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## HEALTH & FAMILY WELFARE DEPARTMENT

### NOTIFICATION

The 8th March 2019

No. 6634—HFW-FWMISC-0072/2018 (Part -2)—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Odisha Multipurpose Health Workers (Male) Service (method of Recruitment and Conditions of Service) Rules, 2015 except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the Odisha Multipurpose Health Worker (Male) Service, namely :—

### PART-I

### GENERAL

#### 1. Short title and commencement :—

- (1) These rules may be called the Odisha Multipurpose Health Worker (Male) Service (method of Recruitment and Conditions of Service) Rules, 2019
- (2) They shall come into force on the date of their publication in the *Odisha Gazette*.

#### 2. Definitions —: (1) In these rules, unless the context otherwise requires,—

- (a) “Appointing Authority” means Chief District Medical and Public Health Officer in case of District Government medical Institutions.
- (b) “Commission” means the Odisha Sub-ordinate Staff Selection Commission ;
- (c) “Committee” means the Departmental Promotion Committee constituted under Rule 14;
- (d) “Ex-serviceman” means a person as defined in the Odisha Ex-servicemen (Recruitment to State Civil Service and Posts) Rules, 1985;
- (e) “Government” means the Government of Odisha;
- (f) “Medical Institution” means the District Government medical Institutions
- (g) “Persons with Disabilities” means a Person who has been granted a disability certificate by Competent Authority as per provisions of “the Rights of Persons with Disabilities Act 2016”.

- (h) "Schedule" means Schedule to these rules
- (i) "Scheduled Castes and Scheduled Tribes" shall have reference to the Schedule Castes and Tribes specified in the Constitution (Schedule Castes) order, 1950 and the Constitution (Schedule Tribe) order, 1950, as the case may be, under Article 341 and 342 of the Constitution of India, respectively;
- (j) "SEBC" means the Socially and Educationally Backward Classes of citizens as defined in clause (a) of Section 2 of the Odisha State Commission Backward Class Act, 1993;
- (k) "Select List" means the list of persons prepared and published by the "Odisha Subordinate Staff Selection Commission" in case of direct recruitment and the list prepared by the Departmental Promotion Committee in case of promotion.
- (l) "Service" means the Odisha Multipurpose Health Worker (M) Service;
- (m) "Sportsman" means a person who has been issued with identity card as sportsman by the Director, Sports as per Resolution No. 24808-Gen, dated the 18th November, 1985 of the General Administration Department ;
- (n) 'Year' means the calendar year;
- (2) All other words and expressions used but not specifically defined in these rules shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the odisha Service Code.

**3. Constitution of Service**—The Service shall consist of such posts as specified in Column 2 of the Schedule.

**4. Conditions of taking over of existing Multi Purpose Health Workers (Male) :—**

- (1) On the date of commencement of these rules, all the contractual Multipurpose health Workers (Male), who have been duly required by the OSH & FW Society/Schems and have completed 6 (six) years of satisfactory contractual service shall be deemed to be regular Government Employees as one time measure subject to fulfillment of eligibility criteria as prescribed under Rule 5 :

Provided that all the contractual Multipurpose Health Workers (Male), who are yet to complete six years of contractual service and having eligibility criteria as prescribed under Rule 5 shall be deemed to be contractual Government Employees as one time measure and shall be regularized as and when they complete six years of satisfactory contractual service, including the service that has already been rendered in concerned scheme/society :

Provided further that those contractual Multipurpose Health Workers (Male), who do not meet the eligibility criteria, as mentioned under Rule 5 shall continue as such under the OSH & FW Society till closure of the project, retirement or disengagement, whichever is earlier.

- (2) On their regularization, such posts of contractual Multipurpose Health Workers (Male), of the OSH & FW Society/Scheme as in sub-rule (1) shall be deemed to have been abolished from the date of such induction of contractual Multipurpose Health Workers (Male), into the Cadre. As these posts shall cease to exist, no further contractual recruitment to fill up these posts shall be made by the OSH & FW Society other than by the Commission.

**5. Modalities for Induction of Multi Purpose Health Workers (Male), into the Cadre**—All the Multi Purpose Health Workers (M) who have completed or are yet to complete 6 years of satisfactory contractual service under the Society/Scheme, on the date of commencement of these rules, shall be deemed to have been inducted into the Cadre subject to following conditions :

- (i) such Multipurpose Health Workers (Male), who have the minimum educational qualification and other eligibility criteria as prevalent on the date of their engagement under the Society/Scheme;
- (ii) who have been selected through an open and transparent recruitment process;
- (iii) while inducting, the reservation principles as in Rule 7 shall be followed.

## PART-II

### METHODS OF RECRUITMENT

**6. Methods of Recruitment** —Subject to other provisions made in these rules, the method of recruitment to the posts in different grades of the service shall be made in the following manner, namely,—

- (a) Recruitment to the post of Multipurpose Health Worker (Male) shall be made by direct recruitment through competitive examination to be conducted by the Commission in the manner provided under Rule 8.
- (b) The posts of Multipurpose Health Supervisor shall be filled up by way of promotion from among the persons holding the posts of Multipurpose Health Worker (Male), in accordance with the provision made under these rules.

**7. Reservations** —

Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for—

- (a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder; and
- (b) SEBC, Women, Sportsmen, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act, Rules, Orders, Resolution or Instructions issued in this behalf by the Government from time to time.

PART-III  
DIRECT RECRUITMENT

**8. Procedure for Direct Recruitment—**

- (1) In the month of January every year the respective appointing authorities of the medical institutions concerned shall determine the existing vacancies and the vacancies likely to occur in the service in their respective jurisdictions in the year in which the recruitment is to be made and the vacancies shall be intimated to the Commission by the end of January indicating therein the number of posts belonging to different reserved categories as specified under rule 7.
- (2) On receipt of the intimation, the Commission shall publish advertisement at least in two leading vernacular daily newspapers having wide circulation in Odisha, inviting applications from eligible candidates for appearing in the competitive recruitment examination.
- (3) The application forms, the manner of submission of application, the documents required to be accompanied with the application form, fee required and scrutiny of applications shall be such as may be decided by Commission.
- (4) The standard, syllabus and subjects of examination shall be as decided by the Commission in consultation with the Administrative Department.

**9. Eligibility Criteria for direct recruitment** —In order to be eligible for direct recruitment to the post of Multipurpose Health Worker (Male), a candidate must :—

- (a) be a citizen of India
- (b) have attained the age of 21 years and must not be above the age 32 years on the first day of January of the year in which applications are invited by the Commission :

Provided that the upper age limit in respect of reserved categories of candidates referred to in Rule 7 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions for the time being in force, for the respective categories.

- (c) Knowledge in Odia :—
  - (i) the candidate must be able to read, write and speak Odia and must—
  - (ii) have passed Middle School Examination with Odia as a language subject; or
  - (iii) have passed Matriculation or equivalent examination with Odia as medium of examination in non language subject; or
  - (iv) have passed in Odia as language subject in the final examination of Class VII from a School or Educational Institution recognized by the Government of Odisha or Central Government; or
  - (v) have passed a test in Odia in Middle English School Standard conducted by the School and Mass Education Department.
- (d) Marital Status :—A candidate must not have more than one spouse living, if married :

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

- (e) Physical Fitness :—A candidate must be of good mental condition and health and free from any physical defect likely to interfere with the discharge of his normal duties in the service. A candidate, who after such medical examination as the Government may prescribe, is not found to satisfy these requirements shall not be appointed to the service.
- (f) The candidate must have registered his name in Odisha Pharmacy Council and must have possessed valid Registration Certificate as on the date of advertisement for recruitment.
- (g) The candidate must have registered his name in any Employment Exchange in the District on or before the date of submission of application for the competitive examination.

**10. Educational Qualification** :—A candidate must have possessed educational qualification as prescribed in Column 4 of the Schedule.

**11. Select List for appointment by way of direct recruitment** :—

- (1) The Commission shall prepare a select list of successful candidates in order of merit on the basis of written test which shall be equal to number of advertised vacancies as a whole indicating therein the names of respective Appointing Authorities under whom the appointment shall be made subject to fulfillment of all formalities.
- (2) The list of successful candidates drawn in order of merit shall be published by the Commission.
- (3) The Commission shall forward the list of successful candidates equal to the number of vacancies advertised to the Appointing Authority.
- (4) The Appointing Authority shall issue appointment orders in respect of the selected candidates posting them in the respective medical units subordinate to him where vacancies are available.
- (5) Appointment to the post in service shall be made in the order in which their names appear in the select list.
- (6) The list recommended by the Commission shall remain valid for one year from the date of issue by the Commission or until another list is prepared afresh whichever is earlier.

#### PART-IV PROMOTION

**12. Eligibility Criteria for promotion**—The Eligibility Criteria for promotion to the posts of Multi Purpose Health Supervisor shall be as specified in Column 5 of the schedule subject to merit-*cum*-suitability with due regard to seniority.

**13. Combined gradation list for the purpose of promotion :**

- (1) For the purpose of consideration of promotion to the posts of Multipurpose Health Supervisor, a combined gradation list of Multipurpose Health Workers (Male) shall be prepared by Director, Public Health in the following manner :—
- (a) The names shall be arranged on the basis of the year of recruitment chronologically
  - (b) In each year of recruitment the names shall be arranged as per their respective select lists.
  - (c) The Multipurpose Health Workers inducted into the cadre under Rule 4 shall en-block be junior and placed below the persons appointed prior to their induction.
  - (d) Names of the Multipurpose Health Workers inducted under Rule 4 shall be arranged in order of their date of joining in the post. If the date of joining of two or more Health Workers (Male) is same then the name of the older one shall be above the younger one.

**14. Constitution of Departmental Promotion Committee :**

- (1) There shall be constituted a Departmental Promotion Committee with the following members for consideration of promotion to the post of Multipurpose Health Supervisor namely :—
- |   |    |          |
|---|----|----------|
| (a) Director, Public Health   | .. | Chairman |
| (b) Joint Secretary/Deputy Secretary to Government, Health and Family Welfare Department in charge of respective establishment. | .. | Member   |
| (c) Additional Director, Health Services (HRH & R)  | .. | Member   |
| (d) Representative of ST & SC Development Department not below the rank of Deputy Secretary to Government.                      | .. | Member   |
| (e) Deputy Secretary/Under Secretary to Government in charge of respective establishment.                                       | .. | Member   |
| (f) Establishment Officer (PH), DPH (O)   | .. | Convener |
- (2) The recommendation of Committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman :

Provided that the members so absenting must have been duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.

**15. Procedure for Selection by the Committee :**

- (1) The Committee shall meet at least once in a year preferably in the month of January to prepare a list of employees found suitable for promotion to the next higher post taking into account the existing vacancies and the anticipated vacancies of the year in which the Departmental Promotion Committee meets.

- (2) The Committee while considering the promotion cases of suitable officers/employees and preparation of the list shall follow the provisions of :
- (a) the Odisha Reservation of Vacancies in posts and Services (for Scheduled Caste and Scheduled Tribes) Act, 1975 and the rules made thereunder,
  - (b) the Rights of Persons with Disabilities Act 2016 and the rules made, instructions issued thereunder.
  - (c) the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988,
  - (d) the Odisha Civil Services Criteria for promotion) Rules, 1992, and
  - (e) the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

**16. Select list for appointment by way of promotion :**

- (1) The Committee shall forward the list of the employees so prepared to the appointing authority for approval and after receiving the approval the same shall form the select list.
- (2) The select list shall ordinarily be in force for a period of one year from the date of its approval by the appointing authority or until another select list is prepared afresh whichever is earlier.
- (3) Appointment to any post in the service shall be in the order in which their names appear in the select list.

**PART-V**

**OTHER CONDITIONS OF SERVICE**

**17. Probation and Confirmation :**

- (1) Every person appointed to post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining in the post :

Provided that the appointing authority may, if thinks fit, in any case or class of cases may extend the period of probation, but in no case it shall be more than a year. Provided further that such period of probation shall not include the period of,—

- (a) extraordinary leave;
  - (b) unauthorized absence; and
  - (c) any other period held to be not being on actual duty.
- (2) The appointment of a probationer coming through direct recruitment may for good and sufficient reasons to be recorded in writing, be terminated by appointing authority at any time without previous notice during the period of probation and in case of the employee who has been appointed by way of promotion shall be deemed to be reverted to her/his former cadre.

- (3) A probationer after completion of the period of probation to the satisfaction of Government shall be eligible for confirmation subject to availability of substantive vacancy in the service.

**18. *Inter se* seniority :**

- (1) The *inter se* seniority of the persons appointed through direct recruitment under Rule-6 (a) in the service in a particular year shall be in the order in which their names appear in the select list.
- (2) Multipurpose Health Workers (Male) inducted under Rule-4 shall en bloc be junior to the existing Multipurpose Health Workers in the cadre on the date of commencement of these rules.
- (3) Seniority of Multipurpose Health Workers inducted under Rule 4 shall be determined taking into account their date of joining the Society/Scheme.

**19. Other conditions of service :**

The conditions of service in regard to matters not covered by these rules shall be the same as may from time to time be prescribed by the Government.

PART-VI  
MISCELLANEOUS

**20. Relaxation :**

When it is considered by the Government that it is necessary or expedient so to do in public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of employees.

**21. Interpretation :**

If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Government, whose decision thereon shall be final.



## SCHEDULE

[ See Rule 6, 10 &amp; 12 ]

Sl. No.	Nomenclature of the Post	Method of Recruitment	Minimum qualification	Eligibility Criteria for Promotion
(1)	(2)	(3)	(4)	(5)
1	Multipurpose Health Worker (Male) (District Cadre).	Direct Recruitment	Must have passed +2 Science Examination under Council of Higher Secondary Education, Odisha/equivalent with Diploma in Pharmacy from any Government Medical College and Hospitals of the State/any other private institutions duly recognized by the Pharmacy Council of India/ A.I.C.T.E.	
2	Multipurpose Health Supervisor (Male) (State Cadre.)	Promotion From Multi Purpose Health Worker.	..	Ten years of regular service.  In service trainings as would be decided will also be a criteria for promotion.

By order of the Governor

PRAMOD KUMAR MEHERDA

Commissioner-*cum*-Secretary to Government