

(TO BE PUBLISHED IN THE DELHI GAZETTE PART IV EXTRAORDINARY)
GOVERNMENT OF NCT OF DELHI
HEALTH AND FAMILY WELFARE DEPARTMENT
DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI - 110002
NOTIFICATION
Delhi, the _____, 2015

F. No. 2/201/2002/DISMH/Homoeo/_____. In exercise of the powers conferred under article 309 of the Constitution read with the Government of India, Ministry of Home Affairs O.M. No. 24/78/68-DH(S), dated 24/9/1968, and in supersession of the Delhi Health Services General Duty Medical Officer (Homoeopathy) Rules, 2013, notified on 6th June, 2013, in the Directorate of AYUSH (formerly Directorate of ISM and Homoeopathy) under Health and Family Welfare Department, Govt. of National Capital Territory of Delhi, the Lt. Governor, National Capital Territory of Delhi, after prior consultation with the Union Public Service Commission, is pleased to make the following rules namely : -

- 1 **Short Title and commencement** - (i) These rules may be called the Delhi Health Services General Duty Medical Officer (Homoeopathy) Amendment Rules, 2015.
(ii) They shall come into force on the date of their publication in the official Gazette.
- 2 **Definitions** – In these rules, unless the context otherwise requires –
 - a) “**Commission**” means the Union Public Service Commission.
 - b) “**Controlling Authority**” means the Health and Family Welfare Department, Government of National Capital Territory of Delhi.
 - c) “**Departmental Promotion Committee**” means Group ‘A’ Departmental Promotion Committee specified in Schedule IV for considering cases of promotion or confirmation in Group “A” posts of the service.
 - d) “**Duty Post**” means any post, whether permanent or temporary, specified in Schedule – II.
 - e) “**Government**” means the Lt. Governor of National Capital Territory of Delhi appointed by the President under article 239 and designated as such under article 239 AA of the Constitution.
 - f) “**Grade**” means any of the grades specified in Schedule - I.
 - g) “**Schedule**” means a Schedule appended to these rules.
 - h) “**Service**” means the Delhi Health Service of General Duty Medical Officer (Homoeopathy).
- 3 **Constitution of Service** - (1) There shall be constituted a Service known as Delhi Health Service of General Duty Medical Officers (Homoeopathy) (Group ‘A’) consisting of persons, appointed under rule 7 and rule 8.
(2) All the posts included in the Service shall be Group ‘A’ posts.
- 4 **Composition of the Service** - All duty posts, included in the Service shall be classified as General Central Civil Service Group “ A ” Gazetted, non-ministerial and the grades, scales of pay, non - practicing allowance and other matters connected therewith shall be as specified in Schedule – I.

- 5 **Authorized Strength of the Service** - (i) The authorized strength of the duty posts included in the various grades of the Service on the date of commencement of these rules shall be as specified in Schedule - II.
- (ii) After the commencement of these rules, the authorized permanent strength of the duty posts in the various grades shall be such as may from time to time be determined by the Government.
- (iii) The Government may make temporary addition to or reduction in the strength of the duty posts in the various grades as deemed necessary from time to time.
- (iv) The Government may, in consultation with the Commission, include in the Service any post other than those included in Schedule - II or exclude from the Service a post included in the said Schedule.
- (v) The Government may, in consultation with the Commission, appoint an officer whose post is included in the Service under sub-rule (4), to the appropriate grade of the Service in a temporary capacity or in a substantive capacity, as may be deemed fit, and fix his seniority in the grade after taking into account continuous regular service in the analogous grade.
- (vi) Five percent of the total number of posts of the Senior Medical Officers and Chief Medical Officers shall be included in the Service as "leave reserve".
- (vii) The contractual General Duty Medical Officers (Homoeopathy) appointed on or before 18/12/2006, who still continue to render the service on contractual basis on the date of notification of this sub-rule, shall be assessed by the Union Public Service Commission on the basis of their suitability and requisite qualification prescribed for the post of Medical Officer (Homoeopathy) and if found fit, shall be deemed to have been appointed under these rules and shall be member of the service at the entry level with immediate effect. Further, the assignment of seniority will also be prospective and the statutory provisions of reservation shall apply."
6. **Members of the Service** - (1) The following persons shall be members of the Service, namely
- (a). Persons appointed under sub-rule (v) of rule 5.
- (b). Persons appointed to duty posts under rule 7, and
- (c). Persons appointed to duty posts under rule 8.
- (2). A person appointed under clause (b) of sub-rule (1) shall, on such appointment, be deemed to be the member of the Service in the appropriate Grade applicable to him in Schedule – II.
- (3). A person appointed under clause (c) of sub- rule (1) shall, be the Member of the Service in the appropriate grade applicable to him in Schedule - II from the date of such appointment.
7. **Initial Constitution of the Service** - (1). All the General Duty Medical Officer/ officers appointed under the Delhi Health Services of General Duty Medical Officer (Homoeopathy), Assistant Director (Homoeopathy) and Deputy Director (Homoeopathy) on or before the commencement of these rules shall be deemed to have been appointed under these rules and they shall be members of the service in the respective grades.

- (2). The regular continuous service of officers referred to in sub- rule (1), before the commencement of these rules shall count for the purpose of probation, qualifying service for promotion, confirmation and pension in the service.

8. Future Maintenance of Service -

- i The vacancies in any of the grades referred to in Schedule – II shall be filled in the manner as herein after provided under these rules.
- ii The method of recruitment, the field of selection for promotion including the minimum qualifying service in the immediate lower grade for appointment or promotion to the posts in the respective sub-cadres shall be as specified in Schedule - III.
- iii (i) The Departmental Promotions shall be confined to officers of the cadres.
(ii) The Departmental Promotions to higher posts shall be made on the basis of selection from amongst the officers of the Service in the immediate lower grade on the recommendations of the Departmental Promotion Committee constituted as in Schedule – IV.
- iv If any officer appointed to any post in the Service is considered for the purpose of promotion to the higher post, all persons senior to him in the grade shall also be considered, provided they are not short of requisite qualifying/eligibility service by more than one year and have completed their probation period, if prescribed.
- v (i) Except while appointing a serving officer on non-selection basis (seniority – cum fitness), the selection of officers for maintenance of the service shall be made in consultation with the Commission, and wherever necessary, on the basis of the recommendation made by the Departmental Promotion Committee as specified in Schedule – IV.
(ii) The minimum educational and other qualification, experience and age limit for appointment of various duty posts in the Service by direct recruitment shall be as specified in Schedule – V.

Note : The promotion to the grades (other than entry grades) mentioned above shall be without linkage to vacancies.

- vi. For functional purposes -
 - (a) A Senior Medical Officer when posted in a Dispensary/Hospital or in the Directorate of Indian System of Medicine and Homoeopathy shall be designated as Senior Medical Officer or as Assistant Director as the case shall be.
 - (b). A Chief Medical Officer when posted in a Dispensary/Hospital or in the Directorate of Indian System of Medicine and Homoeopathy shall be designated as Chief Medical Officer, or as Deputy Director as the case shall be.
 - (c) The existing Assistant Director in the scale of Rs. 10,000 -15,200 + NPA (pre-revised) / Rs. 15,600 – 39,100 + Grade Pay Rs. 6600/- + NPA

(revised) and Deputy Director in the scale of pay of Rs. 12,000-16,500 + NPA (pre-revised) / Rs. 15,600 – 39,100 + Grade Pay Rs. 7600/- + NPA (revised), shall be deemed to have been included in the General Duty Medical Officers Cadre at the level of Senior Medical Officers in the scale of Rs. 10,000-15,200 + NPA (pre-revised) / Rs. 15,600 – 39,100 + Grade Pay Rs. 6600/- + NPA (revised) and Chief Medical Officer in the scale of pay of Rs. 12,000-16,500 + NPA (pre-revised) / Rs. 15,600 – 39,100 + Grade Pay Rs. 7600/- + NPA (revised) respectively. The Assistant Director, so included in the General Duty Medical Officers Cadre at the level of Senior Medical Officers shall be eligible to be considered for appointment as Chief Medical Officers in the scale of pay of Rs. 12,000-16,500 + NPA (pre-revised) / Rs. 15,600 – 39,100 + Grade Pay Rs. 7600/- + NPA (revised) on completion of five years of regular service as Assistant Director. The Deputy Director, so included in the General Duty Medical Officers Cadre at the level of Chief Medical Officer shall be eligible to be considered for appointment in the grade of Chief Medical Officer (Non-functional Selection Grade) in the scale of pay of Rs. 14,300-18,300 + NPA (pre-revised) / PB IV Rs. 37,400 – 67,000 + Grade Pay Rs. 8700/- + NPA (revised) on completion of four years regular service in the grade”.

- (d) On completion of Twenty years of regular service in Group ‘A’ posts or on completion of 07 (Seven) years of regular service as Chief Medical Officer (NMSG) / Deputy Director (Homoeopathy) in Grade Pay of Rs. 8700 in PB-4 including service rendered in the pre-revised scale of Rs. 14300-18300 or 20 years of regular service shall be eligible for upgradation to Senior Administrative Grade without linkage of vacancies.

- 9. Seniority -** (a) The seniority of members of the service appointed to a grade at the time of initial constitution of the service under Rule 6, shall be as obtaining on the date of commencement of these rules.

Provided that if the seniority of any such member had not been specifically determined on the said date, the same shall be determined on the basis of the rules governing the fixation of seniority as were applicable to the members of the Service prior to the commencement of these rules.

- (b) The seniority of officers recruited to posts other than those appointed under Rule 6 shall be determined in accordance with the orders issued by the Central Government in the matter from time to time.
- (c) The seniority of persons recruited to the Service in accordance with sub-rule (v) of Rule 5 shall be fixed in the matter provided therein.
- (d) In cases not covered by the above provisions, seniority shall be determined by the Government in consultation with the Commission.

- 10. Probation -** (i) Every officer appointed to the Service by direct recruitment shall be on probation for a period of one year.

Provided that the controlling authority may extend the period of probation in accordance with the instructions issued by Government from time to time.

Provided further that any decision for extension of a probation period shall be taken ordinarily within eight weeks after the expiry of the

previous probationary period and communicated in writing to the concerned officer together with the reasons for so doing within the said period.

- (ii). On completion of the probation or any extension thereof, officers shall if considered fit, may be confirmed against the post, if not already confirmed in the entry grade.
- (iii). If during the period of probation or any extension thereof, as the case may be, the Government is of the opinion that an officer is not fit for permanent appointment, it may discharge or revert the officer to the post held by him prior to his appointment in the Service, as the case may be.
- (iv). During the period of probation, or any extension thereof candidates may be required by Government to undergo such courses of training and instructions and to pass such examinations and tests (including examination in Hindi) as Government may deem fit as condition for satisfactory completion of probation.
- (v). As regards other matters relating to probation, the members of the Service will be governed by the instructions issued by the Government of India in this regard from time to time.

11. Appointment to the Service - All appointments to the Service shall be made by the Controlling Authority.

12. Liability for service and other conditions of service - (1) Officers appointed to the Service shall be liable to serve anywhere in Delhi.

(2) Private Practice prohibited :-

Persons appointed to the service shall not be allowed private practice of any kind whatsoever including any consultation and laboratory practice.

Such persons shall be entitled to a Non- practicing allowance at the rate specified in Schedule – I.

The conditions of service of the members of the service in respect of matters not expressly provided for in these rules, shall, mutatis mutandis and subject to any special orders issued by the Government in respect of the Service, be the same as those applicable to officers of the Central Civil Services in general.

13. Disqualification - No person shall be eligible for appointment to the Service

- (i). who has entered into or contracted a marriage with a person having a spouse living or
- (ii). who having a spouse living has entered into or contracted a marriage with any person.

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

14. Powers to relax - Where the Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing, and in consultation with the Commission, relax any of the provisions of these rules with respect to any class or category of persons.

- 15. Saving Clause** - “Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for the Scheduled Caste, Schedule Tribes, Other Backward Classes, Ex- servicemen and other special categories of persons in accordance with the orders issued by the Government from time to time in this regard”.
- 16. Interpretation** - If any question relating to the interpretation of these rules arises, the Government shall decide it in consultation with the Commission.
- 17. Repeal** -
The recruitment rules for the post of Medical Officer (Homoeopathy), Assistant Director (Homoeopathy) and Deputy Director (Homoeopathy) notified by notification no. F. 53/13/94/H&FW- II dated 12th April 1999, F. No. 2(8)/82/S.II, dated 15/7/1982 and F. 11/1/97- H & FW- II, dated 12th May 1999 respectively are repealed.

SCHEDULE-I

Grade, Scales of Pay and Non-Practicing Allowance etc. of Group-A Posts included in the Delhi Health Service Rules of General Duty Medical Officer (Homeopathy):-

S. No.	Grade	Scale of Pay
i)	Chief Medical Officer (Senior Administrative Grade)	PB-4 [Rs 37,400-67,000] Grade Pay Rs. 10000
ii)	Chief Medical Officer (Non functional Selection Grade)	PB-4 [Rs 37,400-67,000] Grade Pay Rs. 8700
iii)	Chief Medical Officer	PB-3 [Rs 15,600-39,100] Grade Pay Rs. 7600
iv)	Senior Medical Officer	PB-3 [Rs 15,600-39,100] Grade Pay Rs. 6600
v)	Medical Officer	PB-3 [Rs 15,600-39,100] Grade Pay Rs. 5400

II- Non – Practice Allowance:-

Rates of Non-Practicing Allowance admissible as per orders issued from time to time by the Government.

III- Annual Allowance:-

Post Graduate Allowance/conveyance allowance/annual allowance admissible as per orders issued from time to time by the Government.

SCHEDULE- II

Authorized strength of Delhi Health Service of General Duty Medical Officer (Homoeopathy) cadre:-

S. No	Designation	No of Posts
1	Directorate of Indian System of Medicine and Homoeopathy	
	Deputy Director (Homoeopathy)	1
	Assistant Director (Homoeopathy)	1
2	Homoeopathic Dispensaries	
	General Duty Medical Officer (Homoeopathy)	109
3	Nehru Homoeopathic Medical College and Hospital	
	General Duty Medical Officer (Homoeopathy)	2
4	Dr. B. R. Sur Homoeopathic Medical College, Hospital and Research Centre	
	General Duty Medical Officer (Homoeopathy)	2
	Total	115

SCHEDULE – III

The method of recruitment, field of selection for promotion and the minimum qualifying service in the immediate lower grade or promotion of officers to Group “ A ” duty posts in the Delhi Health Service of General Duty Medical Officer (Homoeopathy) :-

Sl. No	Name of the Post	Method of recruitment for promotion	Field of Selection and Minimum qualifying service
I.	Chief Medical Officer (Senior Administrative Grade) PB-4 [Rs.37400-67000] + GP Rs. 10000	100% By promotion on non-selection basis without linkage to vacancies subject to seniority-cum-fitness.	Promotion: On completion of Twenty years of regular service in Group ‘A’ posts or on completion of 07 (Seven) years of regular service as Chief Medical Officer (NFSG) / Deputy Director (Homoeopathy) in Grade Pay of Rs. 8700 in PB-4 including service rendered in the pre-revised scale of Rs. 14300-18300 or 20 years of regular service shall be eligible for upgradation to Senior Administrative Grade without linkage of vacancies.
2	Chief Medical Officer (Non-Functional Selection Grade) PB-4 [Rs.37400-67000] + GP Rs.8700	100% by promotion on non-selection basis without linkage to vacancies subject to seniority-cum-fitness.	On completion of thirteen years of regular service in Group ‘A’ posts or on completion of 04 (four) years of regular service as Chief Medical Officer / Deputy Director (Homoeopathy) in Grade Pay of Rs. 7600 in PB-3 including service rendered in the pre-revised scale of Rs. 12000-16500 without linkage of vacancies.
3	Chief Medical Officer PB-3 [Rs.15600-39100] + GP Rs.7600	100% by promotion on non-selection basis without linkage to vacancies subject to seniority-cum-fitness.	On completion of five 05 (five) years of regular service as Senior Medical Officer / Assistant Director (Homoeopathy) in Grade Pay of Rs. 6600 in PB-3 including service rendered in the pre-revised scale of Rs. 10000-15200 or on completion of nine years of combined regular service as Medical Officer and Senior Medical Officer / Assistant Director (Homoeopathy) of which at least two years shall be as Senior Medical Officer / Assistant Director (Homoeopathy), without linkage of vacancy. Note : The existing Deputy Director (Homoeopathy) who has been regularly appointed in the scale of Rs. 12,000 – 16,500 (pre-revised) / Rs.15600-39100 + GP Rs.7600 (revised) shall be included in the GDMO cadre at CMO level in the initial constitution

4	Senior Medical Officer PB-3 [Rs.15600-39100] + GP Rs.6600	100% by promotion on Non- Selection basis without linkage to vacancies subject to seniority-cum-fitness.	On completion of 04 (four) years regular service as Medical Officer in Grade Pay of Rs. 5400 in PB-3 including service rendered in the pre-revised scale of Rs. 8000- 13500 Note : The existing Assistant Director (Homoeopathy) who has been regularly appointed in the scale of Rs. 10,000 – 15,200 (pre- revised) / Rs.15600-39100 + GP Rs.6600 (revised) shall be included in the GDMO cadre at SMO level in the initial constitution
5	Medical Officer PB-3 [Rs.15600-39100] + GP Rs.5400	By direct recruitment on the basis of a written examination to be conducted by the Union Public Service Commission to be followed by an interview through Union Public Service Commission in accordance with age limit and educational qualifications and experience as may be prescribed in consultation with the Union Public Service Commission.	See Schedule V for qualification, experience and age limit, etc.

Note:

Promotions shall be on "Non- Selection" basis.

The departmental promotions shall be confined to officers of the same sub- cadres.

SCHEDULE –IV

Group 'A' Departmental Promotion Committee for considering the cases of promotion or confirmation in Group "A" posts in the Delhi Health Service of General Duty Medical Officer (Homoeopathy)

A. Departmental Promotion Committee for Chief Medical Officer (Senior Administrative Grade), Chief Medical Officer (Non functional Selection Grade), Chief Medical Officer (Homoeopathy) and Senior Medical Officer(Homoeopathy)

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|---|----------|
| a) Chief Secretary, Govt. of N.C.T. of Delhi | Chairman |
| b) Secretary concerned in GNCT of Delhi | Member |
| c) HOD concerned unless he is ex-officio Secretary in GNCT of Delhi | Member |

B. For Confirmation of Medical Officer (Homoeopathy)

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| a) Chief Secretary, Govt. of N.C.T. of Delhi | Chairman |
| b) Secretary concerned in GNCT of Delhi | Member |
| c) HOD concerned unless he is ex-officio Secretary in GNCT of Delhi | Member |

Note 1: The nominee officer should be normally at least one level above the level for which the persons are to be considered for promotion.

SCHEDULE –V

S. No	Name of the Post	Age	Educational and other qualification required
1.	Medical Officer (Homoeopathy) {PB-3 [Rs. 15600-39100] + GP Rs. 5400} + NPA	Not exceeding 35 years Note – 1 Relaxable for Govt. Servants by 5 years in accordance with instructions issued by the Central Govt. Note - 2 The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India, (and not the closing date prescribed from those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim Ladakh Division of J & K State, Lahaul & Spiti District and Pangti sub – division of Chamba district of Himachal Pradesh, Andaman & Nicobar Islands or Lakshadweep)	Essential (i) Degree in Homoeopathy of a recognized University or Statutory State Board /Council of equivalent recognized under the Homoeopathy Central Council Act, 1973 (59 of 1973) (ii) Enrolment on State Register or Central Register of Homoeopathy Note: Qualifications are relaxable at the discretion of UPSC in case of candidates otherwise well qualified.
2.	Senior Medical Officer (Homoeopathy)	Not Applicable	Not Applicable
3.	Chief Medical Officer (Homoeopathy)	Not Applicable	Not Applicable
4.	Chief Medical Officer (Homoeopathy) (Non-Functional Selection Grade)	Not Applicable	Not Applicable
5.	Chief Medical Officer (Senior Administrative Grade)	Not Applicable	Not Applicable

By order and in the Name of Lt. Governor of Delhi,

Deputy Secretary (Health)