

Government of Jammu and Kashmir
Health and Medical Education Department
Civil Secretariat, Jammu

NOTIFICATION

Jammu, the 27th Nov., 2020

S.O 364 .-In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Lieutenant Governor is pleased to make 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, 2020.
- (2) They shall come into force from the date of their publication in the Official 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 Committees" mean the Committees 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 (Classification, Control and Appeal) Rules, 1956.

3. Application of the Rules:-

- (1) 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, Government Nursing Colleges, ANM/GNM Schools, Medical Superintendants and Deputy Medical Superintendants subject to the conditions that Medical Superintendants and Deputy Medical Superintendants, to be appointed on academic arrangements, may be drawn from the eligible candidates, including retired Medical Superintendants/Deputy Medical Superintendants, but excluding in-service candidates who may possess the requisite qualification, but are employed under the Government in a substantive capacity on other posts.

(2) 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. The extension so granted under these rules shall not be beyond a period of six years under any circumstances and this shall be clearly indicated in the engagement order.

Provided that extension upto 3 years shall be made on year to year basis by the Principal of the College concerned. For engagement beyond 3 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 Government Medical Colleges viz., Anantnag, Baramulla, Doda, Handwara, Kathua, Rajouri and Udhampur, 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 against the faculty posts in the Medical Colleges shall by itself stand terminated on the attainment of 70 years of age by the appointee except for the faculty posts of the Department of Dentistry in the new Medical Colleges, where it shall stand terminated on attainment of 65 years of age by the appointee. Also in respect of faculty posts of the Dental Colleges and the

Ayurvedic & Unani Medical Colleges, it shall stand terminated on attainment of 65 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 submitting application	Minimum qualification	Teaching experience
1.	Professor	67 years	As per relevant recruitment rules	As per relevant recruitment rules.
2.	Associate Professor	67 years	As per relevant recruitment rules	As per relevant recruitment rules.
3.	Assistant Professor	67 years	As per relevant recruitment rules	As per relevant recruitment rules.
4.	Lecturer	67 years	As per relevant recruitment rules	As per relevant recruitment rules.
5.	Registrar/ Demonstrator/ Tutor/Medical Officer/Nursing Tutor/Sister Tutor	50 years	As per relevant recruitment rules	
6.	Nurses, Para Medical/ Para Dental/ Technical Staff	63 years	As per relevant recruitment rules	As per relevant recruitment rules.

Provided that for the faculty posts in the Department of Dentistry in new Medical Colleges and in the Dental Colleges and Ayurvedic & Unani Medical Colleges, the maximum age at the time of submitting applications shall be 63 years;

Provided further that for the post of Registrar/Demonstrator/Tutor/Medical Officer/Nursing Tutor/Sister Tutor, 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 in Medical/Dental/Ayurvedic/Unani Colleges and for the posts of Medical Officers shall be made by a Selection Committee comprising of:-

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 & Director ISM in case of Ayurvedic College/ Unani College. (In case of GMCs Anantnag, Baramulla & Handwara, HoD of the concerned discipline in GMC, Srinagar and in case of GMCs Doda, Kathua, Rajouri & Udhampur, 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).	Member
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) (In case of GMCs Anantnag, Baramulla & Handwara, Administrator, Associated Hospitals, Srinagar and in case of GMCs Doda, Kathua, Rajouri & Udhampur, Administrator, Associated Hospitals, Jammu shall be the members till such time Administrators are posted in these new Medical Colleges).	Member
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

(3) The selection of candidates for the posts of Teaching faculty in Nursing Colleges shall be made by a Selection Committee comprising of:-

1.	Principal, Government Medical College (to be nominated by the Government)	Chairman
2.	Director Health Services concerned	Member
3.	Principal Nursing College concerned	Member
4.	Representative of Health & Medical Education Department	Member

(4) The selection of candidates for the posts of Teaching faculty in ANM/GNM Schools shall be made by a Selection Committee comprising of:-

1.	Director Health Services concerned	Chairman
2.	Principal, ANM/GNM School concerned	Member
3.	Deputy Director, Health Services to be nominated by the Director Concerned	Member
4.	Chief Medical Officer concerned	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 there under 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.	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.

3.	Assistant Professor	L-11 (67,700-2,08,700)	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.
4.	Lecturer	L-9 (52,700-1,66,700)	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.
5.	Registrar/ Demonstrator/Tutor or /Medical Officer	L-9 (52,700-1,66,700)	Not applicable	Consolidated pay equal to the revised basic pay which corresponds to the minimum of the pre-revised scale for post of Medical Officer in Health Department as per SRO-193 dated 24.04.2018 + dearness allowance.
6.	Tutor Nursing Colleges	L-6F (40,800-1,29,200)	Not applicable	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.
7.	Nursing Tutor/Sister Tutor	L-6 (35,400-1,12,400)	Not applicable	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.
8.	Nurses, Para Medical/ Para Dental/ Technical Staff	As may be applicable	Last pay drawn minus pension and commuted portion of pension, subject to minimum total emoluments (including	Consolidated pay equal to the revised basic pay which corresponds to the minimum of the pre-revised scale for the post as per

			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.	SRO-193 dated 24.04.2018 + dearness allowance.
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Provided that the Professors and Associate Professors appointed according to these rules in new Government Medical Colleges viz., Government Medical College Anantnag, Baramulla, Doda, Handwara, Kathua, Rajouri and Udhampur, will be entitled to additional monthly incentive of Rs.50,000/- and Rs.45,000/- respectively.

Provided further that Assistant Professors and Post Graduate Senior Residents appointed in new Government Medical College, Doda shall be entitled to additional monthly remuneration of Rs.30,000/- and Rs.15,000/- respectively subject to the condition that these posts/positions upon advertisement have failed to evoke any response thereby necessitating academic arrangement.

(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 fulfilment 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 UT 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.

By order of the Government of Jammu and Kashmir.



(Atal Dulloo) IAS
Financial Commissioner
Health & Medical Education Department

Dated:- 27.11.2020

No:-ME-GAZ/159/2008-Part-I

Copy to the:-

1. Financial Commissioner, Finance Department.

2. Principal Secretary to the Lieutenant Governor, J&K.
3. Joint Secretary, Ministry of Home Affairs, Government of India.
4. Commissioner/Secretary to the Government, General Administration Department.
5. Secretary to the Government, Higher Education Department.
6. Secretary to the Government, ARI and Trainings Department.
7. Secretary to the Government, Department of Law, Justice and Parliamentary Affairs.
8. Principal, Government Medical Colleges, Srinagar/Jammu.
9. Principals, all new Government Medical Colleges, J&K.
10. Principal, Ayurvedic Medical College, Jammu.
11. Principal Unani Medical College, Srinagar.
12. Director, Indian Systems of Medicine, J&K, Jammu.
13. Director, Archives, Archaeology and Museums, J&K, Jammu.
14. Director, Health Services, Jammu/Kashmir.
15. Private Secretary to the Chief Secretary, J&K.
16. Private Secretary to the Financial Commissioner, Health and Medical Education Department.
17. Incharge Website.
18. SRO file/Stock file.

'FORM A'

THIS AGREEMENT is made on _____ day of _____
between the Lieutenant Governor of Jammu and Kashmir through the appointing authority of
the one part and Sh./Smt. _____ S/o, D/o,
W/o _____ residing at
_____ (hereinafter called as the appointee on academic
arrangement basis) of the other part;

WHEREAS, the post of _____ in the Department of
_____ has fallen vacant and it is likely to take a lot of time to fill
up the said post through the existing process of selection/ promotion and appointment in
accordance with the rules;

AND WHEREAS, administrative exigency warrants immediate filling up of said post in
public interest;

AND WHEREAS, the Government has decided to fill up the available vacancies
immediately on academic arrangement basis under Jammu and Kashmir Medical & Dental
Education (Appointment on Academic Arrangement Basis) Rules, 2020;

AND WHEREAS, the Selection Committee, constituted under Rule 6 of the said rules
after inviting applications from the persons eligible for the post has selected the appointee on
academic arrangement basis for the post of _____ and his/her appointment
has been approved by the appointing authority on academic arrangement basis.

NOW THIS AGREEMENT WITNESSES and the parties hereto hereby agree as
follows:

1. That the appointment of the appointee shall be purely on academic arrangement
basis for a period of one year (except for the posts of Professors and Associate Professors
in new Government Medical Colleges, where it shall be for a period of three years),
extendable upto a maximum of six years (one year at time subject to good performance
and conduct) from the day of signing of this agreement or till post is filled up in accordance
with the rules of recruitment governing the post, whichever is earlier;

Provided that the appointment on academic arrangement basis against the faculty
posts in the Medical Colleges shall terminate on the attainment of 70 years of age by the
appointee except for the faculty posts of the Department of Dentistry in the new Medical
Colleges and the faculty posts of Dental Colleges and Ayurvedic & Unani Medical
Colleges, where it shall stand terminated on attainment of 65 years of age by the
appointee.

2. That the appointment on academic arrangement basis of the appointee shall be
terminable on either side by prior notice of one month or on payment of one month's salary
by the appointing authority;

Provided that the appointment of the appointee shall be terminable without notice by
the appointing authority whenever the post is filled up under rules and the appointee shall
have no claim against the Government or the appointing authority.

3. That the appointee on academic arrangement basis shall submit himself/herself to the orders of the Government and the officers and the authorities under whom he/she may be placed from time to time by the Government.

4. That the Government will pay the appointee a consolidated salary as mentioned in the J&K Medical & Dental Education (Appointment on Academic Arrangement Basis) Rules, 2020 as long as he/she shall remain in the service and actually performs his/her duties.

5. That the appointee shall be entitled to a casual leave of 15 days for the period of one year. Any leave beyond that period, on whatever ground it may be, shall be at the discretion of the appointing authority on justified grounds.

6. That, if the appointee at any time wilfully neglects or refuses to perform his/ her duties, the appointing authority shall immediately terminate his/her appointment on academic arrangement basis without any notice and he/she shall not be entitled to any salary for such period.

IN WITNESS WHERE OF the parties hereto have herein signed this agreement.

Lieutenant Governor of Jammu and Kashmir
through the appointing authority

The Appointee on Academic
Arrangement basis

Represented by _____

Witnesses:

1. _____

2. _____

Witnesses:

1. _____

2. _____