without the written permission of the Government of Gujarat.

3.6 Insurance: Individual Fellows shall be solely responsible for taking out and maintaining adequate insurance required to meet any of their obligations under the Fellows Program, as well as for arranging, at their own expense, such life, health, and other forms of insurance as they may consider appropriate to cover the period during which they are engaged.

3.7 Travel, Medical Clearance, and Service-incurred Death, Injury, or Illness:

3.7.1 The Government of Gujarat may require Individual Fellows to submit a Statement of Good Health from a registered physician prior to the commencement of work in any offices or premises of the Government of Gujarat.

3.7.2 In the event of the death, injury, or illness of any Individual Fellow that is attributable to the performance of engagement on behalf of the Government of Gujarat under the terms of the Fellows Program while the Individual Fellow is traveling at the expense of the Government of Gujarat or is performing any responsibilities under the Fellows Program in any offices or premises of the Government of Gujarat, the Individual Fellow or the Individual Fellow's dependents, as appropriate, shall not be entitled to any

compensation. Medical reimbursement will not be available during period. Employment/pension/bonus/LTC/encashment of leaves /advance or any other financial benefits shall not be received from GoG. In case of death of the employee, the due amount of stipend/honorarium for the period of duty rendered by him shall be payable to the family of the employee. But other exgratia benefits or fringe benefits like permanent employment will not be considered

3.8 Force Majeure and Other Conditions:

3.8.1 Force majeure, as used herein, means any unforeseeable and irresistible act of nature, any act of war (whether declared or not), invasion, revolution, insurrection, or any other acts of a similar nature or force, provided that such acts arise from causes beyond the control and without the fault or negligence of any Individual Fellow.

3.8.2 Individual Fellows acknowledge and agree that, with respect to any obligations under the Fellows Program that they must perform in or for any areas in which the Government of Gujarat is engaged in, preparing to engage in, or disengaging from any peacekeeping, humanitarian, or similar operations, any delay or failure to perform such obligations arising from or relating to harsh conditions within such areas or to any incidents of civil unrest occurring in such areas shall not, in and of itself, constitute force majeure under the Fellows Program.

3.9 Termination: The Government of Gujarat can terminate the Fellows or Fellows Program at any time without prior notice and without providing any reason for it. The Government of Gujarat reserves the right to terminate the services of an Individual Fellow at any stage, in the event of a serious failure in the performance of the assigned task or in the case of a failure to observe the prescribed standards of conduct as set out in para 3.2 of these Guidelines. However, in the normal course, the Government of Gujarat will provide one month's notice to the Individual Fellow. The Individual Fellow can also seek termination of the Fellows Program upon giving one month's notice to the Government of Gujarat.

3.10 Audits and Investigations: Each payment made by the Government of Gujarat shall be subject to a post-payment audit by auditors, whether internal or external, of the Government of Gujarat or by other authorized and qualified agents of the Government of Gujarat at any time during the term of the Fellows Program and for a period of one (1) years following the expiration or premature termination of the Fellows Program. The Government of Gujarat shall be entitled to a refund from the Individual Fellow for any amounts shown by such audits to have been paid by the Government of Gujarat other than in accordance with the terms and conditions of the Fellows Program. The Individual Fellow acknowledges and agrees that, from time to time, the Government of Gujarat may conduct investigations relating to any aspect of the Fellows Program or the award thereof, the obligations performed under the Fellows Program, and the operations of the Individual Fellow generally relating to the performance of the Fellows Program. The right of the Government of Gujarat to investigate and the Individual Fellow's obligation to comply with such an investigation shall not lapse upon expiration or premature termination of the Fellows Program. The Individual Fellow shall provide full and timely

cooperation with such inspections, post-payment audits, or investigations. Such cooperation shall include, but shall not be limited to, the Individual Fellow's obligation to make available such personal and any relevant documentation for such purposes at reasonable times and on reasonable conditions and to grant the Government of Gujarat access to the Individual Fellow's premises at reasonable times and on reasonable conditions in connection with such access to the Individual Fellow's personal and relevant documentation.

3.11 Settlement of Disputes:

Governing Law: The Fellows Program shall be governed by the laws of the State of Gujarat /Government of India and is subject to the exclusive jurisdiction of the courts in Gujarat.

Terms of Reference

4.1 Heads of Departments are responsible for the preparation of detailed Terms of Reference (ToR). These ToRs will give a description of the work to be performed by the Individual Fellows. ToRs will be prepared by the respective verticals in the prescribed format and submitted to the Administration within the given time schedule.

4.2 The Terms of Reference are mandatory and shall form part of the individual Fellows Program. The Terms of Reference shall include the outputs to be delivered and the functions to be performed. The outputs and functions shall be specific, measurable, attainable, results-based, and time-bound.

4.3 Checklist should be prepared for the ToR and circulate in advance to the department

5. General Terms & Conditions

Duration of Engagement:

5.1 Fellows will be engaged for a fixed period of 1 year, which may be extended by 1 year at a time, However, their continuation in their respective positions beyond the first year would depend on a satisfactory Annual Performance Review based on clearly defined Key Performance Indicators. Extension beyond two years for one more year may be considered under exceptional circumstances with the approval of the Government of Gujarat

5.2 Professionals with the requisite qualifications and experience as prescribed may be engaged as Individual Fellows.

5.3 Individual Fellows may be engaged on a full-time basis. Individual Fellows would not be permitted to take up any other assignment during the period of their engagement with the Government of Gujarat under these guidelines.

5.4 The engagement of Individual Fellows is of a temporary nature, and the Government of Gujarat can cancel the engagement at any time without providing any reasons thereof.

5.5 Number of Individual Fellows-The total number of fellows would be 20 (Twenty). However, the actual requirement will be determined on time to time basis

6. Educational Qualifications, Age and Experience is as mentioned below

6.1 Educational Qualification:

- 1) Standard 10th and 12th passed with minimum 60%
- 2) Bachelor's Degree with minimum 60%

3) Importance will be given to the prime national institutes

6.2 Age

Age shall not be more than 35 years on last date of application

6.3 Minimum 3 years of experience of relevant subject

7 . Reimbursement of or grant of advance: The Individual Fellow may require to undertake domestic official tours with due approval and they will be allowed the following reimbursement of or grant of advance for official expenditure as given below: -

Position	Mode of Journey	Reimbursement of Hotel, Taxi and Food Bills
Fellows	Air in Economy class or by Rail in AC-II Tier	As per Rule of Class -1 officer in Government of Gujarat.

8. SELECTION PROCESS

8.1 The selection of Individual Fellows shall be made in accordance with the provisions contained in the relevant government regulations and guidelines, as well as the Manual for Procurement for Fellowship & Other Services, as amended from time to time.

8.2. The Government of Gujarat will publish an advertisement on its official website as well as in widely circulated newspaper

8.3 Note: Interested applicants will apply on <https://spipa.gujarat.gov.in> for Sardar Patel Good Governance CM Fellowship. Application fees will be Rs. 500/- This fellowship shall follow the principles of equal access, open competition, and transparent selection of Individual Fellows.

8.4 A Scrutiny Committee will shortlist eligible applicants from the online received applications.

The Scrutiny & Shortlisting Committee (SSC) will have the following composition:

Director General, SPIPA	Chairperson
Deputy Director General, SPIPA	Member Secretary
Deputy Secretary- Planning	Member-1
Deputy Secretary- ARTD	Member-2
One Person nominated from CM Office	Member -3

8.5 The Scrutiny & Shortlisting Committee shall shortlist the eligible applicants. In case of more applications, personal statement of minimum of 6 times of the required fellows will be sent to experts of IIM for evaluation and from that minimum of 3 times of the required fellows will be recommended to the Selection Committee. The shortlisted applications will be recommended to the selection committee is Selection Committee (SC)

ACS, GAD	Chairperson
Director General, SPIPA	Member-1

Secretary, Planning	Member-2
Expert From IIM-Ahmedabad	Member-3
Deputy Secretary ARTD	Member Secretary
One Person to be nominated from CM Office	Member -5

8.6 The Selection Committee may include an outside expert(s) on a case-by-case basis in addition to the above members, with the approval of Chairman of Selection Committee (SC) Government of Gujarat. The Committee may devise its own method for the selection of suitable candidates as per the requirement. The SC may recommend a panel of names to be kept in a reserve list with a validity period of one year from the date of recommendation.

Evaluation framework for Selection will be as follows:

1. Educational qualifications and work experience - 40% weightage (by Scrutiny & Shortlisting Committee)

Enrolment Committee)				
Sr. No.	Qualification	Criteria	Marks	Maximum Marks
1	Bachelor Degree	60% to 75% in Bachelors Degree	5	10
		More than 75%	+5	
2	Master Degree	60% to 75%	5	10
		More than 75%	+5	
3	Prime National Institutes	Bachelor Degree or Master Degree from Prime National Institutes (IIT, IIM, IISc, AIIMS, National Law University, IARI (PUSA)	10	10
4	Experience in relevant subject	Experience of 3 to 5 years	5	10
		Experience of more than 5 years	+5	
				40

2. Personal Statement 20 % weightage (to be Evaluated by IIM-A)
3. Personal Interview 40% weightage (by Selection Committee)

8.7 In certain exceptional cases and in the exigency of time and with full justification, selection can also be considered from a single source as per the relevant government regulations, with a Special Selection Committee having ACS GAD, Government of Gujarat as the Chairperson, which includes DG, SPIPA and one nominated member either from IIM- Ahmedabad, IIT-Gandhinagar or any other reputed institute.

8.8 Stipend:

The continuation of the fellowship will be determined by mutual consent, and Individual Fellows will get a 10% increase in their Stipend. The increase in stipend will be based on

their performance during the year, following the recommendation of the Selection Committee (SC) and duly approved by the competent authority within the Government of Gujarat.

The stipend will be released by the Government of Gujarat within one week after the completion of the month based on the attendance registered by the Individual Fellow or on certification by the Head of the Department/Division/Office concerned (in case the Individual Fellow has been deputed to another place)

Leave: Individual Fellows shall be entitled to leave at the rate of one day for each completed month, with no accumulation of leave beyond a calendar year on a pro-rata basis. Un-availed leaves cannot be carried forward to the next year. Further, leave up to one month may be considered without remuneration with the approval of the PS ARTD Govt of Gujarat.

Tax Deduction at Source (TDS): The Income Tax or any other tax liable to be deducted, as per the prevailing rules, will be deducted at source before effecting the payment, for which the Government of Gujarat will issue TDS Certificate/s. Goods and Service Tax (GST) is applicable as per rules to the Individual Fellows. The Government of Gujarat undertakes no liability for taxes or other contributions payable by the Individual Fellow on payments made under this Fellowship Program.

Police Verification: Police verification of the Individual Fellows shall be conducted as per the latest instructions issued by the Government of India & Government of Gujarat. In case the police verification results are negative, the Fellowship of the Individual Fellow shall cease to exist with immediate effect without any notice.

Training:

- After joining, a minimum of 2 weeks of training shall be organized for all Individual (In collaboration with SPIPA and IIM-A)
- Attachment with HOD and Introductory training with department/HOD for two weeks
- Mentorship will be done by Division/HoD and equivalent officer (Attached Annexure-II)
- IIM-A will also provide mentorship access to the fellows.

Relaxation/Modifications: Where the Government of Gujarat is of the opinion that it is necessary or expedient to do so, he/she may, by order and for reasons to be recorded in writing, relax or modify any of the provisions of these guidelines.