



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং ২৯৯ দিশপুৰ, বৃহস্পতিবাৰ, ১ জুলাই, ২০২১, ১০ আশ্বাঢ়, ১৯৪৩ (শক)

No. 299 Dispur, Thursday, 1st July, 2021, 10th Ashadha, 1943 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 22nd June, 2021

No. HLB.534/2014/45.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating the recruitment and the conditions of services of the persons appointed to the Assam Nursing Education Service, namely:-

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| Short title and commencement | 1. | (i) These rules may be called The Assam Nursing Education Service Rules, 2021.
(ii) They shall come into force on the date of their publication in the Official Gazette. |
| Definition | 2. | In these rules, unless there is anything repugnant in the subject or context , -
(a) "Appointing Authority" means the Governor of Assam;
(b) "Committee" means the Selection Committee constituted under rule 12 of these rules;
(c) "College" means any Nursing College in the state of Assam under the Health & Family Welfare Department, Government of Assam;
(d) "Board" means the Medical and Health Recruitment Board; |

- (e) "INC" means Indian Nursing Council;
- (f) "Constitution" means the Constitution of India;
- (g) "Government" means the Government of Assam;
- (h) "Governor" means the Governor of Assam;
- (i) "Member of the Service" means a member of the Assam Nursing Education Service;
- (j) "Select List" means the list as referred to in rule 6 and rule 11 of these rules ;
- (k) "Service" means the Assam Nursing Education Service;
- (l) "Year" means the Calendar year i.e. from January to December.

Classes and cadres 3.(i) The Service shall comprise of the cadres of **Principal-cum-Professor, Vice Principal-cum-Professor, Professor, Associate Professor, Assistant Professor and Lecturer** as specified in "Schedule I" along with the scales of pay for all nursing colleges under Government of Assam:

Provided that nothing in these orders shall affect the inherent right of the Government to add or reduce the number of such posts or to create new posts with different designations and scale of pay, whether permanently or temporarily.

Strength of service 4. The strength of each cadre in a class of the Service shall be such as determined by the Governor from time to time, provided that the Governor may held in abeyance any post as and when considered necessary. The strength and cadres of post in the service on the date of commencement of these rules is shown in "Schedule-I".

Method of recruitment 5. Recruitment to the Service shall be made in the manner prescribed hereinafter :—

- (i) Recruitment to the cadres of Lecturer shall be made by direct recruitment by the Government through the Board.
- (ii) Posts of Professor, Associate Professor and Assistant Professor of Nursing colleges shall generally be filled up by promotion from eligible candidates.
- (iii) Posts of Principal-cum-Professor and Vice Principal – cum – Professor shall be filled up by selection from eligible candidates:

Provided that Government may decide on filling up of posts at clause 5 (ii) & (iii) by direct recruitment if deemed necessary to vacancies in the larger public interest.

Direct
recruitment

6. (i) Direct recruitment shall be made on the basis of recommendation made by the Board in accordance with the procedure hereinafter provided:-
- (a) Before the end of each year (i.e. in the month of December) the Appointing Authority shall make assessment regarding the likely number of vacancies in the cadre of Lecturer to be filled by direct recruitment during the next year and shall intimate the same to the Board together with details about reservation for candidates belonging to Scheduled Caste, Scheduled Tribes or any other category as laid down by the Government.
 - (b) The Appointing Authority shall simultaneously request the Board to recommend a list of candidates for direct recruitment, in order of preference.
 - (c) The Board shall make the selection in accordance with the scheme of selection prescribed by the Government and prepare a list of all candidates who qualify in order of merit in accordance with the aggregate marks obtained by each candidate in the Test/ Interview. If two or more candidates obtain equal marks, the Board shall arrange them in order of their relevant merit which shall be determined in accordance with the general suitability of the candidates to the service. The list shall be forwarded to the Appointing Authority.
 - (d) The Board shall furnish to the Appointing Authority a Select List of candidates recommended by it in order of preference, found suitable for direct recruitment showing the marks obtained in examination/written test and interview. The number of candidates in such a list shall be equal to the number of vacancies notified.
 - (e) In this regard the Board shall simultaneously publish the Select List in the Assam Gazette and /or at such other place the Board may consider proper.
- (ii) The Select List mentioned in clause (c) and (d) of sub-rule (i) of this rule shall remain valid for 12 calendar months from the date of recommendation. Government may extend the validity of the said list with due justification.

- (iii) In the event of the Board being unable to recommend sufficient number of candidates to fill all the vacancies in a year, it shall, in consultation with the Appointing Authority, repeat the procedure by 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.

- Age for direct recruitment 7. The age for direct recruitment of a candidate will be as per the Government notification applicable during the time of advertisement with relaxation in case of candidates belonging to special categories like Scheduled Castes and Scheduled Tribes and any other categories as laid down by the Government in accordance with the orders of the Government for the time being in force.
- Academic qualification 8. The academic qualification of a candidate for direct recruitment shall be as prescribed by the Appointing Authority from time to time. The qualifications and experience prescribed, as on the date of commencement of these Rules, are given in "Schedule II".
- Physical fitness 9. A candidate for direct recruitment shall be ,-
- (i) 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 of the service.
- Recruitment by promotion and selection 10. (i) Subject to suitability as may be decided by the Appointing Authority and by Selection Committee and also subject to possessing such qualification and experience as prescribed in "Schedule III" and "Schedule IV", a Member shall be eligible for selection/ promotion against vacancies in the corresponding higher posts.
- (ii) Only promotions within a Department will be allowed. No inter-Departmental promotion will be allowed.
- (iii) In case of any vacancy which cannot be filled up by promotion due to non-availability of suitable candidate, Government reserves the right to directly recruit suitable candidate for such post possessing requisite qualifications as per INC norms, in the interest of smooth functioning of college.

- (iv) The Ph. D. qualification and publication of research papers shall be taken into consideration for determining the eligibility of promotions by the Committee.
- (v) Government may also prescribe additional eligibility requirements for appointment/ promotions/ selection from time to time, as deemed necessary.
- General procedure of promotion 11. (i) Before the end of each year the Appointing Authority shall make an assessment of the likely number of vacancies to be filled by promotion in the next year in each cadre.
- (ii) The Appointing Authority shall then furnish to the Selection Committee the following documents and information with regard to as many officers in order, of seniority as are eligible for promotion:-
- (a) list of officers in order of seniority, eligible for promotion (separate list for promotion to different cadres shall be furnished) indicating the cadre to which the case of promotion is to be considered ;
- (b) character rolls and personal files of the officer listed;
- (c) any other documents and information as may be considered necessary by the Appointing Authority or required by the Selection Committee.
- (iii) The Appointing Authority shall simultaneously request the Committee to recommend within one month a list of officers, found suitable for promotion in order of preference, in respect of promotion to each of the cadre in which recruitment is to be made by promotion.
- (iv) The selection shall be made on the basis of eligibility, seniority and merit with due regard to suitability, experience and accomplishments.
- (v) The Committee, after examination of the documents and information furnished by the Appointing Authority shall recommend to the Appointing Authority a Select List of officers against the number of vacancies, in order of preference, found suitable for promotion.

- (vi) The Appointing Authority on receipt of the lists recommended by the Committee, shall consider the list prepared by the Committee for promotions along with character rolls and personal files of the officers and approve the Select List, unless it considers any change necessary. The Appointing Authority may make any modifications in the Select List as it considers just and proper, with intimation to the Committee.
- (vii) 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.
- (viii) The Select List finally approved by the Appointing Authority shall be published by the Appointing Authority within 15 days from the date of final approval.
- (ix) The selected lists shall remain valid for 12 calendar months from the date of approval by the Committee unless extended by Government for reasons deemed fit and proper.
- (x) The promotions shall be in accordance with the Select List finally approved.
- (xi) Member of Service working in any Department other than his/her subject of specialization in the nursing college will be eligible for promotion against vacancy in the parent Department as per seniority subject to fulfillment of INC norms.
- Selection Committee 12. (i) The Selection Committee, as referred to in rule 10 and rule 11, shall consist of the following :-
- (a) Senior-most Secretary, Health & F.W. Department Chairperson.
 - (b) Director of Medical Education, Assam – Member.
 - (c) Additional Secretary/Joint Secretary/Deputy Secretary, Health & Family Welfare Department- Member Secretary.
 - (d) Any other officer of the Health & Family Welfare Department nominated by the Appointing Authority.
 - (e) A representative of Personnel Department not below the rank of Deputy Secretary to be nominated by Personnel Department – Member.
 - (f) A representative of Welfare of Plains Tribes & Backward Classes Department not below the rank of Deputy Secretary to be nominated by WPT& Backward Classes Department - Member.

(g) The Chairperson may also co-opt any other official as a member to aid in its deliberations.

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| Head of Department | 13. | (i) | Every department/ discipline/ subject of a college shall be presided by a Head of Department who shall be a Professor and in departments which have more than one post of Professor; the Head of Department shall rotate amongst the Professors every two years. |
| | | (ii) | Head of the Department who have already completed three years as Head of Department at the commencement of these rules shall cease to be so and the next eligible professor shall be the Head of Department. |
| | | (iii) | The Principal of the Nursing College shall be competent to notify the Head of the Department in accordance with the rules in force. |
| Disqualification | 14. | (i) | No person shall be eligible for appointment to the Service ,- |
| | | (a) | unless he/she is a citizen of India; |
| | | (b) | if he has more than one spouse living or he/ she has married a person whose spouse is living and not a divorcee; |
| | | (c) | if he/she violates the legal age of marriage; |
| | | (d) | if he/she has more than 2 (two) children: |
| | | | Provided that the Governor may, if he is satisfied that there is a special grounds for doing so, exempt any person from the operation of this clause. |
| | | (ii) | No person who attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means shall be appointed to the Service. |
| Reservation | | | Reservation for Scheduled Castes, Scheduled Tribes (Hills & Plains), Other Backward Classes/More Other Backward Classes, Economically Weaker Section, Women etc. shall be governed by the prevalent laws and Rules of the Government for the time being in force. |
| Appointment | 16. | (i) | Subject to the provision of sub-rule (ii) of this rule, appointment under rule 6 shall be made by the Appointing Authority in accordance with the order of preference determined in the Select List referred to in clause (d) of sub-rule(i) of rule 6. |

- (ii) The inclusion of a candidate's name in the Select List mentioned in clause (d) of sub-rule (i) of rule 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 aspects for appointment to the Service.
- Joining time** 17. A person shall join within 15 days from the date of receipt of the order of appointment, or of promotion, failing which the appointment shall be cancelled unless the Appointing Authority extends the period, which shall not, in all, exceed three months.
- Training** 18. A Member of the Service shall be required to undergo such training and pass such departmental examination as the Government may prescribe.
- Discharge or reversion** 19. A Member of the Service shall be liable to be discharged or reverted to the lower cadre of the Service or to his original Service, if,-
- (i) he/ she fails to make sufficient use of the opportunities given during any training as may be prescribed by the Government from time to time, fails to render satisfactory service during his/ her tenure service in the cadre; and/or
- (ii) it is found on a subsequent verification that he/ she was initially not qualified for the appointment or that he/ she had furnished any incorrect information with regard to his/ her appointment.
- Seniority** 20. (i) The seniority of a Member of the Service in a cadre appointed by direct recruitment or by promotion shall be determined according to the order of preference in the Select List recommended by the Board under rule 6 and also in the Select List finally approved by the Appointing Authority under sub-rule (vi) of rule 11, if he/ she joins the appointment within 15 days from the date of receipt of the order or within the extended period as mentioned in rule 17.
- (ii) A Member appointed by promotion in a year shall be senior to a member of that cadre appointed by direct recruitment in that year.
- Gradation list** 21. Gradation list shall be prepared and published every year containing the name of all Members of the Service cadre-wise in order of seniority and such other particulars as date of birth, date of appointment/promotion etc.

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| Pay | 22. | | The Members of the Service shall be entitled to such scales of pay, as may be prescribed by Assam Government from time to time. The pay scales of the posts on the date of commencement of these rules are shown in Schedule I . |
| Mode of employment | 23. | (i) | Members of the Service shall be employed in such manner as the Appointing Authority may decide. |
| | | (ii) | A Member of the Service shall be liable to be posted anywhere within the State of Assam or outside 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, if so required in the interest of Public Service and in such case the Member shall not have any option against such posting or transfer. |
| Conditions of service | 24. | (i) | Except as provided in these rules, all matters relating to pay and allowances, leave, pension, discipline and other conditions of Service shall be regulated by the general rules or orders of the Government for the time being in force. |
| | | (ii) | 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. |
| | | (iii) | A Member of the Service shall strictly follow norms of two children family. |
| Relaxation | 25. | | Where the Government is satisfied that the operation of any of these rules, causes undue hardship in any particular case either to a member or to the functioning of the college, it may dispense with or relax the recruitment of that rule to such extent and subject to such conditions as it may consider necessary 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 provided in these rules. |
| Interpretation | 26. | | If any question arises relating to the interpretation of these rules the decision of the Government shall be final. |

SCHEDULE-I
(See rule 3 and 4)

Strength of each cadre of the service and the pay scale

Sl. No.	Name of the Posts	Revised Pay Scale (in rupees)	Academic Level	No. of Posts	Remarks
1	2	3	4	5	6
1	Principal-cum-Professor	1,44,200-2,18,200 (Special allowance of 3000/- per month)	14	3	Subject to fulfilment of the relevant conditions laid down by MCI/CCIM/BCI/INC/PCI/UGC/ any other regulatory authority notified by Central Government and Service Rules and any other norms laid down by the State Government for minimum teaching days/ weeks, minimum workload etc.
2	Vice Principal-cum-Professor	1,44,200-2,18,200	14	2	
3	Professor	1,44,200-2,18,200	14	4	
4	Associate Professor	79,800- 2,11,500	12	15	
5	Assistant Professor	68,900-2,05,500	11	17	
6	Lecturer	57,700-1,82,400	10	51	

The pay-scales will be subject to change as notified by Government of Assam from time to time.

SCHEDULE-II
(See rule 8)

Academic Qualification and Experience

Academic Qualification and Experience of a candidate for the post of Lecturer shall be prescribed from time to time on the basis of the norms laid down by Indian Nursing Council (INC). However, the basic academic qualification shall be Post Graduate Degree in the concerned subject.

SCHEDULE-III
(See rule 10)

Sl. No.	Name of the post or Service	Method of appointment and experience for appointment by:
		Promotion
1	2	4
1	Principal/ Principal-cum-Professor	<p>The post of Principal/ Principal-cum-Professor shall be filled up by way of selection from amongst the Vice Principal-cum-Professor/ Professors who have (A) rendered at least 4 years of service as Professor in Government Nursing institutes under Health & Family Welfare Department, Government of Assam, and (B) fulfilled the extant norms of INC, as required, on the first day of the year in which the selection for promotion is made.</p> <p>Tenure as Vice Principal-cum-Professor in Government Nursing institutes will also be considered for meeting eligibility criteria of 4 years' experience as Professor.</p> <p>In case, eligible candidates are not available for post of Principal from the feeder post of Vice Principal-cum-Professor, Professor, the Government will consider the incumbents in the post of Associate Professor for promotion cum selection to the post of Principal/ Principal-cum- Professor.</p>
2	Vice Principal-cum-Professor	<p>The post of Vice Principal-cum-Professor shall be filled up by way of selection from amongst the Professors who have (A) rendered at least 1 (one) year of service as Professor in Government Nursing institutes under Health & Family Welfare Department, Government of Assam, and (B) fulfilled the extant norms of INC, on the first day of the year in which the selection for promotion is made.</p> <p>In case, eligible candidates are not available for post of Vice Principal from the feeder post of Professor, the Government will consider the incumbents in the post of Associate Professor for promotion cum selection to the post of Vice Principal.</p>

SCHEDULE-IV
(See rule 10)

Sl. No.	Name of the post or Service	Method of appointment and experience for appointment by:	
		Direct Appointment	Promotion
1	2	3	4
1.	Professor	---	<p>The post of Professor shall be filled up by way of promotion from amongst the Associate Professors who have rendered at least 3(three) years of service as Associate Professor in Government Nursing institutes under Health & Family Welfare Department, Government of Assam, on the first day of the year in which the selection for promotion is made.</p> <p>Eligibility for promotion will also be subject to fulfilment of norms stipulated by INC and the publication of Research Papers as may be stipulated by Government from time to time. Government may also stipulate any other relevant criteria as deemed necessary by State Government.</p>
2.	Associate Professor	----	<p>The post of Associate Professor shall be filled up by way of promotion from amongst the Assistant Professors who have rendered at least 4(four) years of service as Assistant Professor in Government Nursing institutes under Health & Family Welfare Department, Government of Assam, on the first day of the year in which the selection for promotion is made.</p> <p>Eligibility for promotion will also be subject to fulfilment of norms stipulated by INC and the publication of Research Papers as may be stipulated by Government from time to time. Government may also stipulate any other relevant criteria as deemed necessary by State Government.</p>

3.	Assistant Professor	---	<p>The post of Assistant Professor shall be filled up by way of promotion from amongst the Lecturers who have rendered at least 4(four) years of service as Lecturer in Government Nursing institutes under Health & Family Welfare Department, Government of Assam, on the first day of the year in which the selection for promotion is made.</p> <p>Eligibility for promotion will also be subject to fulfilment of norms stipulated by INC and the publication of Research Papers as may be stipulated by Government from time to time. Government may also stipulate any other relevant criteria as deemed necessary by State Government.</p>
4.	Lecturer	Recruitment to the cadres of Lecturer shall be made by direct recruitment by the Government through the Medical and Health Recruitment Board.	

ANURAG GOEL,
Principal Secretary to the Government of Assam,
Health & Family Welfare Department.