

ASSAM HEALTH SERVICE RULES, 1995*

1. Short title and commencement.

- (1) These rules may be called the Assam Health Service Rules 1995.
- (2) They shall come into force on the date of their publication in the official Gazette.

2. Definition.

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 Selection Board constituted under R. 13;

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- (c) **“Commission”** means the Assam Public Service Commission;
- (d) **“Constitution”** means the Constitution of India;
- (e) **“Government”** means the Government of Assam;
- (f) **“Governor”** means the Governor of Assam;
- (g) **“Member”** means a member of the Assam Health Service;
- (h) **“Rural station”** means a station in a District of the State other than the District of Karbi-Anglong and of North Cachar Hills, not being within 8 Kilometers (5 miles) of the Headquarter of a District or sub-division;
- (i) **“Select List”** means the list as referred to in Cl. (d) of sub-R. (1) of R. 6 and the list finally approved under sub-R. (b) of R. 12;
- (j) **“Service”** means the Assam Health Service; and
- (k) **“Year”** means a calendar year.

3. Class and the cadre.

- (1) The service shall consist of the following classes of the cadre.

- (A) Class I (Senior Grade) – It shall include the following:
- (i) Director of Health Service/Director of Health Service (Family Welfare);
 - (ii) Addl. Director of Health Service;
 - (iii) (a) Joint Director of Health Service;
(b) Principal, RFW Training Centre;
 - (iv) (a) Deputy Director of Health Service;
(b) Chief Medical and Health Officer;
 - (c) Addl. Chief Medical and Health Officer;
 - (d) State Leprosy Officer;
 - (e) Superintendent, Mental Hospital;
 - (f) Zonal Leprosy Officer/ District Leprosy Officer;
 - (g) Superintendent, Grade 1;
 - (h) Health Officer, Chabua Rural Health Training Centre;

- (i) Superintendent, L.G.B. Chest Hospital;
- (j) Zonal Malaria Officer;
- (v) (a) Sub-Divisional Medical and Health Office;
- (b) Superintendent, Grade II;
- (c) District Immunization Officer;
- (d) Surgeon Superintendent/Health Officer, Boko Leprosy Training Centre;
- (e) Epidemiologist/Assistant to Director of Health Service at Head-quarter;
- (f) Deputy Superintendent L.G.B. Chest Hospital;
- (g) Deputy Superintendent, Medical College Hospital;
- (h) Superintendent Dhubri, C.L.M. Chest Hospital;
- (vi) Senior Medical Officer;
- (B) Class I – Junior Grade – It shall include -
 - (i) Medical and Health Officer;

- (ii) The service may also include –
 - (a) any post equivalent to a post in the cadre mentioned in sub-R. (1); and
 - (b) any post laid down by Government to be included in cadre of the service;
 - (c) the post equivalent to the post in the cadre of the service as on the date of commencement of these rules are mentioned in Schedule 1.

4. Strength of the service.

The strength of cadre in each class of the service shall be such as may be determined by the Governor from time to time. The strength of the cadre of the service on the date of commencement of these rules shall be as shown in Schedule III;

Provided that the Governor may hold in abeyance any post as and when considered necessary.

5. Method of recruitment.

The recruitment in the cadre of the service shall be made in the following manner;

- (i) In the cadre of Director of Health Services, by direct recruitment through Commission;
- (ii) In the cadre of Additional Director of Health Services and Joint Director of Health Services in Class I (Senior Grade) of the service, by promotion in accordance with Rr. 12 and 13;
- (iii) In the cadre of Chief Medical and Health Officer, Additional Chief Medical and Health Officer, Sub-Divisional Medical and Health Officer, Superintendent of Civil Hospital, Deputy Superintendent, Medical College Hospitals and CHCs in Civil Hospitals and Senior Medical and Health Officers in the Class I of the services, by promotion in accordance with Rr. 12 and 13.
- (iv) In the cadre of Medical and Health Officer I in Class I of the service, by direct recruitment against vacancies occurring in a year in accordance with R. 6; provided that the Government may, for good and sufficient reasons, fill in any of the posts in these cadres and also in the cadre of Additional Directors of Health Services and Joint Director of Health Services for specialized schemes or work temporarily or in tenure, by transfer or on deputation from outside the service if it is satisfied that there is no suitable officer in the service available for filling up the vacancy.

6. Direct recruitment.

- (1) Direct recruitment to the cadre of Director of Health Services and also in the cadre of M & HOI of the service shall be made by the Governor in accordance with the procedure hereinafter provided, namely, -
 - (a) Before the end of each year the Government shall make an assessment regarding the likely number of vacancies in each cadre to be filled upon by direct recruitment during the next year and shall intimate the same to the Commission together with the details about reservation for candidates belonging to scheduled castes, scheduled tribes or any other category as laid down by Government as provided under R. 17 and about carrying forward of such reservation,
 - (b) The Government shall simultaneously request the Commission to recommend a list of candidates for direct recruitment order of preference;
 - (c) The Commission shall make the selection in accordance with the schedule of selection prescribed by the Government in consultation with the Commission. The Commission may hold such test or interview and undertake scrutiny

and publication and other documents, as may be considered necessary;

- (d) The Commission shall furnish Government with a list of candidates recommended by it in order of preference found suitable for direct recruitment. The number of candidates in such list may be approximately double the number of vacancies;
 - (e) The Commission shall simultaneously publish the list in the Assam Gazette and at such other place as the Commission may consider proper.
- (2) The list mentioned in Cls. (d) and (c) of sub – R. (1) of this rule shall remain valid for 12 calendar months from the date of recommendation.
- (3) In the event of the Commission being unable to recommend sufficient number of candidates to fill up all the vacancies in a year, it shall, in consultation with the Appointing Authority, repeat the procedure as mentioned hereinbefore under sub-R. (1) of this rule, for 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.

7. Qualification for direct recruitment –

Age.

A candidate for direct recruitment to the service shall be within the following age limits on the 1st January of the year of advertisement with relaxation in case of candidates belonging to special categories like schedule castes, scheduled tribes and any other categories as laid down by the Government in accordance with the orders of the Government in force for the time being;

For Medical and Health Officer (1) minimum 21 years, maximum 36 years for Medical Graduate and 36 years for the post- Graduate Degree or Diploma holder

8. Academic qualification.

- (i) The academic qualification of a candidate for direct recruitment shall be as prescribed by the Governor from time to time. The qualification and experience prescribed as on the date of commencement of these rules are given in Schedule IV.
- (ii) Academic qualifications of a candidate for direct recruitment for the post of the Director of Health

Services shall be as prescribed by the Governor from time to time. The qualification and experience prescribed as on the date of commencement of these rules are given in Schedule IV.

9. Physical fitness.

- (i) A candidate for direct recruitment shall be 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.

10. Character.

A candidate for direct recruitment shall produce to the commission certificates of good character from –

- (i) the Principal Academic Officer or the University or College in which he studied last, and
- (ii) two respectable persons, who are well acquainted with, but not related to, the candidate.

11. Recruitment by promotion.

- (1) Subject to suitability as may be decided by Selection Board and by the appointing authority and also subject to possessing such qualification and experience as prescribed hereinafter, a member shall be eligible for promotion against vacancies in the corresponding higher post in the manner hereinafter provided, namely, -
- (i) From Medical and Health Officer to Senior Medical and Health Officer;
 - (ii) From Senior Medical and Health Officer to Sub-divisional Medical and Health Officer/Supdt. Grade II/District Immunisation Officer/Surgeon Supdt./Health Officer Boko Leprosy Training Centre/Epidemiologist/Assistant to Director of Health Services/Deputy Superintendent Lokapriya Gopinath Bordoloi Chest Hospital/Deputy Superintendent Medical College Hospital/ Superintendent, Dhubri Chest Hospital/Superintendent, C.I.M Chest Hospital, Tezpur.
 - (iii) From Sub-divisional Medical and Health Officer and equivalent post as mentioned in sub-R. (ii) above to Deputy Director of Health Services/ Chief Medical and Health Officer/Additional

Chief Medical and Health Officer/Additional Chief Medical and Health Officer/State Leprosy Officer/Supdt. Mental Hospital/Zonal Leprosy Officer/District Leprosy Officer/Supdt. Grade I/ Health Officer, Chabua Rural Health Training Centre and Supdt., Lokapriya Gopinath Bordoloi Chest Hospital;

(iv) From Deputy Director of Health Services and equivalent rank as mentioned in sub-R. (ii) above to Joint Director/Principal Rural Family Welfare Training Centre;

(v) Joint Director and equivalent post as shown in sub-R. (iv) to Additional Director of Health Services.

(2) A Medical and Health Officer shall be eligible for promotion if he has completed 5 years of service in the cadre on the first day of January of the year of promotion and Senior Medical and Health Officer shall be eligible for promotion to Sub-divisional Medical and Health Officer and equivalent post if he has completed 3 years of service as Senior Medical and Health Officer of equivalent rank shall be eligible for promotion to Chief Medical and Health Officer and equivalent posts after completion of 2 years of total service. An Officer of Sub-divisional Medical and Health and Officer of equivalent rank shall be eligible for promotion to Chief

Medical and Health Officer and equivalent post if he has completed 3 years of service as Senior Medical and Health Officer of 10 years of total service. An Officer of Sub-divisional Medical and Health and Officer of equivalent rank shall be eligible for promotion to Chief Medical and Health Officer and equivalent posts after completion of 2 years of service as Sub-divisional Medical and Health Officer of total 12 years of service. For promotion from Chief Medical and Health Officer and equivalent post to the post of Joint Director and equivalent posts an Officer shall be eligible for promotion after completion of 2 years of service of 14 years of total service. For promotion from the post of Joint Director and equivalent post to the post of Addl. Director and equivalent post and shall be eligible after completion of 2 years as Joint D.H.S. or equivalent post.

- (3) All promotions are subject to availability and clear vacancy/vacancies against each cadre.

12. General procedure for promotion.

- (1) Before the end of each year the Appointing Authority shall make an assessment of the likely number of vacancies to be filled up by promotion in the next year in each cadre.

- (2) The Appointing Authority shall then furnish to the Selection Board the following documents and information in respect of eligible officers equal to 4 times of number of vacancies in order of seniority -
- (a) Information about the number of vacancies;
 - (b) List of officers in order of seniority, eligible for promotion (as per the lists for promotion of different classes of posts shall be furnished) indicating the post to which the case of promotion is to be considered;
 - (c) Character rolls and personal bio-data of the officers listed;
 - (d) Details about reservation and about carry forward of vacancies as provided; and
 - (e) Details about documents and information as may be considered necessary by the Appointing Authority or required by the Board.
- (3) The Appointing Authority shall simultaneously request the Selection Board to recommend within one month a list of officers found suitable for promotion in order of preference, in respect of promotion to each classes of the posts in which requirement is to be made by promotion.

- (4) The selection shall be made on the basis of merit with due regard to seniority.
- (5) The Board after examination of the documents and information furnished by the Appointing Authority make a select list of Officers equal to double the probable number of vacancies, in order of preferences, found suitable for promotion.
- (6) The Appointing Authority shall consider the select list prepared by the Board along with character rolls and personal files of the officers and approve the list unless it considers any change necessary. If the Appointing Authority considers to make a change in the list received from the Board he shall inform the Board of the changes proposed and after taking into account the comments if any of the Board, may approve the list finally with such modification, if any, as may in his opinion be just and proper. Once, the list so prepared and approved is finally approved by the Government no further consultation with Commission is required.
- (7) 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 otherwise.

(8) The Select lists shall remain valid for 12 calendar months from the date of approval by the Commission.

13. Selection Board.

(1) The Board, as referred to in sub-R. (2) of R. 12 shall consist of the following:

- | | |
|--|--------------------|
| (i) Commissioner and Secretary
Health and F.W. Department | Chairman |
| (ii) Director of Health Services | Member |
| (iii) Director of Health Services
(FW) | Member |
| (iv) Representative of Personnel
Deptt. To be nominated by
Secy. not below the rank of
Deputy Secretary | Member |
| (v) Joint Secretary/ Deputy
Secretary, Health and F.W. | Member – Secretary |

(2) Board for considering promotion to the post of Addl. Director/Joint Director/Deputy Director/Sub-Divisional Medical and Health Officer/ Senior Medical and Health Officer -

- (i) Commissioner and Secretary Health and F.W. Department Chairman
- (ii) Director of Health Services Member
- (iii) Director of Health Services (FW) Member
- (iv) Representative of Personnel Deptt. To be nominated by Secy. not below the rank of Deputy Secretary Member
- (v) Joint Secretary/ Deputy Secretary, Health and F.W. Member – Secretary

14. Disqualification.

(1) No person shall be eligible for appointment to the service –

(a) unless he is a citizen of India, and

- (b) if he has more than one wife living or in case of a female candidate who has married a person who has one wife living:

Provided that the Governor may if he is satisfied that there are special ground for doing so, exempt any person from the operation of this clause.

- (2) No person who attempts to enlist support for his/ her candidature directly or indirectly or any recommendation either written or oral or by any other means, shall be appointed to the service.

15. Reservation.

In case of appointment by direct recruitment as well as by promotion to the service, there shall be reservation in favour of candidates belonging to the member of Scheduled Caste, Scheduled Tribes as per the provision of the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1978 and Rules frame thereunder. There shall also be reservation for candidates belonging to Other Backward Classes as per Government instruction contained in O.M.. No. ABP. 338/83/14, dated 4th January, 1984 for direct recruitment only or any other instruction of the Government issued from time to time in this behalf.

16. Appointment.

- (1) Subject to the provisions of sub-R. (2) of this rule appointment under R. 6 shall be made by the appointing authority in accordance with the order or preference determined in the list referred to in Cl. (d) of sub-R. (1) of R. 6.
- (2) The inclusion of a candidate's name in the list mentioned in Cl. (d) of sub-R. (1) of R. 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 respects for appointment to the service.

17. Joining times.

A person shall join within 15 days from the date of receipt of the order of appointment or promotion, failing which the appointment shall be cancelled unless the Appointing Authority extends the period, which shall not in all exceed three months.

18. Training.

A member of the service may be required to undergo such training and pass such departmental examination as the Government may prescribe from time to time.

19. Discharge or reversion.

A temporary or officiating member shall be liable to be discharged or reverted 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 or fails to render satisfactory service during his tenure of service 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.

20. Seniority.

- (1) The seniority of a member in a cadre appointed by direct recruitment or by promotion shall be determined according to the order of preference shown in the respective 5 (five) lists recommended by the Commission under R. 6. 6 and also in the respective list finally approved by the Commission under sub-R. (7) of R. 12, if he joins the appointment within 15 days from the date of receipt of the order or within the extended period as mentioned in R. 17.

- (2) If a member fails to join the appointment within the initial 15 days of the receipt of the order or within the extended period as mentioned in R. 17 but joins later, his seniority shall be determined in accordance with the date of joining.

21. Probation and confirmation.

- (1) 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 vacancy;

Provided that the period of probation may for good and sufficient reasons be extended by the Appointing Authority for any specified period not exceeding a 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.

- (2) A member of the service placed on probation under sub-R. (1) shall be confirmed against the permanent vacancy subject to the following conditions:

- (a) He has completed the period of probation to the satisfaction of the Appointing Authority in accordance with sub-R. (1).
 - (b) He has successfully undergone the training and passed the departmental examination, if any, prescribed by the Government under R.18.
- (3) 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 confine earlier than he. His seniority shall, however, be restored on his confirmation subsequently.

22. Gradation list.

There shall be prepared and published every year a gradation list consisting of the names of all members of the serving cadre-wise in order of seniority and such other particulars as date of birth, date of appointment etc.

- 23.** All appointment in the service shall be made in the time scale of pay as may be prescribed by the Government from time to time. The scale of pay of the posts on the date of commencement of these rules, are as shown in Schedule II.

24. Mode of employment.

- (1) A member of service shall be employed in such manner as the Appointing Authority may decide.
- (2) A member of the service shall be liable to be posted anywhere within the State of Assam, or to any other department of the Government, a body corporate in the affairs of which the Government may be substantially interested, or an autonomous district council of so required in the interest of public service and in such case the members shall not have any option against such posting or transfer.
- (3) A member of the service shall, of so required, be liable to serve in any defence service or post connected with the defence of India, for period spent on training, if any; provide that such person-
 - (a) shall not be required to serve as aforesaid after the expiry of 10 years from the date of appointment.
 - (b) shall not ordinarily be required to serve as aforesaid after attaining the age of 45 years.
- (4) Every member of the cadre of Medical & Health Officer I shall be liable to render compulsory service in rural areas for a minimum period of 5 years.

25. Other conditions of service.

- (1) Except as provided in these rules all matters relating to pay and all allowances, leave, pension, discipline and others conditions of service shall be regulated by the general rules and/or orders of the Government for the time being in force.
- (2) 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.

26. Relaxation.

Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may dispense with or relax the requirement, of that rule to such extent and subject to such conditions as it may consider necessary for 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 that provided in these rules.

27. Interpretation.

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

28. Repeal and savings.

The rules corresponding to these rules and in force immediately before commencement of these rules are hereby repealed:

Provided that all orders made or action taken under the rules so repealed or under any general orders ancillary thereto shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

SCHEDULE I

[Rule 3 (3)]

The service shall consist of the following posts in the cadre:

Class I (Senior Grade)

1. Director of Health Services, Director of Health Services (F.W.)
2. Additional Director of Health Services.

3. Joint Director of Health Services:
 - (i) Principal, R.F.W. Training Centre.
 - (ii) Superintendent M.M.C.H/ (personnel to the present incumbent).

4. Deputy Director of Health Services:
 - (i) Chief Medical and Health officer.
 - (ii) Additional Chief Medical and Health Officer.
 - (iii) State Leprosy Officer.
 - (iv) Superintendent Mental Hospital.
 - (v) S.L.O./ D.L.O.
 - (vi) Superintendent Grade I.
 - (vii) Health Officer, Chabua R.H.T.
 - (viii) Superintendent L.G.B. Chest Hospital.

5. Sub-Division Medical and Health Officer:
 - (i) Superintendent Grade II.

- (ii) D.I.O.
- (iii) Surgeon Superintendent Health Officer, Boko Leprosy Training Centre.
- (iv) Epidemiologist/ Assistant to Director of Health Services at H.Q.
- (v) Deputy Superintendent, Medical College Hospital.
- (vi) Superintendent Dhubri/C.L.M. Chest Hospital, Tezpur.

6. Senior Medical and Health officer;

Class I (Junior Grade):

7. Medical and Health Officer I:

- (i) Urban Health Officer.

SCHEDULE II

Statement showing Number of Posts and Time Scale of Pay in the Cadre

Cadre	Permanently	Temporary	Total	Revised scale of pay
<i>Class I (Senior Grade)</i>				
1. Director of Health Services.	1	1	2	3950-125-150-5200-175-5900-200-610.
2. Additional Director of Health Services	1	4	5	3825-125-4450-125-5200-175-5900.
3. Joint Director of Health Services.	4	29	33	3375-100-3575-125-4325-EB-125-4450-150-5200.
4. Principal, RFPWC	1	Nil	1	3375-100-3575-125-3825-EB-125-4450-150-4750.

5.	Deputy Director of Health Services.	4	1	5	2975-100-3575-125-3825-EB-125-4450-150-4750.
6.	Health Officer, RN Training Centre, Chabua	1	Nil	1	2975-100-3575-125-3825-EB-125-450-150-4750
7.	Chief Medical and Health Officer	12	7	19	975-100-3575-125-3825-EB-125-4450-150-4750
8.	Additional Chief Medical and Health Officer.	10	8	18	do
9.	Superintendent (Grade I)	6	16	22	do
10.	Superintendent, LGB Chest Hospital Grade I	1	Nil	1	do
11.	Sub-Divisional Medical and Health Officer	23	33	56	2555-80-2875-100-3275-EB-100-3575-125-4450-150-4600
12.	Superintendent Grade	12	72	84	2555-80-2875-100-

	II				3275-EB-100-3575- 125-4450-150-4600
13.	S.D.M and H.O.			323	do
14.	Deputy Superintendent, Medical College	9		9	do
15.	Senior Medical and Health Officer			757	2225-60-2395-80- 2875-EB-100-3575- 125-4450.

Class I (Junior Grade):

16.	Medical and Health Officer	1156	930	2086	1835-50-2035-60- 239-80-2555-EB- 80-2875-100-3575- 125-4325.
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Created with upgradation of M and HOI included in 15.

SCHEDULE III

Composition and Break-up of the Assam Health Service cadre

1.	Senior Grade	
(A)	Heads of department and Additional Heads of Department	4
	Director of Health Services	1
	Director of Health Services (EW)	1
	Additional Director of Health Services (HQ)	1
	Additional Director of Health Services (Special programmes)	1
(B)	Jt. Heads of Department	7
	Jt. Director (PH)	1
	Jt. Director (M)	1
	Jt. Director (Opth)	1
	Jt. Director (Reg)	1
	Jt. Director (REWTC)	1
(c)	Posts on the Directorate	6
	Deputy Director of Health Education	1
	Deputy Director of Health Services (Immunisation)	1

	Deputy Director (TB)	1
	Deputy Director (HQ)	1
	Deputy Director (MCH)	1
	State Leprosy Officer	1
(D)	Posts in the Districts	52
	Chief Medical and health Officer	18
	Additional Chief Medical and Health Officer	18
	Superintendent, Mental Hospital	1
	ZLO/DLO	6
	Health Officer, Chabua Rural Health Training Centre	1
	Superintendent Grade I	4
	Superintendent LGB Chest Hospital	1
	Zonal Malaria Officer	3
(E)	Posts in Sub-divisions	79
	Sub-divisional Medical and Health Officer	35
	Superintendent Grade II	21
	District Immunisation Officer	17
	Surgeon, Superintendent Health Officers Boko	3
	Leprosy Training	
	Epidemiologist/ Assistant to Director of Health Services	2

(F)	Senior Medical and Health Officer-	414
	30- Bedded Rural Hospital	60
	T.B. Centre	16
	Civil Hospital	88
	Public Health Duty	13
	School Health Service	34
	Health Education	34
	L.G.B. Chest Hospital	3
	Primary Health Centre	149
2.	Junior Grade	2086
3.	Deputation Reserve @ 10%	265
4.	Leave Reserve 4- 5% @ 10% of 1 and 2 above	265
5.	Training Reserve @ 10% of 1 and 2 above.	265
	Total authorised strength	344
		SAY- 3450

SCHEDULE IV

Qualification and experience prescribed for direct recruitment

1. Medical and Health Officer.

At least an M.B.B.S. or an equivalent degree of a recognised University.