

**പതിനാലാം കേരള നിയമസഭ  
പത്താം സമ്മേളനം**

നക്ഷത്ര ചിഹ്നമിടാത്ത ചോദ്യം നം. 1777

07/03/2018-ൽ മറുപടിക്ക്

**മെഡിക്കൽ കോളേജുകളിൽ അസിസ്റ്റന്റ് പ്രൊഫസർ തസ്തിക**

**ചോദ്യം.**

ശ്രീ.എൽദോസ് പി.കുന്നപ്പിള്ളിൽ

**മറുപടി**

കെ.കെ.ശൈലജ ടീച്ചർ  
(ആരോഗ്യവും സാമൂഹ്യ നീതിയും  
വകുപ്പു മന്ത്രി)

(എ) 2005 ന് ശേഷം മെഡിക്കൽ കോളേജുകളിൽ അസിസ്റ്റന്റ് പ്രൊഫസർ തസ്തികയിലേക്ക് നടന്ന എല്ലാ സ്ഥാനക്കയറ്റങ്ങളും പുന:പരിശോധിക്കണമെന്ന് ധനകാര്യ പരിശോധനാ വിഭാഗം ആവശ്യപ്പെട്ടിട്ടുണ്ടോ; എങ്കിൽ അതിനുള്ള കാരണമെന്താണ്?

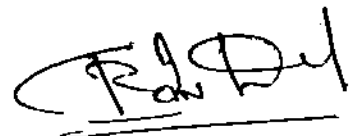
(എ) അസിസ്റ്റന്റ് പ്രൊഫസർ തസ്തികയിലേക്കുള്ള സ്ഥാനക്കയറ്റത്തിന് ഡിപ്പാർട്ട്മെന്റൽ പ്രൊമോഷൻ കമ്മിറ്റി യോഗം കൂടി തയ്യാറാക്കിയ എല്ലാ സെലക്ട് ലിസ്റ്റുകളും കേരളാ സ്റ്റേറ്റ് & സബോർഡിനേറ്റ് സർവീസ് റൂൾസിലെ റൂൾ 10 (എ,ബി) കണക്കിലെടുത്ത് പുനപരിശോധിക്കണമെന്ന് ധനകാര്യ പരിശോധനാ വിഭാഗം ശുപാർശ നൽകിയിട്ടുണ്ട്. ധനകാര്യ പരിശോധനാ റിപ്പോർട്ടിന്റെ പകർപ്പ് അനുബന്ധമായി ഉൾക്കൊള്ളിക്കുന്നു.

(ബി) അസിസ്റ്റന്റ് പ്രൊഫസർ തസ്തികയിലേക്കുള്ള സ്ഥാനക്കയറ്റത്തിന് നിലവിലുള്ള മാർഗ്ഗനിർദ്ദേശമെന്താണ്; ആയതിന്റെ പകർപ്പ് ലഭ്യമാക്കുമോ?

(ബി) അസിസ്റ്റന്റ് പ്രൊഫസർ തസ്തിക നിലവിൽ പ്രവേശന തസ്തികയാണ്. ആയതിനാൽ അസിസ്റ്റന്റ് പ്രൊഫസർ തസ്തികയിലേക്ക് നിലവിൽ സ്ഥാനക്കയറ്റം നൽകി വരുന്നില്ല.

(സി) ധനകാര്യ പരിശോധനാ വിഭാഗത്തിന്റെ റിപ്പോർട്ടിന്മേൽ നടപടി വേണ്ടെന്ന് അഡീഷണൽ ചീഫ് സെക്രട്ടറി നിലപാട് സ്വീകരിച്ചിട്ടുണ്ടോ; എങ്കിൽ എന്തുകൊണ്ടെന്നു വ്യക്തമാക്കാമോ;

(സി) ധനകാര്യ പരിശോധനാ വിഭാഗത്തിന്റെ റിപ്പോർട്ടിന്മേൽ അന്തിമതീരുമാനം കൈക്കൊണ്ടിട്ടില്ല. ഇതിൽ ഭരണപരമായ വിഷയം കൂടി ഉൾപ്പെട്ടിട്ടുള്ളതിനാൽ വിവിധ വകുപ്പുകളുടെ ഉപദേശം തേടി അവധാനതയോടെ മാത്രമേ തീരുമാനം കൈക്കൊള്ളാൻ കഴിയൂ.

  
സെക്ഷൻ ഓഫീസർ

**REPORT ON THE INSPECTION CONDUCTED BY THE FINANCE  
INSPECTION (NT-A)**

**DEPARTMENT IN THE DIRECTORATE OF MEDICAL EDUCATION,**

**THIRUVANANTHAPURAM.**

The Finance Inspection (NT-A) Department conducted an inspection in the office of the Directorate of Medical Education based on a petition received from the Secretary, Kerala Government Post Graduate Medical Teachers Association regarding illegal promotions made to the post of Assistant Professor. The main allegations in the petition are as follows.

- i. The qualification prescribed for the post of Assistant Professor as per Special Rules (G.O (Ms) No.100/2008/H&FWD dated 7.4.2008) is MD/MS/equivalent DNB and the teaching experience is three years. The experience required had to be in accordance with Rule 10 (ab) of Part II of KS&SSR and the Rule stipulates that experience should be after the acquisition of qualifications. Many of the promotions done to the post of Assistant Professor were not according to this rule.
- ii. In 2005 Lectures having a pay of ` .8000-275-13500 were promoted to the post of Assistant Professor with a pay scale of ` .12000-420-18300 bypassing the post of Senior Lecturer with a pay scale of ` .10000-325-15200.

2. Detailed enquiry was conducted on the above allegations and the findings of the inspection team are summarized below.

3. Qualifications were prescribed for teaching posts in the State Medical Colleges in G.O (Ms) No.39/69/Health dated 6.2.1969 and G.O (Ms) No.298/71/Health dated 22.9.1971 in respect of the subjects and posts covered in the said orders and Government had issued revised qualifications and teaching experience required for the various teaching posts in the Medical College vide G.O (P) No.455/76/Health dated 22.12.1976 based on the recommendations of the Medical Council of India.

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As per GO dated 22.12.1976, three years teaching experience and Post Graduation in concerned discipline are the requisite qualification for promotion to the post of Assistant Professor. It was not specifically mentioned in the GO that teaching experience should be after acquisition of Post Graduation in concerned speciality.

4. In the year 2008, another Government order had issued by revising the qualification and method of appointment of the faculties under Medical Education Service in super session of all the existing rules and orders still in force vide GO (Ms) No. 100/2008/H&FWD dated 07.04.2008. It is noticed that there is no basic difference between the qualification fixed for promotion to the post of Assistant Professor in the earlier and revised Government Orders. The GO (Ms) No. 100/2008/H&FWD dated 07.04.2008 is not Special Rule prescribing qualification for the post of Assistant Professor as stated by the petitioner. Special Rules for promotion for faculty in Medical Education Service have not yet been finalized. All regular promotions to the cadre of Assistant Professor were effected on the basis of DPC Select lists which were prepared in accordance to the terms and conditions mentioned in G.O (P) No.455/76/Health dated 22.12.1976 and GO (Ms) No. 100/2008/H&FWD dated 07.04.2008.

5. The contention of the petitioner is that the teaching experience, required for promotion to the post of Assistant Professor had to be acquired in accordance with Rule 10 (ab) of part II of KS&SSR and the Rule stipulates that experience should be after the acquisition of qualification. The petitioner alleges that many of the promotions done to the post of Assistant Professor were not following this rule. The inspection team observed that petitioners allegation in the matter is true and many of the promotions done to the cadre of Assistant Professor was not following the Rule 10 (ab) of General Rules KS&SSR. Director of Medical Education in the matter reported that Rule 10 (ab) of General Rules KS&SSR was not applied in the matter of promotion of Faculty in Medical Wing as there was no stipulation in the Government Orders by which qualification method of appointment for promotion was fixed. DPC select list prepared so far in the

cadre of Assistant Professor was not taken in to consideration of Rule 10 (ab) of General Rules as there was no mentioning of post Post Graduate experience as requisite qualification for promotion to the post of Assistant Professor in the GOs by which qualification and method of appointment for promotion was fixed.

6. The statement of the Director of Medical Education that Rule 10 (ab) of General Rules KS&SSR was not taken into consideration for preparation of the DPC Select list for promotion to the cadre of Assistant Professor as there was no mention of post Post Graduate experience as a requisite in the relevant G.Os was not legally valid. Rule 10 (ab) in KS&SSR states that "when the Special Rules or Recruitment Rules for a post in any service prescribe qualification of experience, it shall, unless otherwise specified, be one gained by persons on temporary or regular appointment in capacities other than paid or unpaid apprentices, trainees and Casual Labourers in Central or State Government Service in Public Sector Undertaking or Registered Private Sector Undertaking, after acquiring the basic qualification prescribed for the posts. The Honorable Kerala Administrative Tribunal in TA No.4858/2012 filed by Dr.Leelakumari.P, Assistant Professor (Non Cadre) Department of Pediatrics Medical College, Thiruvananthapuram has noticed that "When the Special Rules are silent the provisions of General Rules will apply" The Hon'ble Kerala Administrative Tribunal has ordered to assign the dates of promotion to the post of Assistant Professor having due regard to the date of occurrence of the vacancy and the date of acquisition of Post Graduate qualification in the Feeder Category.

7. Vide GO (P) No.425/2009/H&FWD dated 14.12.2009, it was ordered that the teaching staff under Medical Education Service in Government Medical and Dental College will be Assistant Professor and all existing Senior lectures having PG Medical / Dental Degree in the concerned discipline will be re-designated as Assistant Professor. As per GO (Ms) No.380/2010/H&FWD dated 23.6.2010 Government have redesignated certain vacant posts of lecturers to that of Assistant Professor and as such these posts need to be filled up by appointing Assistant Professors through

KPSC on direct recruitment basis. This situation necessitated certain amendments in GO (Ms) No.100/2008/H&FWD dated 7.4.2008.

Modifications have been made as follows.

- i) The category of Senior Lecturer and its corresponding entries in G.O (MS) No.100/2008/H&FWD dated 7.4.2008 stands deleted.
- ii) The method of appointment of Assistant Professors will be "By direct recruitment through PSC".
- iii) All existing Senior Lecturers having PG Medical / Dental degree will be re-designated as Assistant Professors and entry cadre of teaching staff under Medical Education Service in Government Medical and Dental College will be Assistant Professor hereafter.
- iv) The second method of appointment for the post of Assistant Professor is provided as follows.

"Appointment from Lecturers by re-designating them as Assistant Professor by appointing authority as and when they acquire Post Graduate Degree as prescribed".

Hence, as per GO (P) No.425/2009/H&FWD dated 14.12.2009, Senior Lecturers (those who are having PG in concerned discipline) were re-designated as Assistant Professors from the date of acquisition of PG in concerned speciality, question of application of 10 (ab) KS&SSR does not arise in that case.

8. Director of Medical Education admitted that in the case of regular promotion to the post of Assistant Professor in Medical wing, Rule 10 (ab) has not been applied so far. As Rule 10 (ab) has not been applied in the preparation of Select list of Assistant Professor in any department, the implementation of Rule 10 (ab) will force the review of promotions effected in the cadre of Assistant Professor and subsequent higher cadre. Director of Medical Education also

reported that if Rule 10 (ab) is to be insisted, most of the select lists prepared for faculty in Medical Education Service after the formation of the Directorate of Medical Education will have to be reviewed and the same will be an uphill task which may shatter the whole administration.

9. Finance Inspection Wing had already conducted inspection and furnish report regarding the second allegation of the petitioner.

**Suggestions / Recommendations.**

1. Director of Medical Education may be directed to take immediate action to review all DPC select lists prepared for granting promotion to the cadre of Assistant Professor taking into consideration Rule 10 (ab) KS&SSR.
2. A separate wing may be constituted in the Directorate of Medical Education for reviewing the select lists and timely follow up action.

**For Principal Secretary (Finance-Expenditure)**

*R. J. Dul*  
*02/02/2018 03:20 PM*