



GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department – Medical Education Services – Establishment – Appointment of Medical Graduates/ Post Graduates/ Super Specialty Post Graduates as a part of Compulsory Government Service– Existing Orders modified - orders issued

HEALTH & FAMILY WELFARE (S) DEPARTMENT

G.O.(MS) No.533/2008/H&FWD Dated, Thiruvananthapuram, 07.10.2008

Read:-

1. GO (MS) No. 271/2006/H&FWD Dated 21-12-2006
2. GO (MS) No. 272/2006/H&FWD Dated 22-12-2006
3. GO (MS) No. 45/2007/H&FWD Dated 13-03-2007
4. GO (MS) No. 65/2007/H&FWD Dated 28-03-2007
5. GO (MS) No. 121/2007/H&FWD Dated:29-05-2007
6. GO (MS) No. 154/2007/H&FWD Dated 30-06-2007
7. GO (MS) No. 155/2007/H&FWD Dated 02-07-2007
8. GO (MS) No. 408/2007/H&FWD Dated 24-09-2007
9. GO (Rt) No. 2211/2008/H&FWD Dated 26-06-2008
10. GO (Rt) No. 2212/2008/H&FWD Dated 26-06-2008
11. G.O.(Rt) No. 2612/08/H&FWD Dated, 31.07.2008
12. GO (MS) No. 464/2008/H&FWD Dated 21-08-2008
13. GO (MS) No. 516/2008/H&FWD Dated 23.09.2008
14. GO (MS) No. 517/2008/H&FWD Dated 23.09.2008.

ORDER

As per references cited, Government have issued various orders for posting of doctors who have completed various Medical Graduate/Post Graduate/ Super Specialty Post Graduate courses in Government / Self Financing / Co-operative Medical Colleges in the State, as a part of the Compulsory Government service, in terms of the bond they have executed at the time of joining the Courses. As per the provisions of the prospectus for admission, the students are to execute a bond at the time of joining to the effect that they will serve the Government for a prescribed period after the completion of the course if the Government requires so.

2. Also, students who secured admission under State Quota and All India Quota in Government Medical Colleges are studying at the expense of public exchequer. Government are spending huge sums of public money for the education of all these students irrespective of whether they took admission under State Quota or All India Quota. As per the existing rules All India Quota students

are also bound to do Compulsory Government Service as part of bonded service obligation. In the above circumstances, Government had ordered that all students who have signed bond at the time of joining the courses shall serve the Government for a prescribed period after the completion of the course if the Government requires so.

3. The Director of Medical Education and Director of Health Services had requested to revise on the modalities, process, terms and conditions of appointment of these doctors as a part of mandatory Government Service. The matter has been examined in detail and it has been decided to consolidate and revise various orders issued in this regard. In supersession of anything inconsistent with this order with regard to all previous orders, the Government are pleased to issue the following revised orders with immediate effect:

4. For doctors who have successfully completed the MBBS Course from Government Medical Colleges, Self Financing Medical Colleges (under Government Quota seats) and Co-operative Medical Colleges (under Government Quota seats);

- a. The doctor will be appointed in public health institutions under Director of Health Services/Director of Medical Education Service as 'SNEHITHAN / SNEHITHA Doctors' under Compulsory Government Service for a period of one year after obtaining registration from State Medical Council. The posting at Medical College, Alappuzha will be considered as rural posting.
- b. This will be applicable for all the students who are admitted through All India Quota also.
- c. The candidates posted for Compulsory Government Service will be paid a remuneration of Rs.15,000/- (Rupees fifteen thousand only) per month plus rural/difficult area allowance as per norms fixed by Government/NRHM from time to time. Their payment will be made under NRHM. However if they are posted against a sanctioned vacancy under Health Service, the sanctioned amount will be reimbursed to NRHM by Director of Health Service, from budget provision.
- d. The Graduates after completing house surgency shall join the Compulsory Government Service and work for a period of one year under the health institutions of Director of Medical Education or Director of Health Service. However, the Graduates/Post Graduates can apply to any Post Graduate Degree/Diploma/DNB/Super Specialty courses before beginning or completing Compulsory Government Service. In case they get selection for PG Degree/Diploma/Super Specialty in a recognized institution in the country and DNB course in Government Medical Colleges/Government hospitals in the state they will be permitted to join the course, but will have to complete the remaining period of their compulsory service of one year soon after completion of their course. No permission will be given to those candidates joining DNB in private institutions.

5. For doctors who have successfully completed Medical PG/ Diploma/ DNB Course/ Super Specialty Degree Courses (except service quota

candidates) from Government Medical Colleges, Self Financing Medical Colleges (under Government Quota) and Co-operative Medical Colleges (under Government Quota), and have not completed/done Compulsory Government Service after MBBS.

- a. The doctors will be appointed in public health institutions under Medical Education Service /Health Services.
- b. Medical PG Degree/ DNB Certificate Holders will be paid a remuneration of Rs. 23,000/- (Rupees Twenty three Thousand only) per month plus Rural area allowance as per norms. Super specialty Degree holders will be paid a remuneration of Rs.25,000/- (Rupees Twenty five thousands only) per month. PG Diploma holders appointed under DHS /DME will paid a remuneration of Rs. 21,000/- (Rupees Twenty one thousands only)plus Rural area Allowance as per norms.
- c. The candidates who have not successfully completed in the PG course and are posted to colleges/health institutions under Compulsory Government Service will be eligible for Rs. 15,000/- (Rupees Fifteen Thousand only) plus Rural/Difficult area allowance as per norms.
- d. The above conditions will be applicable for all doctors who come through All India Quota also.

6. Doctors should normally complete Compulsory Government Service posting within a period of 12 months itself from the date fixed in the posting orders. They will be eligible for weekly off, duty off and 20 days casual leave. They will not be eligible for any other leave. That is, the doctors should complete 345 days of duty including weekly off/duty off. The State Mission Director (Arogyakeralam) will issue completion certificate for bonded obligation service based on report received from District Medical Officer/Director of Health Service/Director of Medical Education/District Programme Manager NRHM/Principals of the Medical Colleges.

7. The doctors who have completed Compulsory Government Service posting for one year will be eligible for a suitable weightage in PG entrance examination conducted by Commissioner for Entrance Examination, Kerala. The quantum of weightage will be decided by the Government later.

8. Extension or long leave exceeding 20 days Casual Leave will be given only on pregnancy/ maternity related grounds. Only the Secretary to Government (H&FW) have power to sanction extension for a particular period from bonded posting on genuine and unavoidable grounds subject to the specific condition that they will complete the Compulsory Government Service after the extension period is over. The candidates who avail extension beyond 30 days shall not be eligible for weightage in PG entrance examination.

9. An amount of Rs. 5,00,000/- (Rupees Five Lakhs only) will be levied as penalty from those who violate bond conditions. In addition, violation of their bond shall invite stern disciplinary action as per Regulation 8.2 under chapter 8 of the Indian Medical Council (Professional conduct, Etiquette and Ethics) Regulation 2002. Candidates failing to fulfill the Government service within the stipulated time or extended time will not be permitted to undergo further studies in any Government institutions or enroll in Government jobs in the state. The details of such candidates

will be reported to the Medical Council of India for appropriate action. In addition to this, compensation and other expenses met through public money for their studies shall be levied through revenue recovery procedures from such defaulters/sureties as fixed by the Government.

10. The candidates who have done one year of Compulsory Government Service under Bonded Obligation with Government after MBBS will not have to do Compulsory Government service again after the completion of the PG Degree/ Diploma/Superspeciality Courses. However, those who could not complete or have not done Compulsory Government Service posting of one year after MBBS for any reason, will have to do the Compulsory Government Service after PG/Super specialty course for remaining part of one year obligation service. Thus the cumulative effect of Compulsory Government Service under bonded obligation shall be one year only.

11. All the students who have not done Compulsory Government Service so far have to execute a new bond agreement as per the prescribed format themselves, in a stamped paper of Rs.100 with their parents/guardians standing as sureties. The signatures of the candidates/sureties have to be attested by a Gazetted Officer of State or Central Government or Grama/Block/District Panchayat President/Municipal Chair person/Mayor or MLA or MP by countersigning in the bond agreement as a witness. The proforma of the bond is appended herewith.

12. The following guidelines will be followed regarding the posting of doctors under Compulsory Government Service as above.

- a) The Director of Medical Education will furnish the list of candidates who have completed House Surgency from Government Medical Colleges with their current residential address and marks secured, to the Mission Director, NRHM and Secretary to Government (Health). Similarly Principals of Self Financing Medical Colleges and Co-operative Medical Colleges will furnish list of students under Government Quota who have completed House Surgency in their Colleges with their current residential address and marks secured, to the Mission Director NRHM and Secretary to Government (Health).
- b) Allotment of stations for Compulsory Government Service posting will be made by a Committee consisting of State Mission Director & Deputy Secretary to Government (H&FW) (Chairman), Director of Health Services and Director of Medical Education / Principals of Medical Colleges, State Programme Manager (NRHM) etc. After counseling, the doctors will be allotted to District Medical Officers as per the requirement of doctors in the field and by the Director of Medical Education for posting at Medical College, Alappuzha only as part of compulsory rural posting. In case Non-Clinical Post graduates are available for posting, they can be given posting in any of the Government Medical Colleges in the state as per the requirements.

13. Posting Orders will be issued by the Mission Director, NRHM on behalf of Government on the basis of the recommendation of the Committee after approval of the Secretary (H&FW). In case, the concerned doctor doesn't report for posting within 15 days, the concerned District Medical Officer/Director of Medical Education/Principals shall take action against the doctor as per the bond conditions and shall report "Non Joining Report" to the Mission Director, NRHM and the Secretary (Health) immediately. The Director of Medical Education/concerned District Medical Officer/Principal will be held personally responsible in case he/she fails to take appropriate action in case of non-reporting or non-joining of the individuals.
14. The conditions specified on All India Quota students will come into force subject to the decision of Hon'ble High Court in the case pending before the Court.

By Order of the Governor

Dr. Vishwas Mehta
Secretary to Government

To

The Director of Medical Education, Thiruvananthapuram
 The Director of Health Services, Thiruvananthapuram
 The State Mission Director (NRHM)
 The Principal, Medical Colleges, Thiruvananthapuram / Alapuzha /
 Kottayam/ Trissur / Kozhikode
 The Principal, All Self Financing Medical Colleges, Kerala
 The Principal, All Co-operative Medical Colleges, Kerala
 The Superintendents of all Medical College Hospitals
 The Registrar, Travancore-Cochin Medical Council, Thiruvananthapuram
 The Accountant General (Audit, A & E), Kerala, Thiruvananthapuram
 The Commissioner of Entrance Examination, Thiruvananthapuram
 The Director of Public Relations
 The Finance Department
 Stock File / Office Copy

Forwarded/By Order,

Section Officer

Annexure – VII

BOND

(Total value of Rs 100/- Kerala Stamp Paper*)

(FOR MBBS STUDENTS & NON SERVICE QUOTA PG & DIPLOMA STUDENTS)

To KNOW ALL MEN BY THESE PRESENTS THAT we Shri/Smt.....son/daughter/wife of residing at (Residential address) (herein-after called the Bounden) and (1)Shri.....residing at residing at (Here enter name and address) (hereinafter called 'the sureties') do hereby bind ourselves and each of us, our and each of our heirs, executors and administrators jointly and severally to pay to the Governor of Kerala (hereinafter referred to as 'the Government') on demand the total amount of salary/stipend drawn during the period of study and the amount spend by government for their studies with interest as fixed by Government and Rs.5,00,000 in addition to the stipend/salary towards liquidated damages/penalty for violation of the conditions specified in GO(MS)533/08/H&FWD dated 07.10.2008.

Signed this Day of in the year by the bounden Shri/Smt.

Signature

In the presence of witness *:

1.

Signed by Shri/Smt. (The surety)
(Residential Address is compulsory)

WHEREAS the Bounden Shri/Smt. has been selected to undergo -----
----- (here enter the name of the course of study) in Government Medical College/in the merit quota in Self Financing Medical College/Co-operative Medical College, _____(name of College), Kerala for a period of five/three/two years.

AND WHEREAS the Government have agreed to incur the expenses on condition that after successful completion of the course of study within the prescribed period the bounden shall serve the Government for a period of one year and also subject to the terms and conditions hereinafter appearing and the bounden and the sureties have agreed to the same.

NOW the condition of the above written obligation is that in the event the Bounden after successful completion of the Graduate/Post Graduate course of study to which he/she was selected, fails to serve the Government for a period of one year, the Bounden and sureties shall forthwith pay to the Government on demand the total amount of salary/stipend drawn during the period of study and the amount spend by government for their studies with interest as fixed by Government and 5,00,000 in addition to the towards liquidated damages for violation of the conditions GO(MS)533/08/H&FWD dated 07.10.2008.. In the matter of deciding what moneys are to be paid by the Bounden and the sureties and decision of the Government shall be final and legally binding on the bounden and sureties and upon the payment of such sum the above written obligation shall be void and of no effect otherwise this shall be remain in full force and effect.

PROVIDED further that the bounden and the sureties do hereby agree that if the Bounden fails to serve the Government for a period of one year, it may be construed as professional misconduct and the

fact reported to the T.C Medical Council for suitable action including cancellation of Registration by the council.

PROVIDED further that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of this bond may be recovered jointly and severally from them and their properties movable and immovable as if such dues were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being force or in such other manner as the Government may deem fit.

THE liabilities of the sureties under this Bond is Co-extensive with that of the Bounden and shall not be affected by the Government giving time or any other indigence to the bounden or by the Government varying of the terms and conditions herein contained,

Signed by the Bounden
In the presence of witness *

1. (residential Address of the sureties and the official address and Residential address of the witness is compulsory)

Signed by the Sureties:

In the presence of witnesses:*

- 1.

* The witness must be a person mentioned in Para 11 of GO(MS) 533/08/H&FWD dated 07.10.2008