

LABOUR SECRETARIAT

NOTIFICATION

No. LD 93 LSI 2013 Bengaluru, Dated:18-03-2016

Whereas the draft of the following rules of the Karnataka Civil Services (Absorption of Contract Doctors in the department of Employees State Insurance Scheme Medical Services) (Special), Rules, 2016, was published as required by sub-section (1) of section 3, read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) in Notification No. LD 93 LSI 2013, dated 26th February 2016 in Part-IV-A [No.336] of the Karnataka Gazette Extraordinary dated 27-02-2016 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of publication in the Official Gazette.

And whereas the said Gazette was made available to the Public on 27-02-2016.

And whereas objections and suggestions received have been considered by the Government.

Now therefore, in exercise of the powers conferred by sub-section (1) of section 3, read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990), the Government of Karnataka makes the following rules, namely;-

RULES

1. Title and commencement.- (1) These rules may be called the Karnataka Civil Services (Absorption of Contract Doctors in the Department of Employees State Insurance Scheme Medical Services) (Special) Rules, 2016.

(2) They shall come into force from the date of their publication in the official gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

- (a) “ Contract Doctor” means, a Doctor who has passed MBBS Degree and appointed in the Department of Employees State Insurance Scheme Medical Services as Insurance Medical Officer on contract basis by the State Government or the Director, ESIS Medical Services as the case may be and who

has served as such for not less than one year and continues to work as such on the date of commencement of these rules;

(b) 'Schedule' means Schedule appended to these rules;

(2) Other words and expressions used in these rules, but defined shall have the same meaning respectively assigned to them in Karnataka Civil Services (General Recruitment) Rules, 1977.

3. Absorption of Contract Doctors appointed in the Department of Employees State Insurance Scheme Medical Services into the State Civil Services.- Notwithstanding anything contained in the Karnataka Civil Services (General Recruitment) Rules, 1977 or the Department of Employees State Insurance Scheme Medical Services (Recruitment) Rules, 2010 or any other rules made or deemed to have been made under the provisions of the Karnataka Civil Services Act, 1978 (Karnataka Act 14 of 1990), every Contract Doctor specified in column (2) of the schedule who has completed not less than three years of service on the date of commencement of these rules shall, with effect from the date of commencement of these rules, be absorbed, in the category of post and pay scale specified in the columns (6) and (7) of the Schedule in the Department of Employees State Insurance Scheme Medical Service:

Provided further that no such person shall be absorbed,-

- (i) if he was disqualified for appointment under the Karnataka Civil Services (General Recruitment) Rules, 1977 on the date of his appointment as Doctor on Contract basis;
- (ii) if he does not possess the minimum academic qualification, specified in the relevant rules of recruitment applicable for recruitment to the said posts; and
- (iii) in any post reserved for the persons belonging to the Scheduled Caste, or Scheduled Tribes or other Backward Classes unless he belongs to such Caste, tribe or backward Classes, as the case may be.

4. Pay, pension Leave and Seniority of Persons absorbed under these rules.- Notwithstanding anything contained in the Karnataka Civil Service Rules,-

- (i) the initial basic pay of Contract Insurance Medical Officer shall be fixed at the minimum of the pay scale applicable to the category of post to which he is absorbed under rule 3;

- (ii) The service rendered by a person as Contract Insurance Medical Officer prior to the date of absorption shall not count for the purposes of leave, Pay, Pension, seniority and grant of Promotion as Senior Insurance Medical Officer, Chief Insurance Medical Officer, Junior Specialist or Senior Specialist under Time Bound Advance Scheme or for grant of selection time scale of pay.

5. Application of other rules.- The provisions of the Karnataka Civil Services Rules, the Karnataka Civil Services (Conduct) Rules, 1966 and all other rules regulating the conditions of service of Government Servants in so far as they are not inconsistent with the provisions of these rules, shall apply to persons absorbed under these rules.

By order and in the name of the Governor of Karnataka
Lakshmi Devi
Desk Officer-5,
Labour Department (ESIS Medical Services)