

**GOVERNMENT OF ODISHA
HEALTH & FAMILY WELFARE DEPARTMENT**

* * *

NOTIFICATION

Bhubaneswar Dated 16th December, 2019

No. HFW-MEI-PROF-0006-2019. 330/21H & FW., In exercise of the powers conferred by the proviso to article 309 of the constitution of India, the Governor of Odisha is pleased to make the following rules, namely:-

1. Short title and commencement.—(1) These rules may be called the Odisha Revised Scales of Pay (For Medical College Teachers) Rules, 2019.

(2) They shall be deemed to have come into force on the 1st day of January, 2016.

2. Application. —(1) Save as otherwise provided by or under these rules, these rules shall apply to all Medical College Teachers in receipt of U.G.C scale of pay in whole time employment of Government in the posts or services.

(2) These rules shall not apply to, —

- (i) doctors engaged by Government on contract basis except when the contract provides otherwise;
- (ii) doctors re-employed after retirement; and
- (iii) any other class or category of doctors whom the Governor may, by order, specifically exclude from the operation of all or any of the provisions of these rules.

3. Definitions.—In these rules, unless the context otherwise requires,—

(a) "basic pay" in the revised pay structure means the pay drawn in the prescribed Level in the Pay Matrix but does not include any other type of pay like special pay;

(b) "Cell" means the pay arranged vertically against the corresponding Pay Band and Academic Grade Pay or Level of the Pay Matrix;

(c) "existing basic pay" means pay drawn in the prescribed existing Pay Band and Academic Grade Pay including stagnation increment, personal pay granted to protect the total emoluments on account of loss of pay, advance increments granted, if any, but does not include any other type of pay like "special pay";



(d) "existing emoluments" means the sum of existing basic pay and existing dearness allowance allowed to the basic pay as on the 1st day of January, 2016;

(e) "existing Pay Band and Academic Grade Pay" in relation to a pay band and academic grade pay of a Medical College Teacher, means the Pay Band and the Academic Grade Pay applicable to the post held by the Medical College Teacher or, as the case may be, any personal pay in the Pay Band and Academic Grade Pay applicable to him/her as on the 1st day of January, 2016;

(f) "existing pay structure" in relation to a Government Medical College Teacher means the present system of Pay Band and the Academic Grade Pay applicable to the post held by the Government Medical College Teacher as on the 1st day of January, 2016:

Provided that the expressions "existing basic pay" and "existing Pay Band and Academic Grade Pay" in respect of a Government Medical College Teacher who on the 1st day of January, 2016 was on deputation or on leave or on foreign service or on training or who would have on that date continued in one or more lower posts but for his/her officiating in a higher post, shall mean such basic pay, Pay Band and Academic Grade Pay in relation to the post which he/she would have held but for his/her being on deputation or on leave or on foreign service or on training or officiating in a higher post, as the case may be;

(g) "Government" means the Government of Odisha;

(h) "Level" in the Pay Matrix shall mean the Level corresponding to the existing Pay Band and Academic Grade Pay attached to the post/grade as specified in the First Schedule;

(i) "Medical College Teachers" means a teacher appointed to any Government Medical College.

(j) "Pay" means the pay as defined in clause (i) of sub-rule(a) of rule 33 of the Odisha Service Code in the existing scale and shall include:-

(a) *ad hoc* increment granted in the shape of personal pay on account of stagnation at the maximum of the existing Pay Band;

(b) personal pay including reducible personal pay granted due to fixation of pay to protect the total emoluments on account of loss of pay; and

(c) advance increment granted, if any.

Note - A list of existing Pay Band and Academic Grade Pay and their corresponding Level in the revised pay structure in the Pay Matrix is as specified in the **First Schedule**.



(k) "Pay in the Level" means pay drawn in the appropriate Cell of the Level as specified in the First Schedule;

(l) "Pay Matrix" means Matrix as specified in the First Schedule, with Levels of pay arranged in vertical cells as assigned to corresponding existing Pay Band and Academic Grade Pay.

(m) "revised emoluments" means the pay in the Level of a Medical College Teacher in the revised pay structure;

(n) "revised pay structure" in relation to a post means the Pay Matrix and the Levels specified therein corresponding to the existing Pay Band and Academic Grade Pay of the post unless a different revised Level is notified separately for the post;

(o) "Schedule" means schedule to these rules.

4. Level of posts.— The Level of posts shall be determined in accordance with the various Levels as assigned to the corresponding existing Pay Band and Academic Grade Pay as specified in the Pay Matrix.

5. Drawal of pay in the revised pay structure.— Save as otherwise provided in these rules, a Medical College Teacher shall draw pay in the Level in the revised pay structure applicable to the post to which he is appointed:

Provided that a Medical College Teacher may elect to continue to draw his pay in the existing pay structure until the date on which he earns his next increment in the existing pay structure falling due within a period of one year i.e. from 1st day of January 2016 to 31st December 2016:

Explanation- The aforesaid option shall not be admissible to any Medical College Teacher appointed to a post on or after the 1st January, 2016 and he shall be allowed pay only in the revised pay structure.

6. Exercise of option.—(1) The option under the proviso to rule 5 shall be exercised in writing in the Form as specified in the **Second Schedule** so as to reach the authority within three months of the date of notification of these rules or where any revision in the existing pay structure is made by an order subsequent to the date of notification of these rules, within three months of the date of such order:

Provided that, -

(i) a Medical College Teacher who is on the date of such notification or, as the case may be, date of such order, on leave or, on deputation to foreign service or active service, the said option shall be exercised in writing so as to reach the authority within three months of the date of his taking charge of the post and/ or within three months from the date of notification of these rules to the Administrative Department or Heads of the Department or Head of Office as the case may be; and

(ii) where a Medical College Teacher is under suspension on the 1st day of January, 2016, the option may be exercised within three months of the

date of his return to the duty if that date is later than the date prescribed in this sub-rule.

(2) The option shall be intimated by the Medical College Teacher to the Head of Office and where the Medical College Teacher himself is the Head of Office, the option shall be intimated to the authority competent to sanction his normal increment.

(3) If the intimation regarding option is not received within the time mentioned in sub-rule (1), the Medical College Teacher shall be deemed to have opted to be governed by the revised pay structure with effect from the 1st day of January, 2016.

(4) The option once exercised shall be final.

Note-1 The Medical College Teachers who have retired on or after the 1st January, 2016 or whose services were terminated on or after the 1st January, 2016 and who could not exercise the option within the prescribed time limit, on account of discharge on the expiry of the sanctioned posts, resignation, dismissal or removal on disciplinary grounds, shall be entitled to exercise option under sub-rule(1).

Note-2 The Medical College Teachers who have died on or after the 1st day of January, 2016 and could not exercise the option within the prescribed time limit are deemed to have opted for the revised pay structure on and from the 1st day of January, 2016 or on such later date which is most beneficial to their dependants, necessary action shall be taken by the Head of Office.

Note-3 The Medical College Teachers who were on earned leave or any other leave on the 1st day of January, 2016 which entitled them to leave salary shall be entitled to exercise option under sub-rule (1).

7. Fixation of initial pay in the revised pay structure.—(1) The initial pay of a Medical College Teacher who opts, or is deemed to have opted under rule 6 to be governed by the revised pay structure on and from the 1st day of January, 2016 shall, unless in any case the Governor, by special order or otherwise directs, be fixed separately in respect of his substantive pay in the permanent post on which he holds a lien or would have held a lien if it had not been suspended, and in respect of his pay in the officiating post held by him in the following manner, namely:-

- (a) the pay in the applicable Level in the Pay Matrix attached to a post shall be the pay obtained by multiplying the existing basic pay as on 01.01.2016 by a factor of 2.57, rounded off to the nearest rupee and the figure so arrived at will be located in that Level in the Pay Matrix and if such an identical figure corresponds to any Cell in the applicable Level of the Pay Matrix, the same shall be the pay, and if no such Cell is available in the applicable Level, the pay shall be fixed at the immediate next higher Cell in that applicable Level of the Pay Matrix;
- (b) if the minimum pay or the first Cell in the applicable Level is more than the amount arrived at as per sub-clause (a) above, the pay shall be fixed at minimum pay or the first Cell of that applicable Level.

(2) A Government Medical College Teacher who is.—

- (a) on leave on the 1st day of January, 2016 and is entitled to leave salary, shall be entitled to pay in the revised pay structure from 1st day of January, 2016 or the date of option for the revised pay structure;
- (b) on study leave on the 1st day of January, 2016 shall be entitled to the pay in the revised pay structure from the 1st day of January, 2016 or the date of option;
- (c) under suspension, shall continue to draw subsistence allowance based on existing pay structure and his pay in the revised pay structure subject to the final order on the pending disciplinary proceedings;

(3) Where the existing emoluments exceed the revised emoluments, the difference shall be allowed as personal pay to be absorbed in future increases in pay;

(4) Where in the fixation of pay under sub-rule (1), the pay of a Medical College Teacher, who, in the existing pay structure, was drawing immediately before the 1st day of January, 2016 more pay than another Medical College Teacher junior to him, in the same grade in the cadre, gets fixed in the revised pay structure in a Cell lower than that of such junior, his pay shall be stepped up to the same Cell in the revised pay structure as that of the junior;

(5) Where a Medical College Teacher is in receipt of personal pay on the 1st day of January, 2016, which together with his existing emoluments exceeds the revised emoluments, then the difference representing such excess, shall be allowed to such Medical College Teacher as personal pay to be merged in future increment in pay;

(6) where a senior Medical College Teacher promoted to a higher post before the 1st day of January, 2016 draws less pay in the revised pay structure than his junior who is promoted to the higher post on or after the 1st day of January, 2016, the pay of such senior Medical College Teacher in the revised pay structure shall be stepped up to an amount equal to the pay as fixed for his junior in that higher post and such stepping up shall be done with effect from the date of promotion of the junior Medical College Teacher subject to the fulfilment of the following conditions, namely :-

- (a) both the junior and senior Medical College Teachers shall belong to the same cadre and the post in which they have been promoted shall be identical in the same cadre;
- (b) the existing pay structure and the revised pay structure of the lower and the promotional post in which they are entitled to draw pay shall be identical;
- (c) the senior Medical College Teacher at the time of promotion shall have been drawing equal pay or more pay than the junior in the existing pay

structure and the revised pay structure of both the Medical Teachers – before and after promotion shall be identical;

- (d) the senior Medical College Teacher must be senior to the junior both in the lower post as well as in the promotional post;
- (e) if in the lower post, the junior Medical College Teacher was drawing more pay in the pre-revised pay structure than the senior on account of pay protection, advance increment(s) and fixation of pay due to exercise of option, provision of this sub-rule need not be invoked to step up the pay of the senior officer;

(7) Where the pay of a Medical College Teacher is fixed in the revised scale at a stage equal to the stage of another Medical College Teacher junior to him on the 1st day of January, 2016, but subsequently, the junior Government Medical College Teacher gets more pay than him due to grant of next increment in the revised pay structure after the 1st day of January, 2016 earlier than him, in such eventuality the increment of the senior shall be antedated or the pay shall be stepped up to that stage of the junior and the next increment of the senior, after such antedation or stepping up of pay, shall be on the date the junior gets.

Note- Fixation of pay in the revised pay structure shall be made in the form appended to these rules as **Third Schedule**.

8. Fixation of pay in the revised pay structure of a Medical College Teacher appointed as fresh recruits on or after 1st day of January, 2016.— The pay of Medical College Teachers appointed by direct recruitment on or after the 1st day of January, 2016 shall be fixed at the minimum pay or the first Cell in the Level, applicable to the post to which such Medical College Teachers are appointed:

Provided that where the existing pay of such Medical College Teachers appointed on or after the 1st day of January, 2016 and before the date of notification of these rules, has already been fixed in the existing pay structure and if his existing emoluments happen to exceed the minimum pay or the first Cell in the Level, as applicable to the post to which he is appointed on or after the 1st day of January, 2016, such difference shall be paid as personal pay to be merged in future increments in pay.

9. Increment in Pay Matrix.— After fixation of pay in the appropriate Level in the Pay Matrix under sub-rule (1) of rule 7 and rule 8, the subsequent increment in the Level shall be at the immediate next higher Cell vertically arranged in that Level.

10. Date of next increment in the revised pay structure.— The date of next increment in the revised pay structure shall be twelve months from the date of last increment sanctioned and in case where the pay is fixed in the revised pay structure at the minimum pay or the first Cell in the Level, the date of next increment shall be the anniversary of the date of coming over to the revised pay structure.

11. Fixation of pay on promotion on or after 1st day of January, 2016. — The fixation of pay in case of promotion from one Level to another in the revised pay structure shall be made in the following manner:

- (a) one increment shall be given in the Level from which the Medical College Teacher is promoted and he shall be placed at a Cell equal to the figure so arrived at in the Level of the post to which he is promoted and if no such Cell is available in the level to which he is promoted, he shall be placed at the next higher Cell in that level.

Provided that if the pay in the level after adding an increment is less than the minimum Cell of the higher Level to which the employee is promoted, pay shall be stepped up to such minimum Cell of that higher Level but in case where promotion is made in same Level, the pay shall be fixed in the promotional post at immediate next higher Cell of that Level.

- (b) if a Medical Teacher exercises option to fix his promotional pay not from the date of joining in the promotional post but from a later date with accrual of an increment in the lower post and to re-fix his promotional pay in the appropriate Cell in the higher Level, in such eventuality, the pay at the Cell in the Level attached to the lower post immediately before promotion is to be fixed at the appropriate Cell equal to the amount in the higher Level attached to the promotional post on the date of joining and if no such Cell is available in the higher Level then, the pay is to be fixed in the Cell next below the pay drawn in the lower post and the excess amount shall be drawn as "Personal Pay" up to the date of accrual of increment in the lower post but after accrual of increment in the lower post by moving to next higher Cell in the lower Level, the pay shall be again re-fixed in the manner prescribed in clause (a) above. In case the pay in lower Level when placed in the promotional or upgraded Level on account of exercise of option becomes less than the minimum pay or first Cell of that promotional or upgraded Level, the pay is to be fixed at the minimum pay or the first Cell of that Level and such option shall have to be exercised within one month from the date of joining in the promotional post or within one month from the date of issue of these rules, as the case may be, in the form specified in the **Fourth Schedule** .

12. Authority competent to fix the pay.— (1) The pay of a Medical College Teacher in the revised scale shall be fixed by the authority competent to sanction his normal increment and shall be checked and verified by the authority in the manner outlined by the Finance Department for the State Government employees covered under the Odisha Revised Scale of Pay Rules, 2017.

(2) The Pay Fixation Authority and Checking Authority shall be responsible for wrong fixation and excess drawal, if any.

13. Excess payment to be recovered.— Where in the course of fixation of pay under these rules, any amount drawn or received as pay by any Medical College Teacher under any rule is found to be in excess of the amount payable to him under these rules, the excess amount so drawn or received shall be recoverable from such Medical College Teacher or from his recoverable pensionary benefits for which he shall submit an undertaking in the form as specified in the **Fifth Schedule**.

14. Payment of current salary and arrears.— (1) The benefit of revised pay structure shall be effective from the 1st day of January, 2016 and the current salary in the revised rate will be given from the month of issue of this notification after checking of pay fixation statement and 40% of the arrears may also be drawn during

the Financial Year 2019-20 after verification of minimum 10% (not less than 10) of pay fixation statement by the Verifying Authority. The payment of balance 60% of the arrears will be made as per decision of the Government at later stage.

(2) The Medical College Teachers who have already retired from service between 1st day of January, 2016 and the date of publication of this notification, and the Medical College Teachers retiring from service may be paid entire arrear salary in one instalment.

15. Interpretation.— If any question arises relating to the interpretation of any of the provisions of these rules, for removal of doubts, omissions, difficulties, printing and clerical errors, all such matters shall be referred to the Government in the Health and Family Welfare Department for clarification and decision.

By order of the Governor



F.. 16/12/2019
Commissioner-cum-Secretary to Government

FIRST SCHEDULE

Pay Matrix

(See rule-4)

Pay Band (Rs.)	15,600-39,100	37,400-67,000	
Academic Grade Pay (Rs.)	8,000	9,000	10,000
Academic Level Cell	12	13A	14
1	79,800	1,31,400	1,44,200
2	82,200	1,35,300	1,48,500
3	84,700	1,39,400	1,53,000
4	87,200	1,43,600	1,57,600
5	89,800	1,47,900	1,62,300
6	92,500	1,52,300	1,67,200
7	95,300	1,56,900	1,72,200
8	98,200	1,61,600	1,77,400
9	1,01,100	1,66,400	1,82,700
10	1,04,100	1,71,400	1,88,200
11	1,07,200	1,76,500	1,93,800
12	1,10,400	1,81,800	1,99,600
13	1,13,700	1,87,300	2,05,600
14	1,17,100	1,92,900	2,11,800
15	1,20,600	1,98,700	2,18,200
16	1,24,200	2,04,700	
17	1,27,900	2,10,800	
18	1,31,700	2,17,100	
19	1,35,700		
20	1,39,800		
21	1,44,000		
22	1,48,300		
23	1,52,700		
24	1,57,300		
25	1,62,000		
26	1,66,900		
27	1,71,900		
28	1,77,100		
29	1,82,400		
30	1,87,900		
31	1,93,500		
32	1,99,300		
33	2,05,300		
34	2,11,500		



SECOND SCHEDULE

**Application Form for exercising option [to come over to the
Revised Scales of Pay]
[See rule 6]**

1. (i) I _____ holding the post of _____ and drawing pay in the Pay Band and Academic Grade Pay of _____ do hereby elect the revised pay structure with effect from the 1st day of January, 2016.

OR

(ii) I _____ holding the post of _____ and drawing pay in the Pay Band and Academic Grade Pay of _____ do hereby elect to continue in the existing Pay Band and Academic Grade Pay until the date _____ i.e. the date of my next increment.

2. The option hereby exercised is final and will not be modified at any subsequent date.

Date : _____

Signature : _____

Designation : _____

Office : _____

Signed before me _____

Head of Office/Any other Gazetted Officer with designation received the above declaration.

Signature : _____

Head of Office/ Competent Authority (with seal)

Date : _____

N.B.: Delete whichever is not applicable at Para-1.



THIRD SCHEDULE

[Form for Fixation of Pay for Medical College Teachers]

[seerule 7]

1	Name of the Employee.	:	
2	Name of the Head of Office (Designation only)	:	
3	Post held by the employee (Substantive/Officiating)	:	
4	Existing Pay Band and Academic Grade Pay of the Post	:	
5	Corresponding Level in the Pay Matrix of the Pay Band and Academic Grade Pay of the present Post	:	
6	Entry grade post and its corresponding Level in Pay Matrix	:	
7	Existing Pay Band and Academic Grade Pay in which pay is drawn	:	
8	Existing Basic Pay (Pay + Academic Grade Pay)	:	
9	Pay to be fixed in the Level of Pay Matrix	:	
10	Date from which option exercised to come over to revised pay structure	:	
11	Emoluments in the existing Pay band and Academic Grade Pay on the date from which revised pay is opted. (a) Pay (including personal pay) (b) Academic Grade Pay (c) D.A as on 01.01.2016 (d) Total emolument (a + b + c)	:	
12	Pay fixed in the revised pay structure by multiplying the existing basic pay (Sl.No.8) by a factor of 2.57 and rounded off to the nearest rupee.	:	
13	The Pay Cell in the appropriate Level in which the amount arrived at Sl. No.12	:	



	<p>is exactly fitted, if no such Cell exact to the amount is available then the next above Cell in that Level.</p> <p style="text-align: center;">or</p> <p>If the amount so arrived is less than the first Cell in the Level then the pay is fitted at the first Cell of the Level.</p> <p>(Cell No. and the amount of pay be mentioned)</p>		
14	Date of next increment	:	
15	Any other relevant information	:	

Pay in the Cell in the Level after increment		
Date of increment	Cell No.& Pay	Level

Date

Office :

Signature & Designation of

Head of Office/ Competent
Authority

FOURTH SCHEDULE

Form for exercising option for fixation of pay on promotion

[see rule 11]

I _____ holding the post of _____ in the Level _____ in Pay Matrix and drawing pay of Rs. _____ in the Cell _____ do hereby elect to get my pay fixed in the Level _____ under the Odisha Revised Scale of Pay (For Medical College Teachers) Rules, 2019 on _____ i.e. the date of my joining in the promotional post/ the date of accrual of my next increment.

2. The option hereby exercised is final and will not be modified at any subsequent date.

Signature _____

Designation _____

Office _____

Signed before me _____

Head of Office/ Any Gazetted Officer

FIFTH SCHEDULE

FORM OF UNDERTAKING

[see rule 13]

I hereby undertake that any excess payment that may be found to have been made as a result of incorrect fixation of pay or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government either by adjustment against future payment due to me or otherwise.

Signature _____

Date _____

Place _____

Name _____

Designation _____




Memo No. 330/3/H Date: 16.12.19

Copy forwarded to the Secretary, Government of India, Ministry of Health & Family Welfare, New Delhi / Secretary, UGC, Bahadur Shah Zafar Marg, New Delhi / A.G.(A.&E./Audit), Odisha for information and necessary action.


16/12/2019
Commissioner-cum-Secretary to Government

Memo No. 330/4/H Date: 16.12.19

Copy forwarded to the Director, Medical Education & Training, Odisha / Dean & Principals and Superintendents of all Government Medical Colleges of the State/ Director(I/C), VIMSAR/ Director, A.H.R.C.C., Cuttack/Superintendent, S.V.P.P.G.I.P (Sishu Bhawan), Cuttack/ Principal, S.C.B. Dental College, Cuttack for information and necessary action.


16/12/2019
Commissioner-cum-Secretary to Government

Memo No. 330/5/H Date: 16.12.19

Copy forwarded to the Director, Printing, Stationary & Publication, Odisha, Cuttack for publication in the next issue of Odisha Gazette and furnishing 300 printed copies thereof to this Department for record and reference.


16/12/2019
Commissioner-cum-Secretary to Government

Memo No. 330/6/H Date: 16.12.19

Copy forwarded to P.S. to Chief Minister, Odisha / P.S. to Minister, Health & Family Welfare/O.S.D. to Chief Secretary, Odisha/P.S. to Commissioner-cum-Secretary, H & FW Deptt. / ME-I Guard File(10 spare copies) for information and Necessary action.


16/12/2019
Commissioner-cum-Secretary to Government