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HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 8th March 2019

No. 6639—HFW-FW-FWMISC-0072/2018(Part-1)—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 Worker (Female) 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(Female) Service, namely:—

PART - I

GENERAL

1. Short title and commencement : (1) These rules may be called the Odisha Multipurpose Health Worker (Female) 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 Subordinate Staff Selection Commission;
- (c) “Committee” means the Departmental Promotion Committee constituted under Rule 13 ;
- (d) “Ex-servicemen” means a person as defined in the Odisha Ex-Servicemen (Recruitment to State Civil Services 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(Female) 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; and
- (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 schedule.

4. Conditions of taking over of existing Auxiliary Nurse Midwifery/Multipurpose Health Worker (F) : (1) On the date of commencement of these rules, all the contractual Auxiliary Nurse Midwifery / Multipurpose Health Worker(F)s who have been duly recruited by the OSH&FW Society/ Schemes and have completed 6 (six) years of satisfactory contractual service shall be deemed to be appointed in the service on regular basis as one-time measure subject to fulfilment of eligibility criteria as prescribed under Rule 5 :

Provided that all the contractual Auxiliary Nurse Midwifery/ Multipurpose Health Worker(F)s 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 Auxiliary Nurse Midwifery / Multipurpose Health Worker(F)s, 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 Auxiliary Nurse Midwifery / Multipurpose Health Worker(F)s of the OSH&FW Society/Scheme as in sub-clause (1) shall be deemed to have been abolished from the date of such induction of contractual Auxiliary Nurse Midwifery / Multipurpose Health Worker(F)s 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 Auxiliary Nurse Midwifery/Multipurpose Health Worker (F) into the Cadre : All the Multipurpose Health Worker (Female) / Auxiliary Nurse Midwifery 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 Auxiliary Nurse Midwifery/ Multipurpose Health Worker (Female) who have the minimum educational qualification & other eligibility criteria as prevalent on the date of their engagement under the Society/Scheme;
- (ii) who have been selected through an open & 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 the 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 (Female) 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 promotion from among the person holding the posts of Multipurpose Health Worker (Female) in accordance with the provisions 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 there; 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 the 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 the 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 (Female), a candidate must,—

(a) be a citizen of India;

(b) have attained the age of 21 years and must not be above the age of 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:

Provided further that, the upper age limit for contractual Multipurpose Health Worker(F)s under OSH & FW Society/ Scheme and for ASHAs who shall take part in the recruitment process, if otherwise eligible shall also be 50 years as on the date of advertisement.

(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 Govt. of Odisha or Central Govt.; or
 - (v) have passed a test in Odia in Middle English School Standard conducted by the School & 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) Educational qualification: A candidate must have passed +2 in any stream under Council of Higher Secondary Education, Odisha or equivalent and passed Health Worker Female (Auxiliary Nurse Midwifery) Training Course conducted by the Odisha State Nursing and Midwives Board or passed out from INC (Indian Nursing Council) approved institutions either Govt. or private and having Odisha Nursing & Midwives Council Registration.
- (f) A candidate must be of good mental condition and health and free from any physical defect likely to interfere with the discharge of her 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.
- (g) A candidate must have registered her name in the Odisha Nursing & Midwives Council and have possessed valid registration certificate as on the date of advertisement for recruitment.
- (h) A candidate must have registered her name in any Employment Exchange in the District on or before the date of submission of application for the competitive examination.

10. 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 fulfilment of all formalities :

Provided that if two or more candidates secure equal marks then the candidate securing higher percentage (%) of marks in Auxiliary Nurse Midwifery Training Examination shall find place above the others in the merit list and in case percentage (%) of marks obtained in Auxiliary Nurse Midwifery Training Examination is also the same, the candidate older in age shall be placed above the younger; and in case the age is also the same, the candidate who secures more marks in +2 in any stream or equivalent examination shall find the place above the others.

(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 after due verification of the certificate and documents, 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

11. Eligibility criteria for promotion : The eligibility criteria for promotion to the post of Multipurpose Health Supervisor (Female) Service shall be as specified in Column 5 of the schedule subject to merit-*cum*-suitability with due regard to seniority :

12. 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 Worker (Female) of all Medical Institutions shall be prepared by the Director, Family Welfare, Odisha in the following manner, namely :—

- (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 Auxiliary Nurse Midwifery/Multipurpose Health Workers(F) inducted into the cadre under Rule 4 shall *en bloc* be junior and placed below the persons appointed prior to their induction.
- (d) Names of the Auxiliary Nurse Midwifery/ Multipurpose Health Workers(F) inducted under Rule 4 shall be arranged in order of their date of joining in the post. If the date of joining in the contractual service under the society/scheme of two or more Multipurpose Health Workers (Female) is same then the name of the older one shall be above the younger one.

(2) For the purpose of consideration of promotion to the posts of Multipurpose Health Supervisor, the gradation list of Multipurpose Health Worker (Female) shall be prepared by the Directorate of Family Welfare.

13. Constitution of Departmental Promotion Committee : (1) There shall be constituted a Departmental Promotion Committee with the following members to consider the case of promotion to the post of Multipurpose Health Supervisor, namely:—

- | | | |
|---|----|----------|
| (a) Director, Family Welfare, Odisha | .. | Chairman |
| (b) Director, Nursing, Odisha | .. | Member |
| (c) Joint Secretary/ Deputy Secretary to Govt.,
H. & F.W. Department, in charge of respective Establishment. | .. | Member |
| (d) Representative of S.T. & S.C. Development Department
not below the rank of Jt. Secretary to Govt. | .. | Member |
| (e) Addl. Director, Health Services (HRH&R) | .. | Member |
| (f) Establishment Officer (Family Welfare), DFW(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.

14. 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 employees and preparation of the list shall follow the provisions of :

- (a) the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes 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.

15. Select list for appointment by way of promotion : (1) The Committee shall forward the list of the employees so prepared under Rule 13 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.

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

16. 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.

17. 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) Auxiliary Nurse Midwifery/Multipurpose Health Workers(F) inducted under Rule 4 shall *en bloc* be junior to the existing Multipurpose Health Worker (Female)s in the cadre on the date of commencement of these rules.

(3) Seniority of Auxiliary Nurse Midwifery/ Multipurpose Health Workers(F) inducted under Rule 4 shall be determined as taking into account their date of joining in the contractual service under the Society/Scheme.

18. 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 State Government.

PART - VI

MISCELLANEOUS

19. 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 ,if otherwise admissible.

20. 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 3, 6 & 11]

Sl. No.	Nomenclature of the Post	Method of Recruitment	Minimum qualification	Eligibility Criteria for Promotion
1	2	3	4	5
1	Multipurpose Health Worker (Female) (District Cadre).	Direct Recruitment	Must have passed Higher Secondary School Certificate, +2 Examination and passed Health Worker Female Training course conducted by Odisha State Nursing and Midwives Board or passed out from INC (Indian Nursing Council) approved institutions either Govt. or private and having Odisha Nursing Council Registration.	
2	Multipurpose Health Supervisor (Female) State Cadre.	Promotion From MPHWF).		Ten years of regular service.

By order of the Governor

PRAMOD KUMAR MEHERDA

Commissioner-cum-Secretary to Government