

# **Jammu and Kashmir Medical and Dental Education (Appointment on Academic Arrangement Basis) Rules, 2019**

JAMMU & KASHMIR

India

## **Jammu and Kashmir Medical and Dental Education (Appointment on Academic Arrangement Basis) Rules, 2019**

### **Rule**

### **JAMMU-AND-KASHMIR-MEDICAL-AND-DENTAL-EDUCATION-APPOINTMENT-RULES-2019**

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Jammu and Kashmir Medical and Dental Education (Appointment on Academic Arrangement Basis) Rules, 2019 Published vide Notification No. SRO-24, dated 10.1.2019 SRO-24. - In exercise of the powers conferred by proviso to section 124 of the Constitution of the Jammu and Kashmir, the Governor hereby makes the following rules, namely :-

### **1. Short title and commencement.**

(1) These rules may be called the Jammu and Kashmir Medical and Dental Education (Appointment on Academic Arrangement Basis) Rules, 2019. (2) They shall come into force from the date of their publication in the Government Gazette.

### **2. Definitions.**

- In these rules, unless the context otherwise requires, -(a) "Appointing Authority" means the authority competent to make appointments in respect of posts under relevant Recruitment Rules ;(b) "Form" means the agreement form appended to these rules as Form 'A' ;(c) "Post" means the post under the Government against which appointment is to be made under these rules ;(d) "Selection Committee" means the committee constituted under rule 6 of these rules ; and (e) "Words and expressions" used in these rules but not defined shall have the same meaning as assigned to them in the Jammu and Kashmir Civil Services (Classifications, Control and Appeal)

Rules, 1956.

### **3. Application of the rules.**

- (i) These rules shall apply to the teaching posts, medical officers and posts of nurses/para-medical/para-dental/technical staff in the Government Medical Colleges, Government Dental Colleges, Government Ayurvedic College, Government Unani College, Medical Superintendents and Deputy Medical Superintendents subject to the conditions that Medical Superintendents and Deputy Medical Superintendents, to be appointed on academic arrangements, may be drawn from the eligible candidates, including retired Medical Superintendents/Deputy Medical Superintendents, but excluding in-service candidates who may possess the requisite qualification, but are employed under the Government in a substantive capacity on other posts. (ii) These rules shall have effect notwithstanding anything contrary contained in any rules for the time being in force.

### **4. Appointment under these rules.**

(1) Notwithstanding anything to the contrary contained in any rule or order for the time being in force relating to the method of recruitment and conditions of service for recruitment in any service, or to any post under the Government, the appointing authority may appoint persons to the posts mentioned under rule 3 on academic arrangement basis initially for a period of one year extendable upto maximum of six years (one year at a time and subject to good performance and conduct) or till selection/promotion is made in accordance with the rules of recruitment governing the respective posts, whichever is earlier : Provided that extension upto 3 years shall be made on year to year basis by the Principal of the College concerned. For engagement beyond 03 years, the case will be considered by the Government and once approved, Principal concerned shall be authorized to grant further extensions for another three years : Provided further that in case of Professors and Associate Professors appointed in new Medical Colleges viz., Anantnag, Baramulla, Doda, Kathua and Rajouri, the appointing authority may appoint the persons on academic arrangement basis initially for a period of 3 years extendable upto maximum six years (one year at a time and subject to good performance and conduct) or till selection/promotion is made in accordance with the rules of recruitment governing the respective posts, whichever is earlier : Provided also that recruitment against the posts as may be made on academic arrangement basis in any of the Health and Medical Institutions, shall and shall always be on academic arrangement only without conferment of any preferential right on the engagees for regular appointment against these posts, which shall be made strictly in accordance with the relevant recruitment rules : Provided also that the appointment under these rules shall not entitle the appointee to any preferential claim for regular appointment under normal process of selection/appointment : Provided also that the appointment on academic arrangement basis shall by itself stand terminated on the attainment of 65 years of age by the appointee. However, in case of Professors/Associate Professors appointed in the new Medical Colleges viz. Government Medical College, Anantnag, Baramulla, Doda, Kathua and Rajouri, the appointment on academic arrangement shall stand terminated on attaining 70 years of age by the appointee. (2) The services of an appointee under these rules shall be terminable before the expiry of the tenure of appointment with one month's notice, from either side, or on payment of one month's

salary in lieu of notice by the appointing authority.(3)The appointee under these rules shall have to execute an agreement with the Government on the prescribed form appended as Form "A" to these rules.(4)The appointment on academic arrangement basis against a post shall be made only when filling up of the post according to relevant recruitment rules is likely to be time consuming.

## 5. Eligibility.

- Eligibility for appointment of various categories of posts will be as follows : -

S. No.	Category	Maximum age at the time of application	Minimum qualification	Teaching experience
1	2	3	4	5
1.	Professor	63 years	As per relevant rules recruitment	As per relevant recruitment rules.
2.	Associate Professor	63 years	As per relevant rules recruitment	As per relevant recruitment rules.
3.	Assistant Professor	63 years	As per relevant rules recruitment	As per relevant recruitment rules.
4.	Lecturer	63 years	As per relevant rules recruitment	As per relevant recruitment rules.
5.	Registrar/Demonstrator/Tutor/Medical Officer	50 years	As per relevant rules recruitment	.....
6.	Nurses, Para-Medical/Para-Dental/Technical Staff	63 years	As per relevant rules recruitment	As per relevant recruitment rules.

Provided that for the post of Professors and Associate Professors in the new Medical Colleges viz., Government Medical College, Anantnag, Baramulla, Doda, Kathua and Rajouri, the maximum age at the time of submitting application shall be 67 years :Provided further that for the post of Registrar/Demonstrator/Tutor/Medical Officer, retired officers shall not be eligible to apply :Provided also that in-service officials shall not be eligible for engagement under these rules.

## 6. Selection Committee.

(1) The selection of candidates for the posts of teaching faculty and Medical Officers shall be made by a Selection Committee comprising of :-

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|--|----------|
| 1. Administrative Secretary, Health and Medical Education Department   | Chairman |
| 2. Principal of the concerned Government Medical College/Dental College/Ayurvedic College/Unani College (as the case may be)   | Member   |
| 3. HoD of the concerned discipline (not below the rank of Professor) in the concerned medical College/Dental College and Director, ISM in case of Ayurvedic College/Unani College  | Member   |
| (In case of GMCs, Anantnag and Baramulla, HoD of the concerned discipline in GMC, Srinagar and in case of GMCs, Doda, Kathua and Rajouri, HoD of the concerned discipline in GMC, Jammu shall be the members till such time the faculty of the appropriate level is in position in these new Medical Colleges) |          |
| 4. One expert in the relevant discipline to be nominated by the Government   | Member : |
- Provided that for the post of Registrar/Demonstrator/Tutor, the Selection Committee provided under J&K Medical Education (Gazetted) Service Recruitment Rules, 1979/J&K Dental Education (Gazetted) Service Recruitment Rules, 1993, as the case may be, and as subsequently constituted in terms of various Government Orders, shall make the selections.
- (2) The selection of candidates for the posts of nurses/para-medical/para-dental/technical staff shall be made by a Selection Committee comprising of :-

- |  |          |
|--|----------|
| 1. Principal of the concerned Government Medical College/Dental College/Ayurvedic College/Unani College (as the case may be)   | Chairman |
| 2. Administrator, Associated Hospitals/One Faculty Member not below the rank of Associate Professor (Director, ISM in case of Ayurvedic College/Unani College)   | Member   |
| (In case of GMCs, Anantnag and Baramulla, Administrator, Associated Hospitals, Srinagar and in case of GMCs, Doda, Kathua and Rajouri, Administrator, Associated Hospitals, Jammu shall be the members till such time Administrators are posted in these new Medical Colleges) |          |
| 3. Medical Superintendent (in case of Medical Colleges, Srinagar and Jammu, the Principal may nominate any of the Medical Superintendents of the Associated Hospitals)   | Member   |

## 7. Mode of selection.

- The Selection Committee shall invite applications for recruitment through advertisements in electronic and print media. After assessing the merit of the candidates in a fair and transparent manner, the Selection Committee shall prepare a list which shall not exceed the number of vacancies so advertised plus a waiting list to the extent of 20% subject to a minimum of one candidate to be utilized against dropout vacancies. The Selection Committee shall furnish the same to the Appointing Authority. While making selections, the provisions of Reservation Act and the Rules made thereunder shall be followed.

## 8. Salary.

(1) The appointees on academic arrangement basis under these rules shall be paid a consolidated monthly salary as per the following scale :-

S.No.	Category	Pay Scale for regular Candidates	Retired Officers from Government Institutions	Candidates from open market
1	2	3	4	5
1.	Professor	L-13(1,23,100-2,15,900)	Last pay drawn minus pension and commuted portion of pension, subject to minimum total emoluments (including pension and commuted portion of pension) being equal to the revised basic pay corresponding to the minimum of the pre-revised scale of the post as per SRO-193 dated 24-04-2018 + dearness allowance	Consolidated pay equal to the revised basic pay which corresponds to the minimum of the pre-revised scale for the post as per SRO-193 dated 24-04-2018 + dearness allowance.
2.	Associate Professor	L-12(78,800-2,09,200)	Last pay drawn minus pension and commuted portion of pension, subject to minimum total emoluments (including pension and commuted portion of pension) being equal to the revised basic pay corresponding to the minimum of the pre-revised scale of the post as per SRO-193 dated 24-04-2018 + dearness allowance	Consolidated pay equal to the revised basic pay which corresponds to the minimum of the pre-revised scale for the post as per SRO-193 dated 24-04-2018 + dearness allowance.

			<p>pension and commuted portion of pension) being equal to the revised basic pay corresponding to the minimum of the pre-revised scale of the post as per SRO-193 dated 24-04-2018 + dearness allowance.</p> <p>Last pay drawn minus pension and commuted portion of pension, subject to minimum total emoluments (including pension and commuted portion of pension) being equal to the revised basic pay corresponding to the minimum of the pre-revised scale of the post as per SRO-193 dated 24-04-2018 + dearness allowance</p>	<p>the pre-revised scale for the post as per SRO-193 dated 24-04-2018 + dearness allowance.</p> <p>Consolidated pay equal to the revised basic pay which correspond to the minimum of the pre-revised scale for the post as per SRO-193 dated 24-04-2018 + dearness allowance.</p> <p>Consolidated pay equal to</p>
3.	Assistant Professor	L-11(67,700-2,08,700)	<p>Last pay drawn minus pension and commuted portion of pension, subject to minimum total emoluments (including pension and commuted portion of pension) being equal to the revised basic pay corresponding to the minimum of the pre-revised scale of the post as per SRO-193 dated 24-04-2018 + dearness allowance</p>	<p>the pre-revised scale for the post as per SRO-193 dated 24-04-2018 + dearness allowance.</p> <p>Consolidated pay equal to</p>
4.	Lecturer	L-9(52,700-1,66,700)	<p>Last pay drawn minus</p>	<p>Consolidated pay equal to</p>

				<p>pension and the revised commuted portion basic of pension, pay which subject to correspond minimum total to the emoluments (including minimum of pension and the commuted pre-revised portion of scale for the pension) being post as per equal to the SRO-193 revised basic dated pay 24-04-2018 corresponding + dearness to the allowance. minimum of the pre-revised scale of the post as per SRO-193 dated 24-04-2018 + dearness allowance</p>
5.	Registrar/Demonstrator/Tutor/Medical Officer L-9(52,700-1,66,700)	Not applicable		<p>Consolidate pay equal to the revised basic pay which correspond to the minimum of the pre-revised scale for the post as per SRO-193 dated 24-04-2018 + dearness allowance.</p>
6.	Nurses, Para-Medical/Para-Dental/Technical Staff	As may be applicable	Last pay drawn minus pension and commuted portion	<p>Consolidate pay equal to the revised basic</p>

of pension, pay which  
subject to correspond  
minimum total to the  
emoluments(including minimum of  
pension and the  
commuted pre-revised  
portion of scale for the  
pension) being post as per  
equal to the SRO-193  
revised basic dated  
pay 24-04-2018  
corresponding + dearness  
to the allowance.  
minimum of  
the pre-revised  
scale of the  
post as per  
SRO-193 dated  
24-04-2018  
+ dearness  
allowance

Provided that the Professors and Associate Professors appointed according to these rules in new Medical Colleges viz., Government Medical College, Anantnag, Baramulla, Doda, Kathua and Rajouri will be entitled to additional monthly incentive of Rs. 50,000/- and Rs. 45,000/- respectively.(2)The appointee shall also be entitled to house rent allowance as applicable to in-service candidates carrying the minimum of the pre-revised scale of the post subject to fulfillment of the conditions provided under the relevant rules in this regard. An appointee shall not be entitled to any other monetary benefits whatsoever.(3)Staff engaged on teaching posts shall be put on Teaching and Research duties and shall not be assigned any administrative duties at any level, like the positions of Principal, Head of the Department and Head of the Unit.

## 9. Conditions of service.

- In the matter of discipline and conduct an appointee shall be governed by the rules, regulations and orders in vogue in the State Civil Services on the subject.

## 10. Repeal and savings.

(1)All the rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed.(2)Notwithstanding such repeal, any appointment order made or action taken under the provisions of the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.