

Bihar District Medical Cadre/Bihar Health Service Cadre (Appointment on Regular/Contract basis and Service Conditions) Rules, 2008

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Rule

BIHAR-DISTRICT-MEDICAL-CADRE-BIHAR-HEALTH-SERVICE-CADRE of 2008

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Bihar District Medical Cadre/Bihar Health Service Cadre (Appointment on Regular/Contract basis and Service Conditions) Rules, 2008Published vide Notification No. S.O. 279, Bihar Gazette (Extraordinary), dated 25th November, 2008S.O. 279, dated 25th November, 2008. - In exercise of powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Bihar makes the following Rules with an aim to determine the service conditions of District and State Health Cadres.

Chapter 1

General Provisions

1. Title, extent and commencement.

- (i) These Rule may be called the Bihar District Medical Cadre/Bihar Health Service Cadre (Appointment on Regular/Contract basis and Service Conditions) Rules, 2008.(ii)It shall extend to the entire State of Bihar.(iii)It shall come into force from the date of publication in the State Gazette.

2. Definitions.

- In these Rules unless the context otherwise requires: -(a)"State Health Society/District Health Society" means a Society constituted under the Societies Registration Act as per guidelines of the National Rural Health Mission.(b)"Government" means Government of Bihar.(c)"Department" means Health Department.(d)"Commission" means Bihar Public Service Commission.(e)"Specialist Doctor" means a doctor who has obtained Post Graduate Degree as M.S./M.D. or equivalent or Higher Degree from a recognized medical teaching institution.

3. Constitution of Services/Cadre.

- The Cadre of State doctors will be divided into two cadres.(a)District Medical Cadre, and(b)Bihar Health Service Cadre.

Chapter 2

District Medical Cadre

4.

(a)All doctors working in Additional Primary Health Centre, Primary Health Centre and Referral Hospital, excluding Medical Officers of Bihar Health Service Specialist Sub-Cadre under Chapter-3, Rule 5(b), In-charge Medical Officer, Dy. Superintendent & First Medical Officers of PHC & Referral Hospitals, will be in District Medical Cadre and designated as Medical Officer (District Cadre).(b)Doctors will be selected every year as per available vacancies on the basis of a prescribed procedure for which separate guidelines will be issued by the Department.(c)Age limit. - The maximum age limit as prescribed by the Government from time to time will be applicable.(d)Reservation. - It will be obligatory to implement the reservation Rules prescribed by the Government.(e)In the District Medical Cadre, doctors will be selected on contract/agreement basis and will work for at least two years. All post in this cadre shall be filled on contract/agreement basis and no permanent/temporary appointment will be made on these posts. Doctors of this cadre can be transferred anywhere in the concerned district.

Chapter 3

Bihar Health Service Cadre

5.

The following two sub-cadres will be in the Bihar Health Service Cadre: -(a)Bihar Health Service General Duty Sub-Cadre(b)Bihar Health Service Specialist Sub-CadreDoctors of this cadre can be transferred anywhere in the State.

6.

All posts except the posts identified for the District cadre, shall be deemed to be part of the Bihar Health Service Cadre.

7.

Appointments to the Bihar Health Service cadre will be made by the Government against the posts of Medical Officer/Specialist Grade-II. Keeping in view the available vacancies every year, doctors shall be selected through a competitive examination following the prescribed procedure for which guidelines will be issued separately by the Department. The selection will be made through Bihar Public Service Commission and it shall be obligatory to implement the reservation Rules prescribed by the Government.

8.

It will be obligatory to have a working experience of at least two years in Government hospitals in rural areas for appointment in the General Duty Sub-Cadre. For appointment in Specialist Sub-Cadre, it will be essential to have a postgraduate degree in the concerned subject.

9.

(a) Pay Scales/Salary for various posts shall be as mentioned in Schedule-I. (b) The following will be deemed to be administrative posts. - (i) In-charge Medical Officer, Primary Health Centre, (ii) Dy. Superintendent, Referral Hospital/Sub-divisional Hospital/Sadar Hospital (iii) Civil Surgeons/Dy. Director & equivalent posts, (iv) Director/Regional Director, (v) Director-in-Chief. Posts mentioned in sl. nos. (i) & (ii) will be filled on the basis of seniority from amongst working doctors in the concerned hospital. The total no. of posts mentioned in sl. no. (iii) will be three times the total no. of sanctioned posts of Civil Surgeons in the State. Civil Surgeon will be selected from amongst senior doctors at this level on the basis of competence and efficiency. The Department will also notify the posts of Dy. Director & equivalent. Separate numbers will be determined by the department for general duty sub-cadre and specialist sub-cadre, from amongst the total number of posts mentioned in sl. nos. (iii), (iv) & (v).

10.

After coming into force of these Rules, appropriate guidelines will be issued by the department for adjustment of services of the existing doctors.

11. Dynamic ACP.

(a) Doctors of Bihar Health Service will be granted first financial progression, along with up-gradation of post, on completion of six years of rural health service. Second and third financial

progression, along with up-gradation of post, will be granted after equal intervals of 6 years each following the first financial progression: Provided that, for the doctors in service on the date of coming into force of these rules "six years of rural health service" mentioned in paragraph above will be read as "six years of service" and the pay scale of dynamic ACP will be determined on the basis of total length of service. Note. - Rural Health Service means, in this regard, service rendered in such hospitals as are outside the areas of Nagar Nigam/Nagar Parishad/Nagar Panchayat in the State. (b) The facility of dynamic ACP will be provided maximum up to the pay scale of 14300-18300.

12. Criteria for Dynamic ACP/Promotion.

- (i) Services of Doctors will be confirmed after satisfactory completion of a probation period of two years provided they have passed the prescribed departmental examination and obtained the necessary treasury training. (ii) The Dynamic ACP/Promotion will be considered on the basis of the recommendation of a Departmental Promotion Committee. Departmental Promotion Committee will consider the following facts and circumstances while recommending the Dynamic ACP/Promotions: (a) Satisfactory Character Roll. (b) Vigilance clearance (from at least internal vigilance) will be mandatory. (c) Other criteria as may be fixed for this purpose from time to time by the State Government (Personnel and Administrative Reforms Department). (iii) Development Commissioner will be the Chairman of the Departmental Promotion Committee. (iv) Reservation. - No separate reservation is required for dynamic ACP as by this mechanism the sanctioned post itself is elevated (in-situ promotion). For promotion against the need-based posts above the level of dynamic ACP, it will be obligatory to follow the prescribed reservation roster.

13. Repeal and Savings.

- Departmental Notification No. 1131(2) dated 29.9.1984 and other related notifications, resolutions shall be deemed to be modified to this extent from the date of coming into force of these Rules. These Rules shall not affect any action being taken under the earlier provisions.

Schedule 1

Category and pay scale of Bihar Health Services

1. General duty Medical Officer :-

(i)	Medical Officer	- 8,000-13,500
(ii)	Senior Medical Officer	- 10,000-15,200
(iii)	Dy. Chief Medical Officer	- 12,000-16,500
(iv)	Chief Medical Officer	- 14,300-18,300

2. Specialist Sub-Cadre :-

(i)	Specialist grade-II	- 8,000-13,500
(ii)	Specialist grade-I	- 10,000-15,200
(iii)	Senior Specialist	- 12,000-16,500

- (iv) Consultant (Subject) - 14,300-18,300
3. Combined Administrative Post :-
- (i) Civil Surgeon/Dy. Director - 14,300-18,300
- (ii) Director/Regional Director - 16,400-20,000
- (iii) Director-in-Chief - 18,400-22,400

Note. - Doctors of District Medical Cadre will be given fixed salary as determined by the Government from time to time.