



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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No. 576 Dispur, Thursday, 31th December, 2020, 10th Pausa, 1942 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 24th December, 2020

No. HLB.146/2020/83.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating the recruitment, promotion and other conditions of services of the persons appointed to the Medical College Hospitals Critical Care Service, namely :-

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| Short title and commencement | 1. (1) These rules may be called the Medical College Hospitals Critical Care Service (Assam) Rules, 2020.
(2) They shall come into force on the date of their publication in the Official Gazette. |
| Definitions | 2. In these rules, unless there is anything repugnant in the subject or context, -
(a) "Appointing Authority" means the Governor of Assam;
(b) "Board" means the Medical and Health Recruitment Board, Assam;
(c) "Committee" means the Selection Committee constituted under rule 12 of these rules;
(d) "Constitution" means the Constitution of India;
(e) "Government" means the Government of Assam;
(f) "Governor" means the Governor of Assam; |

- (g) "Hospital" means any Government Medical College Hospital under the Health & Family Welfare Department, Government of Assam;
- (h) "MCI" means Medical Council of India;
- (i) "Member" means a member of the Medical College Hospitals Critical Care (Assam) Service;
- (j) "Service" means Medical College Hospitals Critical Care (Assam) Service;
- (k) "Year" means the Calendar year i.e. from January to December.
- Classes and cadres 3. The Service shall comprise of the cadres as specified in "**Schedule I**" along with the scales of pay as per The Assam Service (Revision of Pay) Rules, 2017 to be posted in Intensive Care Units in the Hospitals: Provided that nothing in these rules shall affect the inherent right of the Government to add or reduce the number of such posts or to create new posts with different designations and scale of pay, whether permanently or temporarily.
- Strength of service 4. The strength of each cadre in a class of the Service shall be such as determined by the Governor from time to time, provided that the Governor may hold in abeyance any post as and when considered necessary. The strength of cadre of service on the date of commencement of these rules is shown in "**Schedule-I**".
- Method of recruitment 5. Recruitment to the Service shall be made in the manner prescribed hereinafter :—
- (i) Recruitment to the cadre of Medical Officer (Critical Care) shall be made by direct recruitment by the Government through the Board.
- (ii) Recruitment to the cadre of Sr. Medical Officer (Critical Care), Deputy Chief Medical Officer (Critical Care), and Chief Medical Officer (Critical Care), shall be made by promotion only;
- Provided that Government may decide on filling up of these posts by direct recruitment if deemed necessary to fill up vacancies in the larger public interest.
- Direct recruitment 6. (i) Direct recruitment shall be made on the basis of recommendation made by the Board in accordance with the procedure hereinafter provided:-
- (a) Before the end of each year (i.e. in the month of December) the Appointing Authority shall make assessment regarding the likely number of vacancies in the cadre of Medical Officer (Critical Care) to be filled by direct recruitment during the next year and shall intimate the same to the Board together with details

about reservation for candidates belonging to Scheduled Caste, Scheduled Tribes or any other category as laid down by the Government as provided under rule 14.

- (b) The Appointing Authority shall simultaneously request the Board to recommend a list of candidates for direct recruitment, in order of preference.
- (c) The Board shall make the selection in accordance with the scheme of selection prescribed by the Government and prepare a list of all candidates who qualify in order of merit in accordance with the aggregate marks obtained by each candidate in the Test/ Interview. If two or more candidates obtain equal marks, the Board shall arrange them in order of their relevant merit which shall be determined in accordance with the general suitability of the candidates to the Service. The list shall be forwarded to the Appointing Authority.
- (d) The Board shall furnish to the Appointing Authority a list of candidates recommended by it in order of merit, found suitable for direct recruitment showing the marks obtained in examination/written test and interview. The number of candidates in such a list shall be equal to the number of vacancies notified.
- (e) In this regard the Board shall simultaneously publish the list in the Assam Gazette and /or at such other place, the Board may consider proper.

- (ii) The list mentioned in clause (c) and (d) of sub-rule (i) of this rule shall remain valid for 12 calendar months from the date of recommendation. Government may extend the validity of the said list, with due justification.
- (iii) In the event of the Board being unable to recommend sufficient number of candidates to fill all the vacancies in a year, it shall, in consultation with the Appointing Authority, repeat the procedure by recommending a subsequent list in the year:

Provided that the Appointing Authority shall not make appointment of any candidate from the subsequent list until all the candidates of the earlier list of the same year, eligible for appointment, have been offered the appointment.

Age for direct
recruitment

- 7. The age for direct recruitment of a candidate will be as per the Government notification applicable during the time of advertisement with relaxation in case of candidates belonging to special categories

- like Scheduled Castes and Scheduled Tribes and any other categories as laid down by the Government in accordance with the orders of the Government for the time being in force.
- Academic qualification 8. The academic qualification of a candidate for direct recruitment shall be prescribed by the Appointing Authority from time to time. The qualifications and experience prescribed, as on the date of commencement of these Rules, are given in “**Schedule II**”.
- Physical fitness 9. A candidate for direct recruitment shall be ,-
- (i) of sound health, both mentally and physically and free from organic defect or bodily infirmity likely to interfere with the efficient performance of his duties; and
 - (ii) required to undergo medical examination before appointment to the Service.
- Recruitment by promotion 10. Appointment by promotion in the cadres shall be made in the manner provided hereinafter:-
- (i) Before the end of each year the Appointing Authority shall make an assessment of number of incumbents eligible or likely to be eligible for promotion in the next year in each cadre.
 - (ii) A member of the cadre of Medical Officer (Critical Care), Sr. Medical Officer (Critical Care) and Deputy Chief Medical Officer (Critical Care) shall be eligible for promotion as Sr. Medical Officer (Critical Care), Deputy Chief Medical Officer (Critical Care) and Chief Medical Officer (Critical Care) respectively subject to the conditions given in “**Schedule III**”.
- General procedure of promotion 11. (i) Before the end of each year, the Appointing Authority shall make an assessment of number of incumbents eligible or likely to be eligible for promotion in the next year in each cadre.
- (ii) The Appointing Authority shall then furnish to the Selection Committee the following documents and information with regard to as many officers in order, of seniority as are eligible for promotion:-
- (a) list of officers in order of seniority, eligible for promotion (separate list for promotion to different cadres shall be furnished) indicating the cadre to which the case of promotion is to be considered;
 - (b) character rolls and personal files of the officer listed;
 - (c) any other documents and information as may be considered necessary by the Appointing Authority or required by the Selection Committee.

- (iii) The Appointing Authority shall simultaneously request the Committee to recommend within one month a list of officers, found suitable for promotion in order of preference, in respect of promotion to each of the cadre in which recruitment is to be made by promotion.
 - (iv) The selection shall be made on the basis of eligibility, seniority and merit with due regard to suitability, experience and accomplishments.
 - (v) The Committee, after examination of the documents and information furnished by the Appointing Authority shall recommend to the Appointing Authority a list of officers against the number of vacancies, in order of preference, found suitable for promotion.
 - (vi) The Appointing Authority on receipt of the lists recommended by the Committee, shall consider the list prepared by the Committee for promotions along with character rolls and personal files of the officers and approve the list, unless it considers any change necessary. The Appointing Authority may make any modifications in the list as it considers just and proper.
 - (vii) The inclusion of a candidate's name in a select list shall confer no right to promotion unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.
 - (viii) The list finally approved by the Appointing Authority shall be published by the Appointing Authority within 15 days from the date of final approval.
 - (ix) The selected lists shall remain valid for 12 calendar months from the date of approval by the Committee.
 - (x) The promotions shall be in accordance with lists finally approved.
- Selection Committee
12. (i) The Selection Committee, as referred to in rule 11, shall consist of the following :-
- (a) Senior-most Secretary, Health & F.W. Department – Chairperson.
 - (b) Director of Medical Education, Assam – Member.
 - (c) Joint Secretary/Deputy Secretary, Health & Family Welfare Department- Member Secretary.
 - (d) Any other officer of the Health & Family Welfare Department nominated by the Chairperson- Member.

- (e) A representative of Personnel Department not below the rank of Deputy Secretary to be nominated by Personnel Department – Member.
- (f) A representative of Welfare of Plain Tribes & Backward Classes Department not below the rank of Deputy Secretary to be nominated by WPT& Backward Classes Department - Member.
- (g) The Chairperson may co-opt any other official as a member to aid in its deliberations.
- Disqualification** 13. (i) No person shall be eligible for appointment to the Service ,-
- (a) unless he/she is a citizen of India;
- (b) if he has more than one wife living or in case of a female candidate who has married a person whose wife is living and not a divorcee;
- (c) if he/she violates the legal age of marriage;
- (d) if he/she has more than 2 (two) children:
- Provided that the Government may, if satisfied that there is a special ground for doing so, exempt any person from the operation of this clause.
- (ii) No person who attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means shall be appointed to the Service.
- Reservation** 14. Reservation for Scheduled Castes, Scheduled Tribes (Hills & Plains), Other Backward Classes/ More Other Backward Classes, Economically Weaker Section, Women etc. shall be governed by the prevalent laws and Rules of the Government for the time being in force.
- Appointment** 15. (i) Subject to the provision of sub-rule (ii) of this rule, appointment under rule 6 shall be made by the Appointing Authority in accordance with the order of merit determined in the list referred to in clause (d) of sub-rule (i) of rule 6.
- (ii) The inclusion of a candidate's name in the list mentioned in clause (d) of sub-rule (i) of rule 6 shall confer no right to appointment unless the Appointing Authority is satisfied after such enquiry as prescribed by the Government from time to time and also, as may be considered necessary, that a candidate is suitable in all aspects for appointment to the Service.
- Joining time** 16. A person shall join within 15 days from the date of receipt of the order of appointment, or of promotion, failing which the appointment shall be cancelled unless the Appointing Authority extends the period, which shall not, in all, exceed three months.
- Training** 17. (i) A member of the Service shall undergo training in critical care as may be prescribed by the Government, immediately after date of his appointment as Medical Officer (Critical Care).

- (ii) A member of the Service shall be required to undergo such training and pass such Departmental Examination, as the Government may prescribe.
- Discharge or reversion 18. A member shall be liable to be discharged or reverted to the lower cadre of the Service or to his original Service, if,-
- (i) he fails to make sufficient use of the opportunities given during any training as may be prescribed by the Government from time to time, fails to render satisfactory service during his tenure in the cadre; and/or
- (ii) it is found on a subsequent verification that he was initially not qualified for the appointment or that he had furnished any incorrect information with regard to his appointment.
- Seniority 19. (i) The seniority of a member in a cadre appointed by direct recruitment or by promotion shall be determined according to the order of preference in the respective list recommended by the Board/ Committee under rule 6 and also in the respective list finally approved by the Appointing Authority under rule 11, if he joins the post within 15 days from the date of receipt of the order or within the extended period as mentioned in rule 16.
- (ii) A member appointed by promotion in a year shall be senior to a member of that cadre appointed by direct recruitment in that year.
- Probation & Confirmation 20. (i) Subject to availability of a permanent vacancy in the respective cadre, a member shall be placed, according to seniority on probation against the permanent vacancy for a period of two years before he is confirmed against the permanent post:
- Provided that the period of probation may for good and sufficient reasons be extended by the Appointing Authority for any special period, not exceeding a further period of two years:
- Provided further that the period of probation may be curtailed or dispensed with in any case for good and sufficient reasons by the Appointing Authority.
- (ii) A member of the Service placed on probation under sub-rule (i) shall be confirmed against the permanent post subject to the following conditions:-
- (a) he has completed the period of probation to the satisfaction of Appointing Authority in accordance with sub-rule (i) of this rule;
- (b) he has successfully undergone the training and passed the Departmental Examination, if any, prescribed by the Government under Rule 17.

- (iii) If confirmation of a member is delayed on account of his failure to qualify for such confirmation he shall lose his position in order of seniority vis-à-vis such of his junior as might be confirmed earlier than him. His seniority shall however, be restored on his confirmation subsequently.
- Gradation list 21. Gradation list shall be prepared and published every year containing the name of all members of the Service cadre-wise in order of seniority and such other particulars as date of birth, date of appointment/promotion etc.
- Pay 22. (i) The members of the Service shall be entitled to such scales of pay, as may be authorised by Assam Government from time to time. The pay scales of the posts on the date of commencement of these rules are shown in **Schedule I**.
- (ii) (a) Six advance increments (non-compounded) shall be admissible to the incumbent having Post Graduate Degree in Anesthesiology or Critical Care or Emergency Medicine at the time of appointment.
- (b) Three advance increments (non-compounded) shall be admissible to the incumbent having Post Graduate Diploma in Anesthesiology or Critical Care or Emergency Medicine at the time of appointment,
- (iii) (a) Five advance increments (non-compounded) shall be admissible to the incumbent who acquire Post Graduate Degree in Anesthesiology or Critical Care or Emergency Medicine while in Service.
- (b) Two advance increments (non-compounded) shall be admissible to incumbents who acquire Post Graduate Diploma in Anesthesiology or Critical Care or Emergency Medicine while in Service.
- Mode of employment 23. (i) Members of the Service shall be employed in such manner as the Appointing Authority may decide.
- (ii) A member of the Service shall be normally posted on appointment or promotion only in Intensive Care Unit in any Medical College Hospital under the Health & Family Welfare Department.
- (iii) A member of the Service shall be liable to be posted in any Medical College Hospital, if so required in the interest of public service and in such case the member shall not have any option against such posting or transfer.
- Conditions of service 24. (i) Except as provided in these Rules, all matters relating to pay and allowances, leave, pension, discipline and other conditions of Service shall be regulated by the general rules or orders of the Government for the time being in force.

- (ii) The conditions of Service of the members, in respect of matters, for which no provision has been made in these rules, shall be the same, as are, for the time being, applicable to other officers of the Government, of the corresponding status and having similar functions.
- (iii) A member of the Service shall strictly follow norms of two children family.

Relaxation

25.

Where the Government is satisfied that the operation of any of these rules, causes undue hardship in any particular case either to a member or to the functioning of the Health & Family Welfare Department/ Hospital, it may dispense with or relax the recruitment of that rule to such extent and subject to such conditions as it may consider necessary dealing with the case in a just and equitable manner:

Provided that the case of any person shall not be dealt with in any manner less favourable to him than provided in these rules.

Interpretation

26.

If any question arises relating to the interpretation of these rules, the decision of the Government shall be final.

SCHEDULE-I
[see rule 3, 4 and 22(i)]

Strength of each cadre of the service and the time scale

Sl. No.	Category of Post	Pay Band	Time Scale	Grade Pay (in rupees)	Name of the Posts	No. of Posts
1	2	3	4	5	6	7
1	Sr. Grade-I	PB-4	Rs.30,000- Rs.1,10,000	Rs.14,500/-	Chief Medical Officer (Critical Care)	By way of upgradation of post in Sr. Grade-II, in due course.
2	Sr. Grade-II	PB-4	Rs.30,000- Rs.1,10,000	Rs.13,900/-	Deputy Chief Medical Officer (Critical Care)	By way of upgradation of post in Jr. Grade-I, in due course.
3	Jr. Grade-I	PB-4	Rs.30,000 - Rs.1,10,000	Rs.13,300/-	Sr. Medical Officer (Critical Care)	By way of upgradation of post in Jr. Grade-II, in due course.
4	Jr. Grade-II	PB-4	Rs.30,000- Rs.1,10,000	Rs.12,700/-	Medical Officer (Critical Care)	112

SCHEDULE-II
(see rule 8)

Name of Post	Qualification required
1. Medical Officer (Critical Care)	At least M.B.B.S. or equivalent degree from a University, recognized by Medical Council of India. Any other additional qualification as may be prescribed by Government.

SCHEDULE-III
(see rule 10)

Sl. No.	Name of the post or Service	Method of appointment and experience for appointment by:	
		Direct Appointment	Promotion
1	2	3	4
1	Chief Medical Officer (Critical Care)	-	An incumbent in the post of Deputy Chief Medical Officer (Critical Care) shall be promoted to the post of Chief Medical Officer (Critical Care) by way of upgradation of the post held by the incumbent, as determined by Government to be necessary, on completion of 9 years of service as Deputy Chief Medical Officer (Critical Care) on the first day of the year in which the selection for promotion is made, and fulfilment of other requirements, as may be prescribed by Government, when it is considered necessary. Such upgradation of post shall be personal to the incumbent.
2	Deputy Chief Medical Officer (Critical Care)	-	An incumbent in the post of Sr. Medical Officer (Critical Care) shall be promoted to the post of Deputy Chief Medical Officer (Critical Care) by way of upgradation of the post held by the incumbent, as determined by Government to be necessary, on completion of 7 years of service as Sr. Medical Officer (Critical Care) on the first day of the year in which the selection for promotion is made, and fulfilment of other requirements, as may be prescribed by Government, when it is considered necessary. Such upgradation of post shall be personal to the incumbent.
3.	Sr. Medical Officer (Critical Care)		An incumbent in the post of Medical Officer (Critical Care) shall be promoted to the post of Sr. Medical Officer (Critical Care) by way of upgradation of the post held by the incumbent, as determined by Government to be necessary, on completion of 5 years of service as Medical Officer (Critical Care) on the first day of the year in which the selection for promotion is made, and fulfilment of other requirements, as may be prescribed by Government, when it is considered necessary. Such upgradation of post shall be personal to the incumbent.
4.	Medical Officer (Critical Care)	The post of Medical Officer (Critical Care) shall be filled up by way of direct	

		recruitment through the Medical and Health Recruitment Board from amongst the candidates having the required qualification as prescribed in Schedule -II.	
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SAMIR K SINHA,
Principal Secretary to the Government of Assam,
Health & Family Welfare Department.