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Officer on Spl. Duty,
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Govt. of W. Bengal.

Calcutta



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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc

GOVERNMENT OF WEST BENGAL

No. H MA/433 JS-5/93 Pt-I Dated, Calcutta, 3.3.1993.

DEPARTMENT OF

HEALTH & FAMILY WELFARE

No. H MA/431 JS-5/93 Pt-I Dtd, Cal. 3.3.1993.

NOTIFICATION

In exercise of the power conferred by sub section (1) of section 3 of the West Bengal State Health Service Act, 1990 (West Ben. Act VII of 1990), the Governor is pleased hereby to constitute, with effect from the 3rd day of March, 1993, the following State Health Service, namely :

The West Bengal Health Service.

By order of the Governor,

Sd/- LINA CHAKRABORTY,
Secy. to the Govt. of West Bengal.

NOTIFICATION

No. H MA/432/JS-5/93 Pt-I Dated, Calcutta, 3.3.1993

All rules, orders and notifications made under the proviso to article 309 of the constitution of India or under any other law which were applicable only to the persons appointed to the former West Bengal Health Service as defined in clause (b) of section 2 of the West Bengal State Health Service Act, 1990, (West Ben. Act VII of 1990) shall stand repealed on and from the 3rd March, 1993.

By order of the Governor,

Sd/- LINA CHAKRABORTY,
Secy. to the Govt. of West Bengal.

NOTIFICATION

In exercise of the power conferred by section 21 of The West Bengal State Heath Service Act, 1990, (West Ben. Act VII of 1990), the Governor is pleased hereby to make the following rules :—

- (1) These rules may be called the West Bengal Health Service Rules, 1993.
- (2) They shall come into force on the 3rd day of March, 1993.
- These rules shall apply to the West Bengal Health Service constituted under sub-section (1) of section 3 of the West Bengal State Health Service Act, 1990 hereinafter referred to as the West Bengal Health Service.
- The West Bengal Health Service shall include a separate Unit, to be known as the Public Health-cum-Administration Unit. The posts in the Public Health-cum-Administration Unit shall be as are those specified in Schedule I.
- The Institutions, Health Centres and Hospitals to which the members of the West Bengal Health Service (excluding those who are posted in the Public Health-cum-Administration Unit) may be posted shall be those as are specified in Schedule II.
- The members of the West Bengal Health Service shall consist of

(i) all members of the former West Bengal Health Service as defined in clause (b) of section 2 of the West Bengal State Health Service Act, 1990 hereinafter referred to as the said Act, (excluding persons who held teaching posts therein on terms and conditions for practice or non-practice and persons holding posts therein connected with Public Health or Administration) who have not joined the West Bengal Medical Education Service constituted under sub-section (1) of section 3 of the said Act.

(ii) persons who held teaching posts in the former West Bengal Health Service on terms and conditions for practice or non-practice who have not joined the West Bengal Medical Education Service and who exercise an option to join the West Bengal Health Service.

Such option shall be in prescribed form as set out in Part I of Schedule III, and may be exercised within 30 days of the date of constitution of the West Bengal Health Service;

(iii) persons who held posts connected with Public Health or Administration in the former West Bengal Health Service immediately before the coming into force of the said Act, who exercise an option for the West Bengal Health Service or the Cadre for Public Health-cum-Administration as a separate Unit thereof.

Such option shall be in the prescribed form as set out in Part II of Schedule III, and may be exercised within 30 days of the constitution of the West Bengal Health Service;

(iv) all persons mentioned in clause (ii) and (iii), who do not exercise an option for the West Bengal Health Service and who are deemed to have exercised an option for the West Bengal Health Service or for the Cadre for Public Health-cum-Administration as a separate unit thereof under the said Act.

(v) all persons recruited by the State Government on or after the constitution of the West Bengal Health Service through the State Public Service Commission in such manner as may prescribe.

6. (1) Any member of the former West Bengal Health Service, who held a post connected with Public Health or Administration immediately before the coming into force of the said Act, shall be eligible for appointment to a post in the Public Health-cum-Administration Unit.

(2) A member of the former West Bengal Health Service who is eligible for appointment to the Public Health-cum-Administration Unit shall not be appointed to a post in the said Unit, unless he exercises an option for the said Unit in the form set out in Part II of Schedule III at the time of his appointment to such post in the said Unit.

(3) A member of the former West Bengal Health Service who opts for the Public Health-cum-Administration Unit shall be appointed to a post equivalent to that held by him in the former West Bengal Health Service immediately before the coming into force of these rules.

(4) No person appointed to a post in the Public Health-cum-Administration Unit shall be transferred to any post outside the said Unit.

(5) All posts in the Public Health-cum-Administration Unit shall be non-practising.

7. (1) The members of the West Bengal Health Service (excluding those appointed to posts in the Public Health-cum-Administration Unit) shall be designated Medical Officers or declared as Specialists.

(2) A member of the West Bengal Health Service, who holds a post-graduate degree and has at least five years' experience as a Medical Officer, or a member of the said service who holds a diploma and has at least eight years' experience as a Medical Officer, may be declared as a Specialist. In computing the length of his experience as Medical Officer, the period of his service in the former West Bengal Health Service if any, shall be taken into account.

Provided that a diploma holder with eight years' experience as Medical Officer may be declared as a Specialist only in dearth disciplines, namely Radiology, Anaesthesiology, Ophthalmology, Paediatrics, Dermatology, Venereal Diseases, Psychiatry, oto Rhino Laryngology.

(3) No Specialist shall be posted in any of the Health Centres, Rural Hospitals, or Teaching Hospitals mentioned in items (a), (b) and (f) of Schedule II.

8. The members of the West Bengal Health Service who are posted in the Health Centres, Rural Hospitals and Teaching Hospitals mentioned in items (a), (b) and (f) of Schedule II shall not engage in private practice.

A member of the West Bengal Health Service who holds a post in any of the hospitals mentioned in items (c), (d) or (e) of Schedule II, shall be eligible to engage himself in private practice, if he exercises an option for the same on the day of joining such post. Such option shall be in the prescribed form set out in Schedule IV.

(ii) A person who exercises an option as provided in rule 9 shall not have any right, but only a privilege, to engage himself in private practice. He may be transferred to any post in the West Bengal Health Service in which private practice is not permitted.

(c) The State Government may withdraw the privilege of private practice in whole or in part, if it considers such withdrawal to be necessary or desirable in the public interest.

11. If any person exercises an option for engaging himself in private practice in the manner prescribed above :—

(a) a deduction of 15% shall be made from his basic pay.

(b) he shall not be entitled to promotion to the Special Selection Grade under the West Bengal Health Service (Pay and Allowance, Age of Superannuation and Pension) Rules, 1993, and

(c) he shall not be entitled to non-practising pay and House Rent Allowance under the West Bengal Health Service (Pay and Allowance, Age of Superannuation and Pension) Rules, 1993.

12. The seniority rules applicable to the members of the West Bengal Health Service including those appointed to posts in the Public Health-cum-Administration Unit shall be as follows :—

(a) the *inter se* seniority of the members of the West Bengal Health Service shall be the same *inter se* seniority as was existing between them under the former West Bengal Health Service on the date of coming into force of these rules.

(b) the *inter se* seniority of the members of the West Bengal Health Service in the Special Selection Grade under the West Bengal Health Service (Pay and Allowance, Age of Superannuation and Pension) Rules, 1993, shall be determined on the basis of their respective dates of appointment to the Special Selection Grade.

(c) the seniority of members of the West Bengal Health Service, recruited subsequent to the constitution of the said service, shall be in the order of merit contained in the list issued by the State Public Service Commission recommending their appointment in the West Bengal Health Service. All members so recruited to the said service shall be junior to the juniormost member of the said Service on the date of the coming into force of these rules.

13. The Cadre of the West Bengal Health Service shall consist of 6,600 posts, of which 545 posts shall be comprised in the Public Health-cum-Administration Unit.

SCHEDULE I

(See rule 3)

Post comprised in Public Health-cum-Administration unit of the West Bengal Health Service.

I. Posts of Basic Public Health-cum-Administrative Officers.

Superintendents of all the rural hospitals and Superintendents of all the State General Hospitals situated in rural areas not under any Municipalities or Notified Areas.

II. Posts of Junior Public Health-cum-Administrative Officers

All Posts of Superintendents in different sub-divisional hospitals. All posts of Assistant Chief Medical Officer of Health. All posts of Superintendents of State General Hospitals situated in the head-quarters of all the sub-divisions, and all posts of Superintendents of the State General Hospitals situated in the district or sub-Divisions having strength upto 200 beds. All posts of Dy. Chief Medical Officer of Health.

III. Posts of Senior Public Health-cum-Administrative Officer, Gr. I.

Superintendent of the following hospitals :— Shambhu Nath Pandit Hospital, Vidyasagar Hospital, K. S. Roy T. B. Hospital, Netaji Subhas Sanatorium Kalyani T. B. Hospital (Dhubulia), Lumbini Park Mental Hospital, Gouripur Leprosy Hospital, M. R. Bangur and Hewrah General Hospital, Pavlov and Ramrik Das Haralalka Hospital, Lady Dufferin Victoria Hospital, T. L. Jaiswal Hospital, Niramoy Poly-Clinic, North Suburban & Salt Lake Hospital,

Indira Matri O-Sishu Sadan, Giridanga T. B. Sanatorium and Abinash Dutta Maternity Home, All posts of Superintendents of the District Hospitals, All posts of Dy. Assistant Director of Health Service, All posts of Zonal Leprosy Officers, and District immunisation officers, All posts of Zonal Health Officers, Chief Medical Officer, Calcutta Metropolitan Urban Health Organisation, Supervisory Medical Officer, Leprosy and BCG, Director of Pasture Institute, Asstt. Epidemiologist and Assistant Malariaologist.

IV. Posts of Senior Public Health-cum-Administrative Officer, Grade-II.

All posts of Chief Medical Officer of Health and Assistant Directors of Health Service, the post of Assistant Secretary, Superintendent of Jawaharlal Nehru Memorial Hospital and Gandhi Memorial Hospital, Kalyani, Epidemiologist and Malariaologist, all posts of Principal of Rural Training Centre and Zonal Malaria Officer.

V. Posts of Supertime Public Health and Administrative Officer, Grade-I.

All posts of Deputy Director of Health Service, Deputy Secretary, Director of Central Blood Bank, Director of State Bureau of Health Intelligence and combined Central Laboratory, Chief Medical Officer of Calcutta Metropolitan Urban Health Office.

VI. Posts of Supertime Public Health and Administrative Officer, Grade II.

All posts of Joint Director of Health Service and Additional Director of Health Service.

VII. The post of Director of Health Service and ex-officio Secretary.

(d) All specialised hospitals for treatment of T. B., Leprosy and Mental and infectious diseases excluding those hospitals declared as non-practising Institute under Notification No. Health/MA/1404/JS-11/90 dated 25th May, 1990 issued by the Govt. of West Bengal.

(e) All State General Hospitals and State Hospitals situated in the Districts and Calcutta.

(f) Medical Colleges and other Teaching Institutions declared to be non-practising Institutions by Notification No. Health/MA/1404/JS-11/90 dated the 25th May, 1990, issued by Government of West Bengal.

SCHEDULE III

[See : rules 5 (ii), 6(2) and 6 (3)]

Part I

Option Form to be filled up by officer who hold has held a teaching post in the former West Bengal Health Service and now elects to be absorbed and appointed in the West Bengal Health Service.

(To be submitted in Triplicate)

To

- (i) The Secretary,
Department of Health and Family Welfare,
- (ii) The Director of Medical Education,
Department of Health and Family Welfare,
- (iii) The Director of Health Service and Ex-officio Secretary.

Department of Health and Family Welfare.

(Through Proper Channel)

Sir/Madam,

I, Dr....., now holding/ having held the teaching post (last teaching post) of..... in the year..... at the....., do hereby elect to be absorbed in West Bengal Health Service on terms and conditions prescribed under the West Bengal Health Service Rules, 1993.

2. The option hereby exercised is final and will not be modified or cancelled at any subsequent date.

Signature.....

Designation.....

SCHEDULE III

Part-II

[See rule 5 (iii)]

To

- (1) The Secretary,
Department of Health & Family Welfare.
- (2) The Director of Health Service & Ex-Officio
Secretary,
Department of Health & Family Welfare.

Madam/Sir,

I, Dr now holding the post of in the former West Bengal Health Service do hereby opt for a post in the Cadre or the Public Health-cum-Administration Unit or West Bengal Health Service on terms and conditions prescribed under the West Bengal Health Service Act, 1993 including its amendments and the rules made thereunder.

Signature in full

Date

Designation

SCHEDULE IV

[See rule 9 (I)]

To be filled up by Medical Officers governed by The West Bengal Health Service Rules, 1993 who are or may be appointed to hold practising posts in The West Bengal Health Service.

Sir,

In terms of the West Bengal Health Service Rule 1993, I, Dr..... of the West Bengal Health Service, now posted as appointed under Director of Health Services' Order No..... dated Government Notification No. Dated to hold the post of which I have joined on..... do hereby declare that while holding the aforesaid post I shall not engage in private practice of any kind/ shall engage in private practice with effect from..... for so long as I hold the said post.

My pay and allowances may be fixed according to this option.

I also declare that the option as exercised above shall not be changed for so long as I continue to hold the aforesaid post where private practice is allowed.

I also declare that by exercising option for private practice, I shall not acquire any claim for appointment only to practising posts in future and that I shall continue to be liable to be transferred to any post in the cadre, practising or non-practising in the exigencies of public service.

Yours faithfully,

Name
(full signature of the Medical Officer)

Present post
Post to which
appointed.....
Date

By order of the Governor,
Sd/- LINA CHAKRABORTY
Secy. to the Govt. of West Bengal

NOTIFICATION

No. H/MA/435/JS-5-93 Dated Calcutta the 3.3.1993

In exercise of the power conferred by section 21 of the West Bengal State Health Service Act, 1990 (West Ben. Act. VII of 1990), the Governor is pleased hereby to make following rules :

1. These rules may be called the West Bengal Health Service (Pay and Allowance, Age of Super-annuation and Pension) Rules, 1993.
2. These rules shall apply to the members of the West Bengal Health Service including Public Health-cum-Administration Unit constituted under Sub-Section (1) of Section 3 of the West Bengal State Health Service Act, 1990 (West Ben. Act. VII of 1990)
3. The scales of pay applicable to the members of the West Bengal Health Service including those who are posted in the Public Health-Cum-Administration Unit shall be as follows :
 - (i) Basic grade—Rs. 2200-80-3000-100-4000/-
 - (ii) Selection Grade—Rs. 3000-100-3500-125-4750/-
 - (iii) Special Selection

Grade — —Rs. 3700-125-4950-150-5700/-

Explanation—(I) Persons with non-practising terms of service shall only be eligible to the pay under the special Selection Grade.

(II) The pay and allowances as admissible to a person belonging to the West Bengal Health Service is personal and no pay is attached to any post in the cadre. However, special pay or allowances attached to such post shall be drawn subject to admissibility.

4. The following allowances and special pay are admissible to the members of the West Bengal Health Service including those posted in the Public Health-cum-Administration Unit :

(i) Non-Practising Pay :

The rates of non-practising pay shall be as follows :

	<i>Rates of non-practising pay</i>	<i>Basic pay range</i>
(a)	Rs. 600/- per month	For persons drawing Basic Pay between Rs. 2200/- and Rs. 2999/- per month.
(b)	Rs. 850/- per month	For persons drawing Basic pay between Rs. 3000/- and Rs. 3699/- per month.
(c)	Rs. 950/- per month	For persons drawing Basic Pay between Rs. 3700/- and Rs. 5999/- per month.
(d)	Rs. 1000/- per month	For persons drawing Basic Pay between Rs. 6000/- and above.

The non practising pay shall be treated as 'pay' for all purposes inclusive of computing daily allowance, entitlement of travelling allowance, advance for house building loans, retirement benefits, dearness allowance and house rent allowance.

(II) Specialists Pay :

(a) Persons belonging to the West Bengal Health Service including the Public Health-cum-Administration possessing postgraduate Degree/Diploma and having less than 10 years' Experience shall receive Rs. 150 - p.m.

(b) persons belonging to the West Bengal Health Service including the Public Health-cum-Administration possessing post graduate Decree/Diploma having Experience for 10 years or more shall receive Rs. 300 - p.m.

The required ten years experience shall be counted from the date of possession of post-graduate degree or diploma, whichever is earlier.

(III) Rural Allowance :

Persons belonging to the Cadre of the West Bengal Health Service including the Public Health-cum-Administration Unit, who are posted in different types of Health Centres, Auxiliary Hospitals, Charitable Dispensary, Mobile Units and Hospitals or Institutions or Hospitals situated in the rural areas outside the headquarters of districts and sub-divisions or municipalities shall receive a rural allowance of Rs. 200/- per month.

(IV) Public Health Pay :

All persons belonging to the Public Health-cum-Administration Unit and such Medical Officers of the West Bengal Health Service performing Public Health Duties, irrespective of whether such duties are integrated with curative work or not, shall be eligible for Public Health Pay (Special Pay) @ Rs. 200/- per month if such persons or Medical Officers are placed in the Basic Grade or Selection Grade of pay scale under these rules. Persons enjoying Special Selection Grade of these rules shall receive Rs. 350/-p.m. as Public Health pay.

Such Posts of the West Bengal Health Service entrusted with Public Health duties shall be as follows :—

- (a) all posts of new Primary Health Centre (former Subsidiary Health Centre) ;
- (b) all posts of Block Level Primary Health Centres.
- (c) all posts of Rural Hospitals ;
- (d) all Medical Officers under Malaria Control Scheme and BCG Vaccination Schemes ;
- (e) Medical Officers including Pathologists for controls of Leprosy in Pilot Projects, Clinics, Hospitals, Mobile Teams.
- (f) Medical Officer, School Health Units.
- (g) Medical Officer, Plague Control Organisation and Mobile T.B. Units.

(h) Medical Officers in Calcutta Metropolitan Urban Health Organisation.

(V) *Administrative Pay :*

Officers holding Posts of the Public Health-cum-Administration Unit shall be entitled to administrative pay ranging from Rs. 200/- p.m. to Rs. 500/- p.m. which shall be treated as special pay. The Medical Officer holding the post of Director of Health Service shall be entitled to the administrative pay of Rs. 500/- per month. Such posts and the rates of administrative pay are specified in the Schedule.

(VI) *House Rent Allowance :*

Medical Officers of the West Bengal Health Service including the Public Health-cum-Administration Unit who are debarred from private practice or on non-practising terms and are posted in the area within limits of the Calcutta Municipal Corporation, and the District and Sub-Divisional head quarters, are eligible for house rent allowance as admissible under the West Bengal Service (Revisions of Pay and Allowance) Rules, 1990.

Persons posted in different Health Centres, Rural Hospitals, Auxiliary General Hospitals, or Charitable Dispensaries which are situated outside the headquarters of districts and sub-divisions shall, unless otherwise decided by the Government, be given free unfurnished quarters or actual house rent thereof, subject to a maximum of 10% of pay and special pay. Persons posted in the District and sub-Divisional Hospitals shall be required to pay rent for occupation of Government quarters, if any, as determined by Government from time to time.

5. *Hazard facilities :* Medical Officers employed in the District Tuberculosis, Leprosy and other infectious disease Hospitals and Institutions shall be entitled to free treatment including accessory treatment and X-Ray, bacteriological, Pathological and cardiographic examinations. For the purpose of such treatment, the Medical Officers shall be entitled to disability leave, not exceeding 24 months at a time, during which they shall be given the last pay drawn, provided that the disease is certified by the Medical Board to have been contacted in consequence of the performance of their official duties.

6. All other allowances of all Medical Officers in the West Bengal Health Service such as dearness allowance, medical allowance, hill allowance, and daily allowance shall be governed by the West Bengal Services (Revisions of Pay and Allowance) Rules, 1990.

and such other orders as may be issued by the Government from time to time.

7. The basic Pay and non-practising pay of the members of the West Bengal Health Service including the Public Health-cum-Administration Unit shall not exceed Rs. 8,000/- per month.

8. *Age of Superannuation :*

The age of superannuation of all Medical Officers of the cadre of the West Bengal Health Service including Public Health-cum-Administration Unit shall be 58 years.

9. *Pension :*

All permanent posts in the cadre of the West Bengal Health Service including the Public Health-cum-Administration unit shall be pensionable, subject to existing provisions contained in the relevant pension rules as applicable to the employees of the State Government.

10. Persons belonging to the West Bengal Health Service including the Public Health-cum-Administration Unit shall receive the Specialist Pay as admissible and any one of the Public Health Pay or Administrative Pay in terms of these rules.

SCHEDULE

[See rule 4(V)]

Public Health Cum Administration Unit arranged in ascending order with admissible Administrative Pay.

(a) *Basic Public Health-cum-Administration Officers :*

<i>Name of the posts</i>	<i>Administrative Pay</i>
Superintendents of all Rural Hospitals and all State General Hospitals situated in the rural areas outside district Headquarters and Sub-divisional Headquarters,	Rs. 200/- Per month.

(b) *Junior Public Health-cum-Administrative Officer.*

All posts of Dy. Chief Medical Officer of Health.
Superintendents of all State General Hospitals in the District and all Sub-divisional Headquarters having 200 beds.
All posts of Superintendents of all Subdivisional Hospitals and all Assistant Chief Medical Officers of Health
Rs. 200/- per month.

(c) *Senior Public Health-cum-Administrative Officer.*
Grade—I.

Superintendents of the following Hospitals :

Shambhu Nath Pandit Hospital, Vidyasagar Hospital, K. S. Roy T. B. Hospital, Netaji Subhas Sanatorium Kalyani, T. B. Hospital (Dhubulia), Lumbini park Mental Hospital, Gouripur Leprosy Hospital, M. R. Bangur and Howrah General Hospitals, Pavlov and Ramkr Das Haralalka Hospital, Lady Dufferin Victoria Hospital, T. L. Jaisowal Hospital, Niramoy Polyclinic, North Suburban Hospital and Bagha Jatin S. G. Hospital, State General Hospital Salt Lake, Indira Matri O Sisu Sadan, Giridanga T. B. Sanatorium and Abinash Dutta Maternity Home.

Rs. 250/- per month.

All Posts of Superintendent of the District Hospitals. All Posts of Deputy Assistant Director of Health Service. All Posts of Zonal Leprosy Officer and District Immunisation Officer. All Posts of Zonal Health Officer, Supervisory Medical Officer, Leprosy and B. C. G. Director of Pasteur Institute, Assistant Epidemiologist and Assistant Malariaologist.

(d) *Senior Public Health & Administrative Officer.*
Grade – II

All posts of Chief Medical Officer of Health, All posts of Asstt. Director of Health Service and Epidemiologists, and Malariaologist, the Rs. 300/- per month. posts of Superintendent of Jawaharlal Nehru Memorial Hospital and Gandhi Memorial Hospital of Kalyani, All posts of the Principals of Rural Training Centres, and Zonal Malaria Officers, Assistant Secretary

(e) *Supertime Public Health & Administrative Officer*
Grade—I.

All posts of Deputy Directors of Health Service, Chief Medical Officer of Calcutta Metropolitan Urban Health Organisation, Director of Central Combined Laboratory, Directors of State Bureau of Health Intelligence and Central Blood Bank, Deputy Secretary

(f) *Supertime Public Health & Administrative Officer.*
Grade—II

Joint Directors & Addl. Directors of Health Service Rs 400 - per month.

(g) *Director of Health Service and Ex-officio Secretary* Rs. 500/- per month

By order of the Governor,
Lina Chakraborty
Secy. to the Govt. of West Bengal.