GOVERNMENT OF ODISHA
HEALTH & FAMILY WELFARE DEPARTMENT
*****

NOTIFICATION

The 25th February, 2021

No.(HFW-MEI-AP-0035-2017) 5844 /H.— In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and in supersession of the Odisha Medical Education Service (Method of Recruitment and Conditions of Service) Rules, 2013, The Odisha Medical Education and Training, Class-I (Recruitment to the Senior and Junior Administrative posts) Rules, 1975 and Orders or Instructions, if any, issued thereunder; except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules to regulate the method of recruitment and conditions of service of the persons appointed to the Odisha Medical Education Services, namely:—

1. **Short title and commencement.—** (1) These rules may be called the Odisha Medical Education Service (Method of Recruitment and Conditions of Service) Rules, 2021.

(2) They shall come into force on the date of their publication in the Odisha Gazette.

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

(i.) "Board" means the Selection Board constituted under rule13;

(ii.) "Commission" means the Odisha Public Service Commission;

(iii.) "Council" means the Medical Council of India (MCI) constituted under the Indian Medical Council Act, 1956 which got repealed as per sub-section (1) of the section 60 of the National Medical Commission Act, 2019 (30 of 2019) from the 25th day of September, 2020 to make National Medical Commission (NMC) come into existence or any other Statutory Body constituted by the Government of India for the purpose of regulating medical education in the country;

(iv.) "DCI" means the Dental Council of India constituted under the Dentists Act, 1948 or any other Statutory Body constituted by the Government of India for the purpose of regulating medical education in the country;

(v.) "Broad-Speciality" means any of the subjects which may be declared as a Broad-Speciality by the MCI or NMC or DCI from time to time;

(vi.) "Super-Speciality" means any of the subjects of Medicines, Surgery or Dentistry as may be declared by MCI or NMC or DCI from time to time;

(vii.) "Ex-servicemen" means a person as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules,1985;

(viii.) "Government" means the Government of Odisha;

(ix.) "Junior Teaching Posts" means the post of Assistant Professor of different Broad- Speciality or Super-Speciality;

(x.) "Senior Teaching Posts" means the Associate Professor and Professor of Broad-Specialities and Super-Specialities of the Medical or Dental Colleges and any other posts in Medical or Dental Colleges which may be so declared by the MCI/ NMC or DCI as the case may be;

(xi.) "Junior Administrative Post- Grade A" means the post of Additional Directors and Joint Directors of Directorate of Medical Education and Training, Dean and Principals and Medical Superintendents of Medical or Dental Colleges of the State, and Junior Administrative Post – Grade B" means the post of Deputy Directors of Directorate of Medical Education and Training, drawn up from teaching line or such other posts as may be notified by Government from time to time;

(xii.) "Senior Administrative Post" means the Director of Medical Education and Training or such other posts or grades as may be notified by the Government from time to time;

(xiii.) "Persons with Disabilities" means a person who has been granted a disability certificate by the Competent Authority as per provisions of "the Rights of Persons with Disabilities Act 2016" (49 of 2016);

(xiv.) "Scheduled Castes and Scheduled Tribes" shall have reference to the Scheduled Castes and Scheduled Tribes specified in the constitution (Scheduled Castes) Order, 1950 and the constitution (Scheduled Tribe) Order, 1950, as the case may be, made under Article 341 and 342 of the Constitution of India, respectively;

(xv.) "SEBC" means the Socially and Educationally Backward Classes of citizens other than the Scheduled Castes and Scheduled Tribes as may be specified by the State Government from time to time in the list under the Odisha State Commission for Backward Classes Act, 1993 (Odisha Act 16 of 1993) ;

(xvi.) "Service" means the Odisha Medical Education Service;

(xvii.) "Teaching Experience" means the period of service rendered in teaching in any Broad-Speciality or Super-Speciality in a teaching institution recognized by the Medical Council of India/ National Medical Commission or Dental Council of India, as the case may be; and

(xviii.) "Year" means the Calendar Year.

(2) All other words and expressions used but not specifically defined in these rules shall unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

3. **Constitution of Service.**— The service cadre shall comprise of following Teaching Posts, Junior Administrative Posts and Senior Administrative Posts, namely;—

a. Teaching posts—

(i) Professor

(ii) Associate Professor

(iii) Assistant Professor

b. Junior Administrative Posts—

(i) Dean & Principals (Grade-A);

(ii) Superintendents (Grade-A);

(iii) Additional Directors, Medical Education and Training (Grade-A);

(iv) Joint Directors, Medical Education and Training (Grade-A); and

(v) Deputy Directors, Medical Education and Training (Grade B);

c. Senior Administrative Posts —

Director, Medical Education and Training (Grade- A)

Provided that the post of Joint Director and Deputy Director will be interchangeable and they will report to the respective Additional Directors in the day to day administration of the Directorate of Medical Education and Training.

4. **Eligibility criteria for Direct Recruitment to the post of Assistant Professor.**— (1) In order to be eligible for direct recruitment, a candidate must,-

(i) be a citizen of India.

(ii) have attained the age of not less than 21 years and not above the age of 45 years as on the 1st day of January of the year in which the applications are invited by the Commission:

Provided that the upper age limit shall be relaxed up to 5 years in case of in-service doctors serving on ad hoc basis or contractual basis under the Government or Government undertakings, as the case may be:

Provided further that the upper age limit in respect of reserved categories of candidates referred to in rule 6 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions, for the time being in force, for the respective categories.

(iii) have acquired a post graduate degree in the concerned Broad Specialty/ Super Specialty or any other equivalent degree or qualification prescribed by the MCI/ NMC or DCI from time to time.

(2) Where the DM/M.Ch. is of two years duration or of five years recognized course after MBBS, one year teaching and, or research experience in a recognized institution in the subject of specialist shall be required after obtaining the qualifying degree of DM or M.Ch.

(3) Those candidates who have undergone Diplomate National Board training in concerned subject are also eligible for the post of Assistant Professor subject to fulfilling of any other criteria regarding Diplomate National Board, prescribed by MCI/ NMC or DCI from time to time in force:

5. **Selection procedure of Assistant Professor.**— (1) The recruitment to the post of Assistant Professor shall be made by way of direct recruitment through the Odisha Public Service Commission; from amongst the candidates possessing MD/MS/MDS/DM/M.Ch. Degree in the concerned discipline from MCI/ NMC or DCI permitted or approved or recognized Medical or Dental College and/or any other academic qualification with such additional teaching experience in the subject as may be prescribed by MCI/ NMC or DCI from time to time in force:

Provided that the recruitment may also be made by way of selection from amongst the Assistant Professors in any other Broad-Specialty or Super-Specialty subject, having requisite qualification in the concerned Specialty subject to the condition that seniority in the Broad-Specialty or Super-Specialty in the said discipline, as the case may be, shall be determined from the date of appointment in the new discipline in accordance with the placement given by the Commission, and accepted by the Government:

Provided further that in case of non availability of MD/MS/DNB candidates in the Departments of Anatomy, Physiology, Pharmacology and Microbiology, non-medical teachers possessing M.Sc. degree in concerned subject may be appointed to the extent of 30% (thirty percent) of the total number of posts in those Departments and in the department of Bio-Chemistry, non-medical teachers may be appointed to the extent of 50% (fifty percent) of the total number of posts in that Department.

(2) Candidates who are native or resident of Odisha shall be given preference over candidates of other states.

(3) The suitability of candidates shall be adjudged by the Commission on the basis of **Written Test** and the pattern of examination and Syllabus shall be as specified in the **Schedule.**

(4) The Commission shall prepare a list of candidates in order of merit on the basis of written test which shall be equal to the number of advertised vacancies:

Provided that, if two or more candidates secure equal marks, then the candidate securing higher marks in MBBS examination shall find place above the others in the merit list and in case marks obtained in MBBS examination is also the same, the candidate older in age shall be placed above the younger.

(5)The list recommended by the Commission shall remain valid for a period of one year from the date of its approval by the Government.

6. **Reservations.**— Notwithstanding anything contained in these rules reservations of vacancies or posts, as the case may be, for-

(a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Caste and Scheduled Tribes) Act, 1975 and the rules made there under; and

(b) SEBC, Women, Sports Persons, Ex- servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act, Rules, Orders or instructions issued in this respect by the Government, from time to time.

7. **Eligibility for the post of Associate Professor.**— (1) In order to be eligible for the post of Associate Professor, a candidate must have academic qualification as prescribed by MCI or NMC or DCI from time to time in force, teaching experience for such number of years as Assistant Professor in the subject in the recognized/ approved Medical or Dental College with minimum of such numbers of research publications during the tenure of Assistant Professor or any such other eligibility criteria, as may be prescribed by MCI or NMC or DCI as the case may be from time to time.

(2) The requisite experience and other requirements for equating a Consultant or Specialist as "Associate Professor" (after possessing postgraduate medical degree in the subject) shall be as prescribed by the MCI/ NMC or DCI from time to time.

(3) In case of non-medical teacher, the candidate must possess the Ph. D. Degree or any other qualification in the concerned subject as may be prescribed by MCI or NMC or DCI as the case may be.

8. **Eligibility for the post of Professor.**— (1) In order to be eligible for the post of Professor, a candidate must have academic qualification as prescribed by MCI/ NMC/ DCI from time to time in force, teaching experience for such number of years as Associate Professor in the subject in a recognized Medical/ Dental College with minimum of such numbers research publications during the tenure of Associate Professor or any such other eligibility criteria, as may be prescribed by MCI/ NMC/DCI from time to time.

(2)The requisite experience and other requirements for equating a Consultant or Specialist as "Professor" (after possessing postgraduate medical degree in the subject) shall be as prescribed by MCI/ NMC/ DCI from time to time.

9. **Selection procedure for the post of Associate Professor and Professor.**— Appointment to the posts of Associate Professor and Professor in the service shall be made by way of promotion on the basis of merit and suitability in all respect with due regard to seniority from amongst the Assistant Professors and Associate Professors respectively:

Provided that in case of administrative exigencies selection may be made through lateral entry by way of open advertisement by the Commission, when no candidate is available in the feeder cadre in the year for holding selection, but not more than 25 percent of total vacant posts shall be filled up through lateral entry and while making selection through open advertisement, the criteria such as merit, teaching experience and research publications as prescribed by MCI/ NMC or DCI from time to time shall be taken into consideration.

Note: While making selection through lateral entry through open advertisement, the following criteria shall be taken into consideration, namely:-

(i) Candidates who are native/ resident of Odisha shall be given preference over candidates of other States.

(ii) The suitability of candidates shall be adjudged by the Commission on the basis of Written Test and the pattern of examination and Syllabus shall be as specified in the Schedule.

(iii) The Commission shall prepare a list of candidates in order of merit on the basis of written test which shall be equal to the number of advertised vacancies:

Provided that, if two or more candidates secure equal marks, then the candidate securing higher marks in MBBS examination shall find place above the others in the merit list and in case marks obtained in MBBS examination is also the same, the candidate older in age shall be placed above the younger.

(iv) The list recommended by the Commission shall remain valid for a period of one year from the date of its approval by the Government.

(v) Any entry to the cadre shall be made through the Commission.

10. **Eligibility for Junior Administrative Posts.**— For selection to Junior Administrative Posts (Group A or Group B) the following officers must possess the qualification, experience and other attainments, as given hereunder—

(a.) **Principal or Dean of Medical Colleges**: must possess the recognized postgraduate medical qualification from the MCI/ NMC or DCI recognized/ approved/ permitted institution with a minimum of ten years teaching experience as Professor or Associate Professor or Reader in a Medical/ Dental College or Institution, out of which at least five years of experience should be as Professor in a Department as stipulated by the MCI or NMC or DCI from time to time and the Preference for these appointments shall be given to the Heads of the Departments and Professors with better administrative ability.

(b.) **Medical Superintendents**: must possess a recognized post graduate medical qualification from a recognized Institution with ten years of Administrative experience as stipulated by the Council from time to time.

(c.) **Additional Directors, Medical Education and Training:** must possess recognized postgraduate medical qualification from a Medical College recognized by the Council and experience of Professorship for three years or two years as Joint Director and for selection to the post, preference shall be given to persons holding Junior Administrative posts (Grade - A) in the cadre of Superintendent or Principal or Joint Director with due regard to the merit, administrative ability and administrative experience.

(d.) **Joint Directors**: must possess a recognized post graduate medical qualification from a recognized Institution with one year experience as Professor or four years experience as Associate Professor or three years as Deputy Director.

(e.) **Deputy Directors**: must possess a recognized post graduate medical qualification from a recognized Institution with one year experience as Associate Professor or five years experience as Assistant Professor.

11. **Eligibility for Senior Administrative Post.**— (1) In order to be eligible for selection to the post of Director, Medical Education and Training the officer must possess, —

(a.) recognized postgraduate medical qualification from a MCI/ NMC recognized Medical College.

(b.) Professorship for five years or two years as Additional Director, Medical Education and Training or four years as Joint Director, Medical Education and Training and while computing, the period of service rendered in a Junior Administrative post shall be included.

(2) For such selection, preference shall be given to persons holding Junior Administrative posts in the cadre of Superintendent or Principal or Additional Director, Medical Education and Training or Joint Director, Medical Education and Training with due regard to the merit, administrative ability and administrative experience.

12. **Selection procedure for Junior and Senior Administrative posts.**— (1.) Appointment to the Junior Administrative posts shall be made on selection basis from among the teachers of Medical Colleges of the State, subject to the qualification and experience prescribed for each post, merit with due regard to seniority and administrative ability and option must be exercised for coming to the Junior Administrative posts at Directorate level.

(2.) Appointment to the Senior Administrative post shall be made on selection basis from among the Professors, Associate Professors, Junior Administrative posts in Medical Colleges of the State (Dean & Principal, Medical Superintendent), or at Directorate level (Additional Director, Medical Education or Joint Director, Medical Education) subject to the qualification and experience prescribed:

Provided that in respect of all the Administrative Posts, the Government shall decide on each occasion as vacancy occurs, whether the post shall be filled by selection, or, by nomination, or, by obtaining the services of a suitable Government officer on deputation.

13. **Constitution of Selection Board.**— (1) There shall be a Selection Board constituted with the following members to select officers to the post of Associate Professor, Professor, Deputy Director, Joint Director, Additional Director, Deans & Principals, Superintendents and Director, namely:—

(a) Chief Secretary ..... Chairperson

(b) Secretary, Health & Family Welfare Department ..... Member
(c) Special Secretary, Health and Family Welfare Dept ..... Member

(2) The recommendation of the Selection Board shall be valid and can be acted upon notwithstanding the absence of any one of its members other than the Chairperson:

Provided that the member so absenting was duly invited to attend the meeting of the Board and the majority of members of the Board attended the meeting.

14. **Constitution of Nomination Board.**— (1) There shall be a Nomination Board constituted with the following members to nominate officers to the Administrative Posts, if the Government decides to fill up the post by nomination namely:—

(a.) Secretary, Health and Family Welfare Department..... Chairperson

(b.) Special Secretary, Health and Family Welfare Department..... Member

(c.) Director, Medical Education & Training..... Member

(d.) Additional or Joint or Deputy Secretary, Health and FW Dept..... Member

(2) The recommendation of the Nomination Board shall be valid and can be acted upon notwithstanding the absence of any one of its members other than the Chairperson:

Provided that, the member so absenting was duly invited to attend the meeting of the nomination Board and the majority of members of the said board attend the meeting.

15. **Procedure of Selection by the Board.**— (1) The Board shall meet at least once in a year preferably in the month of January to prepare a list of officers or employees, as are held by them, suitable for promotion to the next higher grade taking into account the existing vacancies and the anticipated vacancies of the year.

(2) The Board while considering the promotion cases of suitable officers/ employees and preparation of the list, shall follow the provisions of –

(a) the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under;

(b) the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988;

(c) the Odisha Civil Services (Criteria for Promotion) Rules, 1992, and Validity of recommendation;

(d) the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003; and

(e) the Rights of persons with Disabilities Act, 2016 (49 of 2016) read with Resolution of SSEPD Department dated the 5th November, 2017.

16. **Consultation with the Commission.**— (1)The recommendation of the Board shall be referred to the Commission for concurrence along with a list of all eligible candidates including those who have not been recommended together with the service particulars relating to their academic qualification, teaching experience, research and field experience, if any.

(2) The Commission shall consider the list along with the service particulars referred under sub-rule (1) and shall furnish its recommendations to the Government.

17. **Select List.**— (1) The recommendation of the Commission in respect of reference made to it under sub- rule (1) and sub-rule (2) of rule 16 shall, after being approved by the Government, form the select list.

(2) The select list referred to under sub-rule (1) shall ordinarily be in force for a period of one year from the date of its approval by the Government or until another select list is prepared afresh whichever is earlier.

(3) Appointment to the post in the service shall be in the order in which their names appear in the final select list.

18. **Probation and Confirmation.**— (1) Every person appointed to any grade or post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining the post:

Provided that the appointing authority may, if think fit in any case or class of cases, extend the period of probation:

Provided further that such period of probation shall not include-

(a) extraordinary leave;

(b) period of unauthorized absence; or

(c) any other period held to be not being on actual duty.

(2) The appointment of a probationer may for good and sufficient reasons to be recorded in writing, be terminated by the Government at any time without previous notice during the period of probation including extension of such period, if any, and after such termination, the employee shall deem to be reverted to his/ her former cadre/post, if he/she is a promotee.

(3) A probationer after completing the period of probation to the satisfaction of Government shall be eligible for confirmation subject to the availability of substantive vacancy in the service.

19. **Inter-se-seniority.**— Inter-se-seniority of the officers in a particular year shall be in the following order and in each category the inter-se-seniority shall be determined in the following manner;

(a) Promotee officers shall be ranked inter-se in the order of their dates of appointment to the service.

(b) Direct recruit officers shall be ranked inter-se in the order in which their names appear in the merit list prepared by the Commission.

20. **Gradation List.**— Separate gradation list of Assistant Professors, Associate Professors, Professors, shall be prepared and maintained in respect of each Broad Specialty or Super Specialty duly reflecting the seniority determined in accordance with these rules.

21. **Relaxation.**— When it is considered by the Government that it is necessary or expedient to do so in the public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of the employee in consultation with the Commission.

22. **Interpretation.—** If any question arises relating to the interpretation of these rules or any provision thereof, it shall be referred to the Government whose decision thereon shall be final.

23. **Power to issue instructions.**—The Government may also issue instructions not inconsistent with the provisions of these rules as they may consider necessary to regulate the matters not specifically covered by the provisions of these rules.

Schedule

(see rule 5)

Examination:-The written test shall be of total 200 marks. The total number of question shall be 200 with one mark for each question and will be of multiple choice (MCQ) patterns. There shall be negative marking for wrong answers. For each wrong answer 0.25 marks shall be deducted from the marks awarded for correct answers. The qualifying marks in the written examination shall be as decided by the Commission. Duration of examination shall be of 3 hours.

Syllabus- (1) For Medical M.Sc., the syllabus approved by the University for Medical M.Sc. courses.

(2) For Broad and Super specialty, the syllabus shall be from Broad Specialty and Super Specialty subjects respectively.

By order of the Governor

25/02/2021

Additional Chief Secretary to Government

Memo No. 5845 **/H Dated.** 25.02.2021

Copy forwarded to Director, Printing Stationery and Publication, Odisha, Cuttack/ Gazette Cell, Commerce & Transport(Commerce) Department, Bhubaneswar with a request to publish this Notification in an extraordinary issue of the Odisha Gazette and supply 50(fifty) copies to this Department for official use.

Joint Secretary to Government

Memo No. 5846 **/H Dated.** 25.02.2021

Copy forwarded to Commissioner-cum-Secretary to Hon'ble Governor / P.S. to Hon'ble Chief Minister / P.S. to Hon'ble Minister, Health & Family Welfare/ P.S. to Chief Secretary, Odisha / P.S. to Additional Chief Secretary to Government, Health & FW Department/ All Departments of Government/ All Directors of Health & FW Department / DMET, Odisha /Dean & Principals & Superintendents of all Government Medical Colleges & Hospitals of the State/ Superintendent, SVPPGIP, Cuttack / All Sections of Health & Family Welfare Department for information and necessary action.

Joint Secretary to Government

Memo No. 5847 **/H Dated.** 25.02.2021

Copy forwarded to Secretary, OPSC, 19, Dr. P. K. Parija Road, Dist-Cuttack-753001 for information and necessary action.

Joint Secretary to Government

Memo No. 5848 **/H Dated.** 25.02.2021

Copy forwarded to the Head, State Portal Group, I.T. Centre, Lok Seva Bhawan, Bhubaneswar. They are requested to upload this notification in the website of the Health & FW Department, Govt. of Odisha.

Joint Secretary to Government