

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ನಡವಳಿಕೆಗಳು

ವಿಷಯ: ಕರ್ನಾಟಕ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನ ಸಂಸ್ಥೆ, ಹುಬ್ಬಳ್ಳಿ ಮತ್ತು ವಿಜಯನಗರ

ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನ ಸಂಸ್ಥೆ, ಬಳ್ಳಾರಿ, ಈ ಸ್ವಾಯತ್ತ ಸಂಸ್ಥೆಗಳಿಗೆ ನಿಯಮಗಳು

ಮತ್ತು ಉಪನಿಯಮಗಳನ್ನು ರಚಿಸುವ ಬಗ್ಗೆ ಆದೇಶ. ಓದಲಾಗಿದೆ:

- 1) ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ, ಅಕುಕ 1ಎಂಪಿಎಸ್ 94 ದಿನಾಂಕ 11-11-94.
- 2) ದಿನಾಂಕ 03-07-1996 ರಂದು ನಡೆದ ಗೌರ್ನಿಂಗ್ ಕೌನ್ಸಿಲ್ ಸಭೆಯ ನಡವಳಿಕೆಗಳು.

ಪ್ರಸ್ತಾವನೆ:

ಕರ್ನಾಟಕ ವೈದ್ಯಕೀಯ ಮಹಾವಿದ್ಯಾಲಯ, ಹುಬ್ಬಳ್ಳಿ ಮತ್ತು ಸರ್ಕಾರಿ ವೈದ್ಯಕೀಯ ಮಹಾವಿದ್ಯಾಲಯ, ಬಳ್ಳಾರಿ, ಈ ಮಹಾವಿದ್ಯಾಲಯಗಳನ್ನು ಮೇಲೆ ಓದಲಾದ (1) ರಲ್ಲಿರುವ ದಿನಾಂಕ 11-11-94ರ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ ಅನುಕ್ರಮವಾಗಿ "ಕರ್ನಾಟಕ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನಿಗಳ ಸಂಸ್ಥೆ, ಹುಬ್ಬಳ್ಳಿ ಮತ್ತು ವಿಜಯನಗರ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನಿಗಳ ಸಂಸ್ಥೆ, ಬಳ್ಳಾರಿ" ಎಂಬ ಸ್ವಾಯತ್ತ ಸಂಸ್ಥೆಗಳನ್ನಾಗಿ ಪರಿವರ್ತಿಸಲಾಗಿದೆ. ಮೇಲೆ ಓದಲಾದ ದಿನಾಂಕ 03-07-96 ಸಭೆಯಲ್ಲಿ ಸದರಿ ಸ್ವಾಯತ್ತ ಸಂಸ್ಥೆಗಳಿಗೆ ನಿಯಮ ಮತ್ತು ಉಪನಿಯಮಗಳನ್ನು ಅನುಮೋದಿಸಿದ್ದರಿಂದ ಈ ಆದೇಶ.

ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ ಅಕುಕ 1 ಎಂಪಿಎಸ್ 94 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 5-9-96.

ಪ್ರಸ್ತಾವನೆಯನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಿದ ನಂತರ ಕರ್ನಾಟಕ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನ ಸಂಸ್ಥೆ, ಹುಬ್ಬಳ್ಳಿ ಮತ್ತು ವಿಜಯನಗರ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನ ಸಂಸ್ಥೆ, ಬಳ್ಳಾರಿ ಇವುಗಳಿಗೆ ಈ ಆದೇಶದ ಅನುಬಂಧಗಳಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ನಿಯಮ ಮತ್ತು ಉಪನಿಯಮಗಳನ್ನು (Rules & Bye-Laws) ರಚಿಸಿ ಈ ಕೂಡಲೇ ಜಾರಿಗೆ ಬರುವಂತೆ ಆದೇಶಿಸಿದೆ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆಜ್ಞಾನುಸಾರ ಮತ್ತು

ಅವರ ಹೆಸರಿನಲ್ಲಿ

ಸಹಿ.

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣ ಇಲಾಖೆ,

(ವೈದ್ಯಕೀಯ ಶಿಕ್ಷಣ)

ಗೆ,

ಸಂಕಲನಕಾರರು ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಬೆಂಗಳೂರು - ಇವರಿಗೆ ಮುಂದಿನ ಸಂಚಿಕೆಯಲ್ಲಿ ಪ್ರಕಟಿಸಲು, ಹಾಗೂ ಮುದ್ರಿತ 200 ಪ್ರತಿಗಳನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಒದಗಿಸುವಂತೆ ಕೋರಿದೆ.

ಪ್ರತಿಗಳು:

1. ಮಹಾಲೇಖಪಾಲರು, ಕರ್ನಾಟಕ, ಬೆಂಗಳೂರು.
2. ನಿರ್ದೇಶಕರು, ವೈದ್ಯಕೀಯ ಶಿಕ್ಷಣ, ಬೆಂಗಳೂರು.
3. ನಿರ್ದೇಶಕರು, ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣ, ಸೇವೆಗಳು, ಬೆಂಗಳೂರು.
4. ಕುಲಸಚಿವರು, ರಾಜೀವಗಾಂಧಿ ಆರೋಗ್ಯ ವಿಜ್ಞಾನಗಳ ವಿಶ್ವವಿದ್ಯಾನಿಲಯ, ಬೆಂಗಳೂರು.
5. ಕುಲಸಚಿವರು, ಬೆಂಗಳೂರು ವಿಶ್ವವಿದ್ಯಾಲಯ, ಮೈಸೂರು ವಿಶ್ವವಿದ್ಯಾಲಯ: ಕರ್ನಾಟಕ ವಿಶ್ವವಿದ್ಯಾನಿಲಯ: ಗುಲ್ಬರ್ಗಾ ವಿಶ್ವವಿದ್ಯಾನಿಲಯ ಮತ್ತು ಕುವೆಂಪು ವಿಶ್ವವಿದ್ಯಾನಿಲಯ.
6. ನಿರ್ದೇಶಕರು, ಕರ್ನಾಟಕ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನಗಳ ಸಂಸ್ಥೆ, ಹುಬ್ಬಳ್ಳಿ.
7. ನಿರ್ದೇಶಕರು, ವಿಜಯನಗರ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನಗಳ ಸಂಸ್ಥೆ, ಬಳ್ಳಾರಿ.
8. ಪ್ರಾಂಶುಪಾಲರು, ಕರ್ನಾಟಕ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನಗಳ ಸಂಸ್ಥೆ, ಕಾಲೇಜು, ಹುಬ್ಬಳ್ಳಿ.
9. ಪ್ರಾಂಶುಪಾಲರು, ವಿಜಯನಗರ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನಗಳ ಸಂಸ್ಥೆ, ಕಾಲೇಜು, ಬಳ್ಳಾರಿ.
10. ಅಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನಗಳ ಸಂಸ್ಥೆ ಆಸ್ಪತ್ರೆ, ಹುಬ್ಬಳ್ಳಿ.
11. ಅಧೀಕ್ಷಕರು, ವಿಜಯನಗರ ವೈದ್ಯಕೀಯ ವಿಜ್ಞಾನಗಳ ಸಂಸ್ಥೆ ಆಸ್ಪತ್ರೆ, ಬಳ್ಳಾರಿ.
12. ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು, ಆರ್ಥಿಕ ಇಲಾಖೆ.
13. ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಯವರು.
14. ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಯವರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿಯವರು.
15. ಮಾನ್ಯ ವೈದ್ಯಕೀಯ ಶಿಕ್ಷಣ ಸಚಿವರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿ.
16. ಮಾನ್ಯ ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣ ಸಚಿವರ ಆಪ್ತ ಸಚಿವರಿಗೆ.
17. ಕಾರ್ಯದರ್ಶಿ 1, 2 ಮತ್ತು ಉಪ ಕಾರ್ಯದರ್ಶಿ (ವೈ.ಶಿ.) ಇವರ ಆಪ್ತ ಸಹಾಯಕರು.
18. ವಾರದ ರಾಜ್ಯಪತ್ರ: ಶಾಖಾ ರಕ್ಷಣ ಕಡತ : ಹೆಚ್ಚಿನ ಪ್ರತಿಗಳು.

“Let noble thoughts come to us”
from every side” (REGVEDA)

INTRODUCTORY:

For a long time, it had been observed that the Medical Service had become transformed from idealistic and self-sacrificing nature to that of materialistic and just rendering service for the sake of salary and other benefits. This attitude was rather detrimental to public service which is not only spontaneous and uncertain but has to be met out without looking into formalities and limited sphere. Much devotion was needed in this department as it deals with human bodies.

For fulfillment of these ideals, one body independent of the pressure and also self-Governing capacity was needed. With this aim only, there were recommendations to create Autonomous Bodies so that immediate action could be taken and erring officials dealt sternly, so that to pave the way for effective public service.

Thus the Autonomous bodies were created previously and they have been rendering yeoman service to the public. The following are the important autonomous Institutions.

- 1) All India Institute of Medical Sciences, New Delhi.
- 2) Kidwai Institute on Oncology, Bangalore.
- 3) Jayadeva Institute of Cardiology, Bangalore.
- 4) National Institute of Mental Health and Neuro Sciences, Bangalore.
- 5) Sanjay Gandhi Institute of Medical Sciences, Bangalore.

The Government of Karnataka in their Order No. HFW: 1:MPS: 94 dated 11.11.1994, has accorded sanction to confer Autonomous Status to the Government Medical College at Bellary and Hubli. In the Order, the new nomenclature given to the Institutions.

- 1) Karnataka Medical College- - Karnataka Institute of Medical Sciences, Hubli.
- 2) Bellary Medical College – Vijayanagar Institute of Medical Sciences, Bellary.

The Governing Council of the Institutions consists of the following :

- 1) Minister of Medical Education -Chairman
- 2) Principal /Secretary / Secretary Finance - Member
Department.
- 3) Vice Chancellor of Local University - Member
- 4) Secretary Health and Family - Member
Welfare Department.
- 5) Secretary, Social Welfare Department - Member
- 6) Director of Medical Education - Member
- 7) Director of Health and family
Welfare service
- 8) Director of the Institute - Member
Secretary
- 9) Two faculty Member - Members
- 10) One or two Eminent Professional - Members
in the field of Medicine.

It is pertinent to note that in the order it was clear that other modalities i.e., powers of the Governing Council, sources of funding, approval of Bye-laws, appointments of Directors, distribution of Staff, separate orders would be issued. In the Notification No:HFW.MPS.95 dated 6.3.1995, the Principals of Medical Colleges, Bellary and Hubli had been placed incharge of the posts of Directors.

The posts of Director, Chief Administrative Officer and the Chief Accounts Officer, were created vide G.O.No. HRW 246 MNF dt. 16-9-1995.

The Director of Medical Education, Bangalore vide letter No. HRM/ME/4-94-95 dt 17-10-1995, had given instructions to prepare Bye-laws and submit to the Director.

Action was taken to get the Bye-laws from the followings Institutions:

- 1) Kidwai Institute of Oncology, Bangalore
- 2) Jayadeva Institute of Cardiology
- 3) K.L.E. Society, Belgaum
- 4) All India Institute of Medical Sciences, New Delhi.

Though the above Bye-laws have been referred, the basis of All India Institute of Medical Sciences is taken as relevant due to the fact it relates to the College and Hospital Services. The Kidwai Institute of Oncology is only one specialist service Hospital and this type may not be suitable to be taken into accounts. This is the same case with the Bye-law of Jayadeva Institute of Cardiology as it is also purely specialist service hospital.

In the present, first as Act and Bye-laws have to be framed to create on Society naming it as the “ Karnataka Institute of Medical College Sciences” as autonomous Body”. The College and attached Hospital with their present staff can be made to function under the Autonomous Body Titled as “ Karnataka Institute of Medical Sciences, Hubli-22.”

Before, writing down the mode of functioning of Autonomous body, it is quite - essential to recap the back ground of the Institution from the date of inception.

The need of the establishment of Medical College in the former Bombay Karnataka area was recognized more than 70 years ago. At the beginning, a Civil Hospital, of a proportionately large scale, was opened at Belgaum, to cater the needs of Medical College proposed to be opened in the Last part of 19th Century. This was not materialized and the people felt that their aspiration and welfare was neglected then by British regime.

The popular representation to the Minister of Bombay from the Karnatak region gave a way for the establishment of Co-operative Hospital, Hubli, Dr. M.D.D. Gilder was instrumental in sanctioning, recurring Annual grant to the Co-operative Hospital, Hubli to serve a nucleus for a Medical College, Due to the IInd World War and consequent resignation of Ministry, the matter was kept in abeyance. When the Congress Ministry assumed office again in 1946, it was included in the post-war Reconstruction Scheme. The impetus for the formulation of specific proposals for starting the college at Hubli, was given by the Hubli Municipal Borough and other Municipalities and Local Boards, Hubli, Medical Association, Karnataka Vidyavardhaka Sangh and Local Leaders.

The Bombay Government decided that Hubli was a suitable place for starting a Medical College for the Karnatak area (2913/33 of 19-12-1947). The Local Leaders proposed the "Chitaguppi Hospital and surrounding open area" for starting the college. The Health Minister Dr. Gilder visited during 11th February 1949 and finally selected the open area behind the District Bungalow at Hubli for location of the Medical College. The Government then Sanctioned an initial grant of Rs. 50 lakhs for the acquisition of 55 acres of land and construction work; later it approved (One 2553 + Q of 6th October, 1956) rough plans and estimates amounting to Rs. 150 lakhs, financed partly by the Government of India and included under Second 5 years plan.

Recognition of the States was taken place thereby creating integrated State of Mysore on 1-11-1956. On the 19th May, 1957, the Chief Minister Sri. S. Nijalingappa, laid the foundation stone of the main college. The Karnatak Medical College came into existence on 6th September, 1957 with 63 students including 9 female students in the rented Samyuktha Karnataka Buildings.

On 6th September 1957 Karnataka Medical College, Hubli was declared open by his Holiness “ BASAVALINGA MAHASWAMIJI ” of Navalgund in presence of Sri. R.M. Patil, Health Minister.

The foundation stone of the Administrative Block combined with Hospital buildings, was laid by the Finance Minister, Sri. T. Mariappa. Till a part of the Hospital block was declared open by Chief Minister Sri. B.D. Jatti, On the first January, 1960. The Municipal Chitraguppi Hospital provided facilities for the clinical training of the students. Sri. K.K. Hegde the then Health Minister had presided over the inaugural function. From a sanctioned bed strength of 150 (G.O.No. LLH 48:MDC 58 of 15th October, 1958,) it rose to 450 (G.O.No. PLM 47 MMC 61 of 22nd April, 1961), reaching 750 in two more years, it was proposed to reach a thousand sooner.

The Deep-X-Ray plant costing 1.6 lakhs was provided. The Government of India sanctioned the purchase of 500 mg. of radium and the accessories at a cost of one lakh of rupees. A cancer unit with 24 beds under the charge of the professor of Radiology at the K.M.C. Hospital, with an additional staff and equipment sanctioned (G.O.No. PLM 493 MMC 60 dt. 22nd March, 1961), was started.

Government of Mysore had sanctioned the full time teaching clinical and non-clinical staff or the college, as per standard requirements of the Medical Council of India, for an admission of 100. For an increased admission of 120 from 1960-61 additional posts were created to meet the demand of increased work load (G.O.No. LLH 12 MMC 60 of May 10, of 1960 and May 16, 1960) Non-teaching post of 4 Surgeons; 16 Assistant surgeons Grade-I Assistant Surgeons Gr. II and 12 Housemen were sanctioned for the management of the K.M.C. Hospital (G.O.No. PLM MMG 61 July, 1, 1963). The Blood Bank of the Hospital was started on 2nd February, 1962. It has supplied 2358 bottles whole blood to the needy patients till 1965.

Based on the Local Enquiry Committee inspection of the College on the 7th and 8th of September, 1958, the Karnatak University recommended the Affiliation of the Karnatak Medical College for teaching I M.B.B.S. Course subject to the fulfillment of certain conditions (AC/32187 of October, 27, 1958 G.O.No. ED152 UNI 58 of January 10, 1960). The Karnatak University was running the per-professional course leading of Medical Course, the same as those of B.Sc. Part-I, for the Government of Mysore (G.O.No. LLH 77 MMC 60 of June 16, 1960). The Karnatak University had permitted the admission of 200 Students Annually.

The strength of the students at the college increased from 63 to over 560 by 1960. The First batch interneers came out in November, 1962. A total of 140 Students on roll 102 were girls. Condensed M.B.B.S. Course started on March, 25th 1964 with 25 students and increased later to 35.

The Ladies Hostel accommodating 75 Girls was declared open by the Central Health Minister Sri. D.P. Karmarkar on February, 13, 1960. Within a year the Senior Boy's Hostel was got completed for accommodating 206 boys. The New Boy's Hostel was completed in June, 1963, within an accommodation for 300 boys.

The college campus situated on a Hillock by the side of the Poona-Bangalore (National Highway No.4) road connected by a double road, the extent of the land has been more than 100 acres, accommodating college, the Hospital, Ancillary sections, Animal House, Paraprofessional block and the residential quarters for majority of staff. Shifting of the pre-clinical departments from the rented building was completed by September, 1961. The auditorium of the college was built as per modern Architecture and accarstical standards to accommodate more than thousand. It is uniquely planned in a bell-mouth type. The basement provides rooms for running cafeteria. An internal telephone was installed at a cost of Rs. 80,000/-. It has 100 telephones, there is a public telephone booth at the out-patient department of public.

PRESENT STATUS OF KIMS

In the premises of the institute the following units are functioning:

- 1) KIMS college
- 2) KIMS College Hospital
- 3) District T.B. Centre
- 4) Leprosy Control Centre
- 5) Health and Family welfare Training Centre
- 6) Casualty Centre
- 7) 20 bedded leprosy Hospital
- 8) Boys Hostels
- 9) Ladies Hostel
- 10) Nursing School
- 11) Nursing Hostel
- 12) Central Library
- 13) Cobalt Unit
- 14) Post Graduate Hostel
- 15) Electric Laundry
- 16) Speech and hearing center

AVAILABILITY OF RESIDENTIAL QUARTERS:

1) Gazetted Officers Quarters	-	48
2) Heads of Department Quarters	-	6
3) 'C' group Officials quarters	-	3 (blocks)
4) 'D' group Officials quarters	-	7 (blocks)
5) Married Nurses quarters	-	8

FACILITIES OF POSTGRADUATE COURSES

- 1) M.D. (General Medicine)
- 2) M.S. (General Surgery)
- 3) M.D. (Obstetrics & Gynecology)
- 4) M.S. (Orthopedics)
- 5) M.S. (Ophthalmology)
- 6) M.D. (Pediatrics)
- 7) M.S. (E.N.T.)
- 8) M.S. (Anatomy)
- 9) M.D. (Physiology)
- 10) M.D. (Pathology)
- 11) M.D. (Pharmacology)
- 12) M.D. (Microbiology)
- 13) M.D. (P& SM)
- 14) M.D. (Forensic Medicine)
- 15) M.D. (Skin & S.T.D.)
- 16) M.D. (Anaesthesiology)
- 17) M.D. (Radiology)

DIPLOMAS:

- 1) D.G.O.
- 2) D.CH.
- 3) D.M.R.D.
- 4) D.O.M.S.

- 5) D.V.D.
- 6) D.P.H.
- 7) D.A.
- 8) D. Ortho.
- 9) D.L.O.
- 10) D.C.P.
- 11) D. (Bact.)
- 12) D.F.M.

ON GOING WORKS:

- 1) 10 bedded burnt ward

In these days, it is pertained to note there has been constant decay off morel in the realm of the materialism. So the persons who have been know for their integrity dedication and profound Benevolent wisdom have to be given place so that sanctum sanatorium can be maintained in the colleges and hospital services. Here again there is a need to best utilize wisdom of experienced teachers and Doctors who have rendered yeoman service just giving relaxation of age. Utmost care has to be exercised in selection of the Officers without any bars of reservation on any ground.

With this the introduction has been completed with a servant hope that the spite behind could be taken into accounts.

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RULE AND REGULATIONS
(INCLUDING BYE-LAWS) OF KARNATAKA INSTITUTE OF MEDICAL SCIENCES, HUBLI.

I) SHORT TITLE EXTENT AND COMMENCEMENT

- 1) These rules and regulatins shall be titled as the Karnataka Institute of Medical Sciences, Hubli,- Rules & Regulations 1995.
- 2) It extends to the Institute as well as attached hospitals under the control of Institutions.

- 3) It shall come into force from such date as the Government by Notification issue an order. HFW I MPS 94 Bangalore dated: 5-9-96.

II) Definition:

- 1) An act means the Karnataka Societies Registration Act, 196 with Rules, 1961.
- 2) "Chairman" means, the Chairman of the Governing Council.
- 3) "Director" means, the Director of the Institute.
- 4) "Governing Council" means the Governing Council of the Institute.
- 5) "Institute" means the Karnataka Institute of Medical Sciences, Hubli.
- 6) "Meeting" means meeting of the Institute.
- 7) "Member" means member of the Governing Council.
- 8) "Representative of Government" means a member of Governing Council appointed or nominated by the Government.
- 9) "State Government" means the Government of Karnataka.
- 10) "Year" means the year commencing from the 1st April of Proceeding year and ending on the 31st March of succeeding years or the official year of the Institute as may be the determined by Governing Council from time to time.

III) ESTABLISHMENT AND INCORPORATION OF THE INSTITUTE:

- 1) with effect from such date which the Government notifies there shall be office of the Institute of Medical Sciences, Hubli.
- 2) The Office of the Institution shall be at Hubli.
- 3) The working Hours of the Institute shall be as per the requirement as determined from time to time by Governing Council.

IV) COMPOSITION OF THE INSTITUTION

- 1) The Institute, shall consists of the following members namely:
 - i) The Governing Council
 - ii) Such other Authority as may be appointed by the Governing Council from time to time.

V) THE GOVERNING COUNCIL

The Composition of Governing Council shall be prescribed in the Memorandum of the Association. MEMBER

- | | |
|--|----------|
| 1) Minister for Medical Education | Chairman |
| 2) Principal Secretary/Secretary Finance Dept. | Member |
| 3) Vice Chancellor of Local University | Member |

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|--|-----------|
| 4) Secretary , Health & F.W. Services | Member |
| 5) Secretary, Social Welfare Department | Member |
| 6) Director of Medical Education | Member |
| 7) Director of Health & F.W. Services | Member |
| 8) Director of the Institute | Member |
| | Secretary |
| 9) Two Faculty Member | Member |
| 10) One or two eminent Professional in the
Member field of Medicine | |

GOVERNING BODY AND OTHER COMMITTEES OF INSTITUTE:

- 1) There shall be Governing body of the Institute which shall be constituted by the Institute from among its members in such manner as may be prescribed by regulations.
- 2) The Governing body shall be the executive committee of the Institute and shall exercise such powers and discharge such functions of the institute may be regulations made in this behalf, confer or impose upon it.
- 3) The executive head of the Governing Council will be the chairman of the Governing Council.
- 4) The Procedure to be followed in the exercise of its powers and discharge of its functions by the Governing body, and the term of office and the manner of filling vacancies among the member of the Governing body shall be such as may be prescribed by regulations.
- 5) Subject to such control and restriction as may be prescribed by rules, the Institute may constitute as many standing committees and as many adhoc committees as it thinks fit for exercising any power or discharging any function of Institute or inquiring into or reporting or advising upon any matter which the Institute may refer to them.
- 6) A Standing Committee shall consist exclusively of members of the institute but an adhoc committee may include persons who are not members of the Institute of such persons shall not exceed one-half of its total membership.
- 7) The Chairman and members of the Governing body and the Chairman and Members of the standing Committees or an Adhoc committee shall receive such allowances, if any as may be prescribed by regulations.
- 8) No member nominated to the council shall hold the office in case of resignation, becoming unsound mind or becomes insolvent or involved in criminal offence amounting to moral turpitude.

VI) STAFF OF THE INSTITUTE

- 1) there shall be the Chief Executive Officer of the Institute designed as the Director of the Institute and shall subject to such rules as may be made by the State Government in this behalf, be appointed by the state Government.
 - 2) The First Director shall be appointed by the Government (State Government) and subsequent directors can be appointed by the Governing Council Temporarily till the Director is appointed by the Government.
- VII) OTHER STAFF OF THE INSTITUTE.
- 1) The Principal will look after the entire administration and academical functions under the guidance of the Director.
 - 2) The Medical Superintendent , will be in-charge of the Hospital and discharge the functions in maintenance of the Hospital under the control of the Director.
 - 3) Chief Administrative Officer: On deputation of KAS Serior scale Officer.
Pay Scale: Rs. 3825-125-4700-150-5300-175-5825.
 - 4) Administrative Office:
Pay Scale: 2375-75-2900-100-3700-175-4450
 - 5) Heads of the Departments and Professors, Assistant Professors, Lecturers, Surgeons, Physicians, Assistant Surgeons and other Member of Medical Faculty.
 - 6) Law Officer: Pay Scale: The Advocate having minimum 10 years of practice at the bar or the officer in the rank of the civil Judge in the State Judiciary, lent on C.C.E. by High Court. The Pay and allowance shall be equal to the scale of the civil judge serving in the State Judiciary.
 - 7) Secretary - One
 - 8) Asst. Accounts Officer - One from the Health Department
 - 9) Chief Accounts Officer-cum-Financial Advisor:
Pay Scale: Rs. 3825-125-4700-150-5300-175-5825 on deputation
Note: The posts of Administrative Officer and Law Officer have to be created any posts filled up from the cadres of Secretary and Gazetted Assistant of Health and F.W. Department.
- VIII) PARTICULARS OF PRESENT STAFF TO BE CONTINUED:
- 1) Medical College, Hubli.
 - 2) Medical Colllege, Hospital, Hubl.
 - 3) Post Partem Centre, Hubli.
- The particulars are as mentioned in (1) (2) & (4) of Annexure-I.
- IX) MEETING OF THE GOVERNING BODY:
(Section II of the Karnataka Societies Registration Act 1960 read with rules 1961):

- 1) The Governing body of the Institute is the Governing Council.
- 2) The Council shall meet as often as possible as deemed necessary by the Chairman;
- 3) The Annual General body meeting shall be held once in a year, after the expiration of the years;
- 4) The meeting of Governing Council shall be held once in a quarter to discuss the issues in the maintenance of Karnataka Institute of Medical Sciences, Hubli.
- 5) All the Proceedings of meetings of governing Council shall be recorded in the proceedings of the minutes book. The member Secretary shall take action to record the discussions and decisions and the Chairmen would sign the same after the same are confirmed.
- 6) The quorum of the meeting shall be not less than five members.
- 7) Every meeting shall be prescribed by the Chairman.
- 8) If the Chairman does not attend due to unavoidable reasons, the members present shall elect the Chairman for that day only and business carried on.
- 9) If there is no attendance of quorum on the day of the meetings the meeting may adjourned. The date of such adjournment shall be notified to the members well in advance.
- 10) The notice of the meeting shall be sent to all members through post to the addresses of the members as entered in the concerned register.
- 11) In case of non-receipt of notice that need not be reason for invalidation of the proceedings of the meetings.
- 12) There shall be "Special Meeting" whenever the same is necessary and decided by the Chairman, or the same is requisitioned by the members (Section 11(3) of the Karnataka Societies Registration Act, 1960 read with rules 1961.)
- 13) The notice of the meetings shall be sent 21 days before the date of meeting in respect of Annual General Body Meetings.
- 14) In the case of ordinary meeting the notice of meeting may be sent 15 days before the date of meeting.
- 15) In the case of Special meeting the notice may be sent 21 days before the date of meeting.
- 16) Every member including chairman shall have the option to cast one vote. The matter shall be decided on the majority of votes. In case of both for and against get equal number of votes., the Chairman of presiding person shall have the option to cast second vote. But the decision relating to service rules, amendments of Rules and Bye-laws on in the matter of Financial matter should not be taken in the absence of the State Government representative.
- 17) In the case of vacancy of the member, the action can be taken as if there is no vacancy. The proceeding of the Governing Council shall not be invalid on the plea of vacancy or any particular member does not participate.

X) POWERS AND FUNCTION OF THE GOVERNING COUNCIL

In case of dispute relating appointment of member or constitution the decision of chairman prevails.

XI) POWERS AND FUNCTION OF THE GOVERNING COUNCIL

- 1) The Governing council shall have full powers and manage the Institution so as to serve the purpose for which it was formed. It shall have full powers and deal the matter and take expeditious action necessary in accordance with the Karnataka Societies Registration Act, 1960 read with Karnataka Registration Rules, 1961.
- 2) The Governing Council shall have the power to add or amend or alter the rules, regulation or by-laws in consonance with the Karnataka Societies Registration Act. 1960 (read with rules, 1961). The same has to be got approved by the Govt. of Karnataka.
- 3) The Governing Council shall have and shall perform the following powers and functions, without prejudice to the provision of the Karnataka Societies registration Act, 1960 (read with rules, 1961).
 - a) Framing of rules, regulations and bye-law policies and procedures for effective implementation of the purpose to carry out the day-today functioning of the institution.
 - b) To consider and approve the budget estimates, expenditure in consonance with financial bye-laws;
 - c) To invest the funds, in the nationalized banks;
 - d) To borrow money on such terms and conditions as are deemed feasible and reasonable;
 - e) To create the posts and to take action for filling up of the posts, in accordance with rules in this behalf.
 - f) To enter into agreement or contract with any Government or local authority, so as to obtain any right, privilege concession for fulfillment of the objects of the Institute;
 - g) To draw, accept, endorse, discount, execute assign and otherwise deal with cheques hundis draft, certificate receipts, government securities, promissory notes, bills of exchange or other negotiable instrument of the Institute;
 - h) To pay the costs and expenditure for promotion establishment and to carry out work of the Institution;
 - i) To take steps for providing facilities and care to the inpatients and out-patients;
 - j) To prescribe Course of study the institute and to take action for adding, omitting of any course there to or more from and to award degree, diploma and certificates.
 - k) To take measures for conduct of business in the meeting of Governing Council;
 - l) To ensure proper maintenance of record pertaining finance and accounts of the Institute.
 - m) To take steps, regarding fees charges and allocate the functions to the Director and other Officers and employees;
 - n) To frame the guide-lines for getting the officials with the delegation of powers for promotion of penalties, duly, taking action and to get powers to be added in the schedule;
 - o) To take step and decisions regarding, admission, training and research, and;

p) To take action regarding mode of pension, gratuity provident fund other funding and other matters necessary for carrying out the business of the Institute.

XII) PROCEEDING OF THE MEETING:

All the resolutions during the course of meeting shall be circulated from member to member and the action taken.

XIII) ALLOWANCES TO THE MEMBER OF THE GOVERNING COUNCIL

Every member will be paid the traveling allowances and daily allowance for attending the meeting as per this approval of the council and at the rates fixed by adopting the relevant provisions of the KCSRs in this behalf.

XIV) INSTITUTION OF LEGAL PROCEEDING:

- a) The Director of the Institute shall sue and be sued and represent in all legal proceedings whether civil, criminal or any kind and sign and defend on behalf of the Institute.
- b) The Governing Council shall have the power to delegate the powers to the law officer, provided the post of law officer is created.

XV) DEVELOPMENT AND MAINTENANCE OF THE INSTITUTE AND ITS SUBORDINATE INSTITUTIONS

Subject to the availability of funds, the Governing Council shall take necessary action in respect of the following:

- a) Completion of on going schemes;
- b) Maintenance, repairs, supply of electricity and water supply and sanitation;
- c) Improvement, maintenance regarding gardens of the Institute; and;
- d) To provide other amenities in running institutions in satisfactory manner.

XVI) ABSORPTION OF STAFF:

- 1) The Institution shall seek the option from the existing staff whether they are willing to be absorbed in the Institute or otherwise; "The institute reserves the right to reject or accept option of any person subject to previous consultation of the parent department of the Govt. employee before issue of the order of absorption".
- 2) The Institute shall have the power to retain staff till such time as it may consider necessary inspite of the repatriation of the staff.
- 3) The Institute shall have full powers to get the service of personnel from the Government on deputation or otherwise, and;
- 4) The Institute shall have powers to recruit the staff absorb the staff and recommend for withdrawal of service of staff on the recommendation of Screening Committee.

- 5) The Institute shall issue order of absorption of persons KIMS Employees with specific provisions regarding counting of the service rendered by them under Government for any specified purpose namely leave, seniority, pay, increment and pension". (As per G.C. Resolution dt. 4-2-97)

XVII) APPOINTMENT OF DIRECTOR

- 1) The first Director shall be appointed by the Government, and such appointment shall be a period of 5 years or till to incumbent attains 60 years which ever is earlier;
- 2) The appointment of subsequent Directors consequent on superannuation, resignation, removal or death and cessation of the term of appointment of Director can be made temporarily by the Governing council till the Director appointed by the Government of Karnataka.

XVIII) INCHARGE ARRANGEMENT:

The Governing Council shall have power to take incharge arrangement of Director till such time the vacancy is filled up by the Government.

XIX) DELEGATION OF POWERS:

The Director shall have the power to delegate such of the powers to the Principal of the Institution, or in his absence of the Administrative Officer for smooth and harmonious functioning of the institute.

XX) APPOINTMENT OF MEDICAL, ADMINISTRATIVE AND SCIENTIFIC STAFF

- a) The appointment of the Principal, Medical Superintendent Professors and Surgeons shall be done by the Governing Council on the recommendations of the Screening Committee.
- b) The appointment of Director, Chief Administrative office and Chief Accounts Officer shall be done by the Government of Karnataka.
- c) The appointment of Administrative Officer, Law Officer, Ministerial, Nursing and Para Medical Staff shall be done by the Director on the recommendations of the selection committee constituted by the Director.

XXI) PROVISION REGARDING SERVICE CONDITION:

The Service conditions, regarding salary, age of Superannuation, conduct of disciplinary proceedings, and other issues shall have to be governed by Bye-laws are framed and given effect to, the existing provisions of Karnataka Civil Services Rules shall continue to be applicable mutates mutandis as in the case of Government Servants.

XXII) FUNDS OF THE INSTITUTE

- a) The grants released from time to time from the Government for maintenances will form as corpus fund; and
- b) The fund shall be invested and utilized as per the provisions of Bye-laws framed by the Governing Council.

XXIII) PROPERTY AND FUNDS

The Institute shall be absolute owner of all movable and immovable properties including the following;

- i) The corpus funds.
- ii) Grants released from time to time from State Government. Central Government, or a Local authority or any individual or body. The Governing Council shall be custodian of properties.

XXIV) UTILITY OF INCOME AND PROPERTY:

The income and property shall be utilized only for promotion of the objectives of the Institute as specified in the Memorandum of Association subject to restraints of the State Government or Central Government or donor as the case may be

XXV) BUDGET AND ACCOUNTS:

- 1) The Governing Council shall prepare annual budget estimate each year for ensuing year and present the same during the month of August.
The guidelines for preparation of budget estimates should be followed as per the Financial norms of State Government i.e. Government of Karnataka. The budget estimates have to be prepared separately in respect of plan and Non-plan duly taking into account of the following:
 - i) The estimates of preceding year;
 - ii) The approved grants for the current year and;
 - iii) The estimates for the next year.
- 2) Money received towards fees, hostel fees etc., forming part of the fund shall be invested in the Nationalised Banks, as per the approval of Governing Council. The cheques for withdrawal of amount may be issued by the designated persons, as approved by the Governing Council.

XXVI) AUDIT

There shall be audit of account of the Institute by chartered accountant of accountants as defined in the Chartered Accountants Act 1949 (XXXVIII of 1949) appointed by the Governing Council. The State Government can also direct that the accounts can be audits by State Account Department or the Accountant General.

XXVII) ANNUAL REPORTS

The Governing Council shall have to present annual report of working of Institute along with balance sheet of the accounts duly audited, showing the income and expenditure of the institute.

XXVIII) FORMATION OF COMMITTEES

The Governing Council can form the committees for any purpose on such terms and conditions:

1) FINANCE COMMITTEE

- | | |
|---|------------------|
| i) Secretary / Additional Secretary
Health & F.W. Department. | Chairman |
| ii) Representative from Finance Department
(not below the rank of Deputy Secretary | Member |
| iii) Representative of Health & F.W. Department.
(not below the rank of Dy. Secretary) | Member |
| iv) Director of Medical Education of
his/her representative (not below the rank of
Joint Director of Medical Education) | Member |
| v) Financial Advisor and Chief Accounts

Officer (Medical Education) | Member |
| vi) Principal | Member |
| vii) Director of Institute | Member Secretary |

2) ACADEMIC COUNCIL

The Composition of Academic Council shall be comprising of the following:

- | | |
|--------------------------------------|---------------------|
| i) Director of the Institute | Chairman & Convener |
| ii) Principal of the College | Member |
| iii) Medical Superintendent | Member |
| iv) One representative of University | Member |

v) All head of the Department in the Institution Member

XXIX) Provision for Dissolution (section 22 of Karnataka Societies registration act 1960 (Head with Rules, 1961). There shall be provision for dissolution or winding-up to the Institute and property vested in the manner provided in act.

XXX) No amendment in the name of Association or rule of the Institute shall be made except in accordance with Section and 10 of the Karnataka societies Registration Act, 1960 (read with Rules 1961).

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SIGNATURES TO THE RULES AND REGULATIONS OF THE KARNATAKA INSTITUTE OF MEDICAL SCIENCES, HUBLI.

Sl. No.	NAME	Occupation	Address	Designaion
1)	Dr. Shanker Naik	Minister for Medical Education, Govt. of Karnataka	Vidhana Soudh, Bangalore	Chairman
2)	Sri. Gautam Basu	Commissioner & Secretary Govt. of Karnataka, Health& F.W. Dept.	M.S.Bldg., K.R.Circle, Bangalore	Member
3)		Secretary,	-do-	Member

		Social Welfare Dept.		
4)		Principal Secy., Secretary, Finance Dept.	Vidhana Soudha	Member
5)		Vice Chanellor of Local	Dharwad/Bangalore	Member
6)		Director of Medical Education	Anand Rao Circle, Bangalore	Member
7)		Director of Health and FW Services.	- do-	Member
8)		Two Faculty Member		Member
9)		One or two eminent Professional in the field of Medicine.		Member
10)		Director of Institute		Member Secretary.

KARNATAKA INSTITUTE OF MEDICAL SCIENCES,
POONA-BANGALORE ROAD, HUBLI.
BYE-LAWS

In exercise of the powers conferred by Rule XXI of Karnataka Institute of Medical Sciences, Hubli, Rules 1995, the following Bye-laws are framed.

SHORT TITLE, EXTENT AND COMMENCEMENT : The Bye-Laws are called the Karnataka Institute of Medical Sciences, Hubli Bye Laws 1995.

- 1) It extends to the Karnataka Institute of Medical Sciences and its institutions.
- 2) These rules shall come into force on such date as the Govt. may by notification in the official gazette appoint.
- 3) Definition: In these rules unless the context otherwise requires:

- a) "Academic Staff" Means any member of the staff who either partly or wholly engaged in teaching or research programme.
- b) "Appointing Authority" means the authority which is specific in respect of the particular post i.e. Minister of Medical Education as the Chairman of the Governing Council in respect of Director, Secretary, Health & Family Welfare, Department as the Chairman of Selection Committee in the case of Principal, Chief Administrative Officer and Chief Accounts Officer, Director of Institute as Chairman of Selection Committee for appointment of Professor, Assistant Professors and Lecturer, and Director of the Institute as the Chairman in respect of all Gazetted Officers (Administrative Officer, Accounts

KARNATAKA INSTITUTE OF MEDICAL SCIENCES
POONA - BANGALORE ROAD, HUBLI.

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Committee in the case of Principal, Chief Administrative Officer and Chief Accounts Officer, Director of Institute as Chairman Selection Committee for Appointment of Professor, Assistant Professors and Lecturer, and Director of the Institute as the Chairman in respect of all Gazetted Officers (Administrative Officer, Accounts Officer, Law Officer and Secretary), Technical posts and Ministerial Posts ;and Group 'D' Officials.

- c) "Chairman" means the chairman of the Governing Council.
- d) "Controlling Authority" means the authorities related to the categories of the post specified below:

POSTS	AUTHORITY
1) Director	Chairman of the Governing Council
2) Group 'A' & 'B' posts	Chairman of the Governing Council
3) 'C' & 'D' Group posts	Director of the Institute.

Note: The Controlling authority in respect of the allowance like traveling allowance, daily allowance, Medical claims etc., is the Director of the Institute.

- e) "Director" means the Director of the Institute.
- f) "Employee" Means any person in the service of the institute in the Cadre of any post.
- g) "Governing Council" Means the Governing Council of Karnataka Institute of Medical Sciences, Hubli.
- h) Group 'A' Group 'B', Group 'C' and Group 'D' posts in the Institute shall correspond to the classification of the posts vide rule 5 of KCS (CCA) Rules 1957.
- i) "Head of the Department" means the Director.
- j) "Institute" means the rules and regulations of the Institute.
- k) "Rules" means the rules and regulations of the Institute.
- l) "The Chairman" of the Institute Means the Director of the Institute.
- m) "The Chairman of the Committee" means Chairman so appointed for standing Committee of the Institute.
- n) "Year" means the year commencing from 1st April of the year and ending on 31st March of the next year. (Financial Year), or the Institute as may be determined by Governing Council from time to time.

4. Unless otherwise provided, an employee of the Institute is the Official who shall be treated as 24 hours employees of the Institute, who has to attend the duties as and when called for, and required by the authority concerned.
5. UGC Scale may be made applicable to the specialist staff of K.I.M.S. with reasonable non-practicing allowances.

7) PERMANENT AND TEMPORARY POSTS:

- 1) The posts that exist may be continued in the same pattern as is done at present until the Governing Council takes decision about the continuation or otherwise.
- 2) The Temporary posts may be continued from time to time on the recommendation of the Director, the particulars which is furnished in Annexure-I. (1) (2) (3) & (4)
- 3) Not-with standing anything contained in rules regulation or in the Bye-laws or in the cadre a recruitment rules of the Institute, the Governing Council may invite a person of high academic distinction and professional attainment to accept the post of Professor/Surgeon/Specialist/Scientist and such terms and condition as the Governing Council may approve from time to time.
- 4) The Governing Council may appoint a person of high academic distinction or professional attainment in any other University or Organisation in India or abroad for undertaking a joint project and Govt. matter.
- 5) The Governing Council shall have powers to create honorary consultant posts in the interest of patients and to provide clinical service.

8) PROBATION PERIOD OF THE OFFICIAL:

- i) Every employee appointed by the Institute shall have to complete 2 years of satisfactory probation period. This is not applicable to be official who are already in the service of the Institute and whose probation period is dully declared to be satisfactory.
- ii) During the period of probation the employee shall have to do satisfactory service, which will entitle him to declare his probation period, otherwise the service of such staff shall be terminated without assigning any reason by the appointing authority.
- iii) TERMINATION:
 - a) The appointments of the official shall be terminated without assigning any reasons by the appointing authorities subject to clause (b) below if it so decided in the interest of the institution.
 - b) One-month salary in lieu of notice shall have to be given in the case of probationers and 3 months notice given in the case of officials who have completed the probationary period.
 - c) In the case of permanent official where the termination orders issued by authority, the appeal shall lie in the Governing Council within a period of 30 days from that date.

9) RETIREMENT OF THE OFFICIAL ON HEALTH GROUNDS OR ON ADMINISTRATIVE GROUNDS (AS PER RULE 273 OF KCSRS AND OF 285 KCSRS)

- i) An Official who is found to be medically unfit for the post and is also incapacitated for any other alternative posts, may be retired on the recommendation of the Medical Board by the appointing authority.

- ii) The Official who has applied on voluntary retirement as per rule 285 (i) of KCSR may also be retired provided three months prior notice is given by the Official, and
- iii) If the official is not capable of managing the affairs effectively or involved in the malpractices amounting moral turpitude may be retired compulsory retirement by the appointing authority duly giving 3 months notice.

10) It is mandatory on the part of all the employees to perform the duties to the best of their ability and carry out the duties assigned to them by the Director or any other authority to do so. It is the utmost duty on the medical personnel working in the institute to maintain dignity and decorum in the institute and always strive for performance of devoted service to the patient. Any person not doing expected service will be dealt with sternly subject to rules.

11) QUALIFICATION FOR APPOINTMENT:

- i) Age, experience and other qualification for appointment of all posts shall be prescribed under the cadre and recruitments rules. But the wisdom that was acquired out of past academics service should not be neglected as the very purpose of treating an autonomous institution is only to utilize the best talented and experiences in getting effecting service without any reservations. Therefore it is of Paramount necessity to relax in deserving cases the age limits and other conditions in the appointment so that wisdom of talented persons can be utilized properly in the large interest of the institution persons can be utilized properly in the larger interest of the institution. So the relaxation of the age and other conditions can be given in the appointment at the discretion of the appointing authority.
- ii) The minimum qualification required for all technical posts should be insisted. No person who does not possess Medical qualification shall be appointed to the post of Director, Medical Superintendent of Resident Medical Officer. While making appointments to any of the posts the percentage of reservation prescribed by the State Government shall be followed.

12) CONSTITUTION OF SELECTION COMMITTEE FOR APPOINTMENTS:

- a) For the post of Director: The selection committee for the post of Director and others are as follows:
 - 1) DIRECTOR:
 - 1. Minister of Medical Education - Chairman
 - 2. Secretary, Medical Education - Member

- 3. Director of Health & F W S - Member
- 4. Director of Medical Education. - Member
- 5. Chief Administrative Officer - Member Secretary

2) PRINCIPAL:

- 1. Minister of Medical Education - Chairman
- 2. Secretary Medical Education - Member
- 3. Director of Medical Education - Member
- 4. University Representative - Member
- 5. Director - Member
- 6. Chief Administrative Officer - Member Secretary

3) PROFESSORS:

- 1. Director - Chairman
- 2. Representative from H&FWS not below the rank of DS - Member
- 3. Director of Medical Education of his/her representative not below the rank of JDME - Member
- 4. University representative - Member
- 5. Subject Expert - Member
- 6. Chief Administrative Secretary - Member Officer of KIMS.

4) ASSISTANT PROFESSOR:

- 1. Director - Chairman
- 2. Representative from H&FWS not below the rank of DS - Member
- 3. Director of Medical Education. of his/her representative not below the rank of JDME - Member
- 4. University representative - Member

- | | | | |
|-----------------------------------|---|--------|------------------|
| 5. Subject Expert | - | Member | |
| 6. Chief Administrative Secretary | - | Member | Officer of KIMS. |

5) LECTURERS:

- | | | | |
|---|---|------------------|--|
| 1. Director | - | Chairman | |
| 2. Representative from H&FWS not below the rank of DS | - | Member | |
| 3. Director of Medical Education of his/her representative not below the rank of JDME | - | Member | |
| 4. University representative | - | Member | |
| 5. Subject Expert | - | Member | |
| 6. Chief Administrative Officer of KIMS. | - | Member Secretary | |

6) ALL OTHER POSTS:

Gazetted Technical/Ministerial and Group 'D'

- | | | | |
|---|---|----------|------------------|
| 1. Director | - | Chairman | |
| 2. Representative from H&FWS not below the rank of DS | - | Member | |
| 3. Director of Medical Education of his/her representative not below the rank of JDME | - | Member | |
| 4. Principal | - | Member | |
| 5. Chief Administrative Secretary | - | Member | Officer of KIMS. |

13) POST GRADUATE SECTION COMMITTEE:

- | | | | |
|---------------------------------|---|----------|--|
| 1. Director | - | Chairman | |
| 2. Nominee from the University | - | Member | |
| 3. Nominee from the Director of | | | |

Medical Education.		
4. Head of the Dept. of Institute Concerned.	-	Member
5. Chief Administrative Officer	-	Member Secretary.

14) RECRUITMENT OF THE POST:

- i) The post may be filled up by invitation, Promotion or open advertisement or deputation from the State Govt. as deemed fit by the appointing authority. (In the K.I.M.S. Hubli bye laws, 1995 after clause () of bye Law, item (14) the following note shall be inserted).
NOTE: To provide more functional flexibility at all levels of the administration of the Institute all the vacant posts in all cadres shall be filled by promotion of the eligible and qualified persons absorbed from Govt. (As per GC. Resolution 4-2-97)
- ii) The Selection committee shall meet and examine the credentials of all the persons who are to be considered for the posts.
- iii) The committee shall prepare panel of names and recommend the name in order of merit.
- iv) When vacancy occurs in any posts owing to death, resignation or any other reason within 6 months of the incumbent jointing duty, the appointing authority can select the next candidates if any recommended by the committee.

15) ADDITIONAL INCENTIVES TO THE HIGHER QUALIFICATION:

The selection committee may recommend for additional entices like grant of advance increments not exceeding depending on the higher qualification and attainments.

16) APPOINMENT DATE FROM WHICH APPOINTMENT TAKES EFFECT:

All appointment shall take effect on the day of duty report of the officials.

17) DEPUTATION AND PERMISSION TO VISIT WORKS AND STUDY OUTSIDE THE INSTITUTE:

The Director may depute members of the academic and other staff to any place outside the Institute but within India for the work of the institute or for any other specified purpose. If the period is in excess of 6 months, approval of the Governing Council shall be obtained. The Governing council may require the staff to work in the Institute after their return from deputation to serve a specific period.

18) PROVIDENT FUND PENSION AND GRATUITY BENEFITS:

- i) The Governing council may with the approval of the State Government frame schemes providing benefits like provident fund, gratuity pension etc., to the employees.
- ii) Till such time comprehensive schemes is drawn the employee shall continue to enjoy the benefits to which they were admitted and.
- iii) Any employee who has been absorbed in the service of the institute and who having benefits available earlier can also opt for the same benefits under the Institute.

19) PROCESS OF DISCIPLINARY PROCEEDINGS UNDER THE INSTITUTE:

- a. The Karnataka Civil Service Rules (Classification control and Appeal) Rules, 1957, shall be applicable to the officials pertaining to A.B.C. and D Groups of the Officials.
- b. The definitions of KCSR s and (CCA) Rules, 1957 and other provisions are applicable till such time separate rules are framed by the Governing Council and;
- c. In respect of the State Government official on deputation the Institute shall have the power as complete under said rules.

20) SENIORITY:

- a. The Chief Administrative Officer shall prepare and maintain the Gradation list in respect of each of the categories and publish the same every year.
- b. The Seniority of the employees in each category shall be determined by the order of merit in which they were selected for appointment to the cadre in question subject wise in respect of teaching cadres. In respect of non-teaching staff cadre-wide seniority list will be prepared and published.
- c. Where two persons appointed on the same date, seniority between them shall be determined as follows;
 - i. A member recruited by direct recruitment shall be senior to a member recruited otherwise.
 - ii. In case of members appointed by promotion, seniority, shall be determined according to the seniority of such members in the cadre from which they are promoted;
 - iii. In case of member appointed by promotion form different cadres, their seniority shall be determined according to scale of pay i.e., preference may be given to a persons drawing higher scale.

- iv. If the two members join on the same, their seniority in the selection list will be taken into consideration.
- d. In case of any dispute, the decision of the Governing Council shall final.

21) SUPERANNUATION:

The age of superannuation in respect of Director is sixty years and in the respect of others it is 58 years.

22) PAST CASE:

For the period prior to the coming into force of these Bye-laws, the rules and regulations applicable to the State Government employees can be followed.

23) INTERPRETATION:

In respect of any doubt or difficulty, the Governing council shall interpret these Bye-laws, the decision of the Governing Council is binding on the employees.

24) OTHER CONDITIONS OF SERVICES:

In respect of matters not provided i.e., general conditions of service, traveling and daily allowance Foreign Service terms and conditions, the rules applicable to the State Government services shall be followed.

25) FINANCIAL BYE LAWS:

There shall be Financial Committee with the following members.

- | | | |
|---|---|-------------------|
| 1) Secretary/Additional Secretary, Health & Family Welfare Department | - | Chairman – Member |
| 2) Director | - | Secretary |
| 3) Representative of Finance Department (Not below the rank of Deputy Secretary) | - | Member |
| 4) Representative of Health & Family Welfare Dept. (Not below the rank of Deputy Secretary) | - | Member |
| 5) Financial Advisor to Director of | - | Member |

Medical Education

- | | | |
|---|---|--------|
| 6) Director of Medical Education of his/her representative
(Not below the rank of JD.ME) | - | Member |
| 7) Principal | - | Member |

QUORUM OF THE MEETING:

Three members present at the meeting shall constitute the quorum.

FUNCTIONS OF THE FINANCE COMMITTEE:

The functions of the Finance Committee shall be:

- a) To consider and recommend for approval of the Governing Council, the annual budget estimates of the institute after fully taking into consideration inter alia the financial commitments of the Government of Karnataka to the institute.
The Budget estimates approved by the Governing council on the recommendations of the Finance Committee shall be subjected to availability of funds.
- b) To consider and recommend for approval, the annual audited accounts of the institution.
- c) To consider and recommend for approval, the new financial proposals, which may arise during the course of the year whether already, provided for or not in the budget and to approve the re appropriations between provisionally approval major heads.
- d) To consider quarterly reports of receipts and expenditures submitted by the Director for information to examine from time to time and adequacy of resources of funds and the general financial position of the institute and to make appropriate recommendations to the Governing Council and
- e) To consider all proposals for creations of new posts.

2. BUDGET ESTIMATES:

The annual budget showing the estimates of receipt and expenditure of the Institute shall prepared in two parts.

Part I: relating to standing charges and

Part II: relating to fresh charges. The budget estimates shall be prepared well in advance so that they may be examined by the finance committee and approved by the Governing Council not later than 1st October before being forwarded to the Government latest by 15th October every year.

3) FINANCIAL POWERS OF DIRECTORS:

The Governing Council may delegate financial powers to the Director suitably and the model set of rules regarding financial powers and administrative powers is enclosed herewith (Annexure-III).

4) ALLOTMENT OF FUNDS:

The Director shall regulate and operate the budget of approved by the Governing Council.

5) FUNDS OF THE INSTITUTE:

All money received for and on behalf of the institute shall be paid into an account opened in the name of the institute to one more nationalized banks authorized by the Governing Council. All payments exceeding Rs. 500/- shall ordinarily be made by cheques except the following payments to be made in cash.

- i) Salaries and allowance of class 'C' and 'D' staff.
- ii) Other classes of payments specifically authorized to be made in cash by the Director.

6) CHEQUES:

All the cheques on the banks shall be signed on behalf of the institute by joint signature of the Director and Secretary and Treasurer until the post of Chief Administrative Officer/Administrative Officer and the accounts Officers are created. Alternatively the Director shall specify the Officers who shall sign the cheques. All cheques, bills note and others negotiable instruments payable to the institute may be endorsed on behalf of he institute by the Director until the post of administrative Officer / Accounts Officers are created.

7) CONTRACTS:

The Director or the Chief Administrative Officer Administrative Officer, if so, authorized by the Director shall sign and execute on behalf of the institute all agreements, contracts etc., which may be necessary for the appropriate conduct of business.

8) DRAWL OF FUNDS:

Funds shall be drawn from the Bank on presentation of claims by the director in the prescribed forms. The bills will be scrutinized and passed for payments by the accounts Officer. The pay and allowances bill of the employee may be signed by the Officer declared to the drawing and disbursing Officer by the Director. The contingent and T.A. Bills will be countersigned by the Director before these are passed by the Account Officer for payment. The monthly pay and allowance bill shall be received directly by the Accounts Officer and passed for payment by him.

9) ACCOUNT:

The Institute shall prepare annual statements of the accounts including balance sheet in the prescribed form enclosed. The Accounts Officer of the institute will advise the Director on all matters concerning audit and accounts. So he will be responsible to the Director for the accuracy and completeness of the accounts of the institute in accordance with the Bye – Laws of the institute. Separate Annual Statement of Accounts shall be prepared in respect of Accounts should be prepared in respect of funds received from sources other than the Government.

10) FORM OF ACCOUNTS AND OTHER FINANCIAL RULES:

The Governing Council shall have power to prescribe the Form in which the accounts shall be kept and frame the rules regulating the finance and account matters. Till such time, these rules are framed the accounts of the institute shall be maintained in existing form and the Director is authorized to present the budget and accounts in a suitable form keeping in view the requirements of the institute and its future pattern of development.

11) CUSTODY OF CASH AND VALUABLE DOCUMENTS:

The Drawing and disbursing officer shall be responsible for the custody of cash and valuable documents such as cheques (books) Security Deposits, Agreements and contracts fixed deposit, receipts, Government Securities, cash book etc.,

12) AUDIT:

The annual accounts of the institution shall be audited by certified auditors appointed by the Governing Council. The accounts may also be subject to audit by the Accountant General, Karnataka.

13) FINANCIAL AND OTHER POWERS:

The Financial and other powers as provided in the schedule to the financial bye-laws shall be exercised by the director. The Director may with approval of the Governing Council delegate any of his powers to the Officer subordinate to him.

14) PURCHASE COMMITTEE:

- | | |
|---|------------------|
| 1. Director | Chairman |
| 2. Any Representative of Director
of Medical Education | Member |
| 3. Principal | Member Secretary |
| 4. Medical Superintendent | Member |
| 5. Professor of the concerned heads
of the Department | Member |
- As per GS Resolution DT: 11-12-96.

15) ADMINISTRATIVE COMMITTEE:

- | | |
|---|------------------|
| 1. Director | Chairman |
| 2. Principal | Member |
| 3. Medical Superintendent | Member |
| 4. Chief Administrative Officer
Of the Institute | Member Secretary |
- As per G.C. Resolution DT: 11-12-96.

16) CIVIL WORKS COMMITTEE:

- | | |
|--|------------------|
| 1. Director | Chairman |
| 2. Superintendent Engineer | Member |
| 3. Representative of Medical
Education Department (not below
the rank of Deputy Secretary) | Member |
| 4. Chief Administrative Officer
of the Institute | Member Secretary |
- As per G.C. Resolution dt: 11-12-96.

KARNATAKA INSTITUTE OF MEDICAL SCIENCES, HUBLI.

1. SHORT TITLE;

- 1) These rules may be called the Karnataka Institute of Medical Sciences, Hubli (pay, recruitment, conditions of services and Miscellaneous provisions) rules, 1995.
- 2) They shall come into force with immediate effect.

2. APPLICATION:

- 1) These rules shall apply to the persons appointed to the service of the Karnataka Institute of Medical Sciences, Hubli on a regular basis and whose pay is debited to the funds of Karnataka Institute of Medical Sciences.
- 2) These rules shall apply to:
 - a) Persons not in whole time employment
 - b) Persons appointed on adhoc basis
 - c) Persons paid otherwise than on monthly basis
 - d) Persons specially excluded wholly or in part by the governing council from the operation of these rules.

3. DEFINITIONS:

- 1) "Academic staff" means any members of the staff engaged wholly or partly in teaching and/or research and declared as such by the director.
- 2) "Adhoc employee" means a person appointed temporarily against a sanctioned post in the exigencies of the service of the institute but not appointed regularly as per rule of recruitment to that service.
- 3) "Appointing authority" in relation to the post of Director is Governing council and to any post in Group 'A' and Group 'B' posts, "Board of Appointment and the "Director" in respect of posts in Group 'C' and Group 'D'.
- 4) "Chairman" means the chairman of the Governing Council.
- 5) "Controlling authority" shall be as specified below:

Post:	Authority:
Director.	Chairman

Other posts in Group A&B Posts in group C&D	Board of Selection Director.
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Note: The Director is the controlling authority in respect of Traveling Allowance, Daily allowance and Medical claims for all the Employees of the Institute.

- 6) "Director" means the Director of the institute
- 7) "Employee" means a person in the service of the Institute in any post and includes the "Academic Staff".
- 8) "Governing Council" means the Governing councils of the institute, Hubli.
- 9) "Head of Department" means the Director of the institution.
- 10) "Institute means the Karnataka Institute of Medical Sciences, Hubli."
- 11) "Pay" means the pay admissible, for a post held by the employee and includes "Personal pay" "Special Pay" or any allowance specially included in the term "Pay" by the Governing Council but shall not include any other allowance, for or honorarium.
- 12) "Rules" means the Rules & Regulations of the institute.
- 13) "Select ion Committee" means the selection committee specified.
- 14) "State" means the Karnataka state.
- 15) The Board of appointment means selection committee respect of the posts specified: -
Note: a) The Board of appointment shall consist of: -
i) The Chairman of the Governing Council:
ii) The Directors.
b) The appointing authority concerned shall make Appointment from among the candidates selected by the Concerned selection committee as provided in these rules Separately.
- 16) "Year" means the financial year ending 31st March other terms not Specifically defined here shall have the same meaning assigned to Them in the K.C.S.General recruitment Rules, 1977 Karnataka Civil Services Rules and the Karnataka Financial Code 1958 and other rules As are applicable to State Government employee.

4) PAY AND RECRUITMENT RULES:

Pay and Recruitment rules of the Karnataka Institute of Medical sciences, shall be as specified in Annexure – I of these rules.

5) CONDITIONS OF SERVICE RULES AND MISCELLANEOUS PROVISION:

Rules relating to conditions of service and miscellaneous provisions shall be as specified in annexure – 2 of these rules.

ANNEXURE – I

PAY AND RECRUITMENT RULES:

1) CLASSIFICATION OF POSTS:

The Institute shall consist of post of Group 'A'. Group 'B' Group 'C' and Group 'D' as indicated in the schedule – 1 appended to these rules. The number and pay scale of each category of posts are also indicated in the schedule the method of recruitment, age limit prescribed and the qualifications prescribed for appointment, for such categories shall be as indicated in General Recruitment Rules 1977.

2) APPOINTMENT TO THE POSTS:

The Governing council shall make appointment to the post of the Director. The Board Selection Committees all make appointments to the other posts under Group 'A' and Group 'B' Group 'C' and Group 'D'.

3) MEDICAL QUALIFICATIONS:

No person who does not possess any medical qualification shall be appointed to the posts of Director, Medical Superintendent and the Resident medical Officer.

4) RESERVATION OF POSTS:

The appointment authority shall make provisions at 15 & 3 percent of the posts in the Institute at all levels of Direct Recruitment to the candidates belonging to Scheduled Castes and Scheduled Tribes. The prescribed percentage of reservations in respect of other categories shall also be made as per the orders of the State Government issued from time to time.

5) APPLICATION FEE:

The appointing authority shall fix the rate of application fee for each category of post not exceeding Rs. 50/-but in case of the candidates belonging to Schedule Castes and Scheduled Tribes it shall be 25% of the fee prescribed for others.

6) SELECTION COMMITTEE:

There shall be the following selection recommendations to the Board of Appointments and to the Director, for recruitment to the various posts of institutes.

- a) For The Post of Director/Principal:
- | | |
|--------------------------------------|-----------|
| 1) Minister, for Medical Education | Chairman |
| 2) Secretary, Medical Education | Member |
| 3) Director of Medical Education | Member |
| 4) Director of Health & F.W.Services | Member |
| 5) Chief Administrative Officer KIMS | Member |
| | Secretary |
- b) Chief Administrative Officer:
- | | |
|---|-----------|
| 1. Secretary Health & Family Welf.Dept. | Chairman |
| 2. Director | Member |
| 3. Director of Medical Education | Member |
| 4. University representative | Member |
| 5. Chief Administrative Officer to DME | Member |
| | Secretary |
- c) Professors:
- | | |
|--------------------------------------|-----------|
| 1. Director | Chairman |
| 2. Representative from H.F.W.Dept. | Member |
| 3. Representative from D.M.E | Member |
| 4. University Representative | Member |
| 5. Subject Expert. | Member |
| 6. Chief Administrative Officer KIMS | Member |
| | Secretary |
- d) Associate Professors and Lecturers:
- | | |
|------------------------------------|----------|
| 1. Director | Chairman |
| 2. Representative from H.F.W.Dept. | Member |
| 3. Representative from D.M.E | Member |
| 4. University Representative | Member |

- | | |
|---|---------------------|
| 5. Subject Expert. | Member |
| 6. Principal | Member |
| 7. Chief Administrative Officer KIMS | Member
Secretary |
| e) All Other Posts:
(Gazetted/Technical/ministerial etc.,) | |
| 1. Director | Chairman |
| 2. Representative from H.F.W.Dept. | Member |
| 3. Representative from D.M.E | Member |
| 4. Medical Superintendent | Member |
| 5. Principal | Member |
| 6. Chief Administrative Officer KIMS | Member
Secretary |
| f) Resident and research Assistants: | |
| 1. Director | Chairman |
| 2. Head of the Department. | Member |
| 3. Chief Administrative Officer KIMS | Member
Secretary |
| g) Post Graduate Selection Committee: | |
| 1. Director | Chairman |
| 2. A nominee of University | Member |
| 3. A nominee of Director of med. Edn | Member |
| 4. Head of the Department. | Member |
| 5. Chief Administrative Officer KIMS | Member
Secretary |

7) MODE OF FILLING UP OF POSTS:

- 1) The Post in the institute may be filled by invitation/Promotion/Open advertisement or by deputation from state Govt. as may deem fit by the appointing authority the interest of institute service.

8) FUNCTION OF THE SELECTION COMMITTEES:

- a) The Selection committee shall meet at Hubli or any other place specified by the Chairman.
b) It shall examine the credentials of all applicants, who are being considered for appointment to the posts by deciding the procedure for conducting the selection;
c) It shall prepare a penal of names in the order of merit.

9) VACANCY DUE TO DEATH:

Where a vacancy occurs in any post owing to the death, resignation or any other reason, within six months of the incumbent joining the duty, the appointing authority may offer the appointment to the next candidate if any, recommended by the Selection committee.

10) PERMANENT AND TEMPORARY POST:

1. The posts created by the Governing Council in accordance with Memorandum of Association and Rules and Regulations of the Institute, may be either permanent and temporary as the Governing Council may specify from time to time.
2. Renewal of temporary posts may be determined by the Governing Council from time to time on the recommendations of the Director.
3. Notwithstanding anything contained in the rules and regulations or in the Bye-Laws or in the recruitment rules of the Institute, the Governing Council may invite a person of high academic distinction and professional attainment to accept post of Professor/Surgeon/Specialist/Scientist on such terms and conditions as the Governing Council may approve from time to time.
4. The Governing Council may appoint a person of high academic distinction or professional attainment in any other university, or institute or organization in India or abroad for undertaking a joint project in accordance with clauses of the memorandum of Association of the Institute.
5. The Governing Council, if it deems fit, may create honorary consultant posts to fill-up such specialist vacancies in the interest of delivery of satisfactory patient service or in the basis of clinical as the case may be;

11) DIRECT RECRUITMENT:

The Governing Council may at its discretion arrange direct recruitment at any level to meet the requirement of specialization and or to attract highly qualified personnel for the services of the institute. The Governing Council at its discretion may relax the prescribed qualification and experience in special circumstances.

12) ADVANCE INCREMENT OF INITIAL APPOINTMENT:

1. The Selection committee may recommend advance increment not exceeding SEVEN on initial appointments in any particular case having regard to the qualifications, attainment and such other similar aspects of candidate.

2. The appointing authority shall take every such recommendation into consideration while fixing the initial pay of the person appointed.

13) PROBATION:

1. Unless otherwise decided by the appointing authority in any case, every employee shall be on probation for a period of two years, provided that such probation is not applicable in the case of an employee, who has undergone probation while in Govt. Service in an equivalent post and such probation had been declared to be satisfactory.
2. During the period of probation the employee shall be required to put in satisfactory service failing which his/her service shall be liable for termination at any time without any prior notice and without any reason being assigned for the same appointing authority.
3. The period of probation may, for reasons to be recorded in writing, be extended by the appointing authority.

14) PROMOTION OF HIGHER POSTS:

Subject to the provisions of the recruitment rules the Institute and in cases where the Governing Council has decided that a post be filled by promotion from among the qualified members of the staff, the appointing authority shall consider the names of members of the staff recommended for promotion by a review committee.

NOTE:

The review committee shall consist of the following members:

The Director	Chairman
The Medical Superintendent	Member
The Chief Administrative Officer	Member Secretary

15) OTHER PROVISIONS:

In respect of matters not specifically note here relating to pay, recruitment and promotion, the appropriate rules of the State Government will apply to the employees of the Institute.

16) INTERPRETATION:

In case of any doubt or difficulty, the Governing Council shall interpret these rules and the decision of the Governing Council shall be final and binding on the Concerned.

1) SENIORITY:

The Director shall prepared and publish a seniority list of all the staff of the Institute both intra and inter – departmental in accordance with the provisions of the Seniority rules or the State Government of such rules to be framed by the Governing Council from time to time.

2) COMPULSORY INSURANCE:

An employee who has completed one year of approved service, shall within one year, thereafter, insurance her life with LIC of India/PLI for a policy maturing at the age of superannuation for an amount for which the premium of 6 1/4% of the minimum pay of the time scale of the post held by the employee on the date of Insurance. The recovery of the premium shall be and by deduction from the salary of the employee to be paid from the Karnataka Institute of Medical Sciences, funds.

An employee who has already taken out such a policy either from KGID or LIC or PLI need not take out a fresh policy, if the policy taken earlier is alive and unencumbered.

If the maximum of the scale of pay of the post of an employee is increased due to promotion or revision of the scale of pay he/she shall, within six months of such change affect additional insurance to cover the difference, the Provisions of insurance is not applicable to any employee who is declared in eligible for insurance under to relevant rules and o the public provident fund at 6% of the basic pay of the employee.

Employee belonging to the religions order may nominate the head of the respective religious congregation as nominee.

3) TOTAL ABSENCE FROM DUTY:

To adopt rule 108 of KCSR and other relevant orders issued from time to time in respect of the employees of the Institute in respect to these who are absent from duty without leave for more than 4 months.

4) TERMINATION:

1. All appointments shall be terminated on a notice in writing either by the appointing authority or the employee without assigning any reasons set out below:

- a. during the period of probation 1 month
2. The notice referred to in rule (1) above shall not be necessary if in lieu thereof, an amount equal to the pay and allowance for the period of notice is paid.
3. In the case of permanent appointment, if the order of termination is passed by any authority other than the Governing Council, an appeal shall lie to the Governing Council against the order within a period of 30 days from the date.

5) OTHER PROVISIONS:

In respect of the following matters, the rules and order applicable to the State Government employees shall apply to the employees of the Karnataka Institute of Medical Sciences, subject to such modification as may be made by the Governing Council from time to time.

1. Medical Fitness:
2. Leave, hours of duty and holidays.
3. Dearness allowance, CCA, HRA, Washing allowances, Uniform allowance, Risk allowances, Special pay, and Conveyance allowance.
4. Traveling allowance, Daily allowance, leave travel concessions (Home town & Any place in India)
5. Termination of service and resignation;
6. Loans and advances to employees
7. Medical attendance.
8. Probation rules.

In the applicability of the above rules to the employees of the Institute, reference to Government of Karnataka shall be deemed to be the reference to the Governing Council.

6) LEAVE TO ADHOC EMPLOYEES:

Adhoc employees are entitled to only one-day casual leave for each completed month of service in addition to General holidays.

7) SUPERANNUATION:

The age of superannuation for all the regular employees of the Institute shall be 58 years except for Director of the Institution for whom the age of superannuation shall be 60 years.

8) RETIRING PERSONS (VOLUNTARY)

1. An employee of the Institute may retire for service any time after completing 15 years of qualifying service provided that he shall give in this behalf a notice in writing to the appropriate authority, at least three months before the date of which he wishes to retire subject to the following conditions.
 - a. Employee retiring under this scheme shall be entitling to retiring pension/gratuity.

- b. While granting the retiring pension/Gratuity, to any employee retiring under this scheme, weight age up to 5 years shall be given as an addition to the qualifying service actually rendered by him. The grant of such weightage shall however, be subject to the condition that the total qualifying service after allowing the weightage shall not, in any case, exceed the qualifying service which the employee would have had, if he had retired on attaining the age superannuation.
- c. The weightage given under this scheme shall be only an addition to the qualifying service for purposes of pension and gratuity and shall not entitle an employee retiring voluntarily to any national fixation of pay for purposes of calculation of pension and gratuity.
- d. The amount of pension/gratuity to be granted after giving the weightage shall be subject to the right of the Institute or any competent authority to make reeducation therein in accordance with provisions of the Karnataka Civil Service Rules, if his service is not satisfactory.
- e. The scheme of voluntary retirement under these rules shall not be applicable to employees who propose to get absorbed in autonomous bodies/ public sector undertakings etc.,
- f. The voluntary retirement shall not become effective merely on the ground that a notice to that effect has been given by the employee, unless it is duly adopted by the appointing authority. Such acceptance may be generally given in all cases except those:
 - i) In which disciplinary proceedings are pending against the employee concerned for the imposition of major penalty and the disciplinary authority having regard to the circumstances of the case, is of the view that the imposition of the penalty of dismissal or removal from services would be warranted in the case, or
 - ii) In which prosecution is contemplated or might have been launched in a court of law against the employee concerned, and where it is proposed to accept the notice of voluntary retirement in such cases, prior approval of Government Council in case of staff under Group 'A' Group 'B' should invariably be obtained.

9) COMPULSORY RETIREMENT:

Governing Council may on the recommendation of the Director, for the reasons to be recorded in writing, by order retire any employee after he has completed twenty years of qualifying service of the institute provided that and an employee concerned is given notice of three months before the date of retirement, or in lieu of such notice, a sum equivalent to the amount of his salary is paid in lieu of notice the period in respect of which the employee is paid salary shall be treated as duty and any increment that accrues during the said period shall be taken into account for determining the salary payable in lieu of notice and the amount of pension.

10) PENSION:

1. The employee retiring from service from the Karnataka Institute of Medical Sciences shall be eligible for pension:
Pension is payable:
 - a. On retirement by reason of attaining the age of superannuation:
 - b. On voluntary retirement after completing the prescribed period of qualifying services.
 - c. On retirement before the age of superannuation under a medical certificate of permanent incapacity for further service.
 - d. on discharge due to the abolition of the post or other causes not due to the fault of the employee.
2. An employee may also be permitted to retire on proportionate pension at any time, after attaining the age of 50 years provided no enquiry is pending against him and no proposal for holding an enquiry is pending against him and no proposal for holding an enquiry is under consideration, provided that he shall give in this behalf a notice in writing to the Director at least three months earlier he proposes to retire. In regard to retirement under medical Certificate under Rule 9 (1) (c) above, the corresponding rules in the KCSR s shall apply mutates-Mutandis. The amount of pension or service gratuity and DCRG admissible will be according to the scale prescribed by the State Government from time to time.
3. In respect of previous qualifying service, if any, under State Government rendered by an employee, proportionate pensionary benefits as prescribed in G.O. no. FD 70 SRS 77, dated 27-10-77 will be sanctioned and paid by Government.
4. The leave is treated as qualifying service to the extent to which it would be treated as qualifying service according to the provisions of KCSR s.
5. Unauthorized absence from duty other than as per Rule 106A. 162 of KCSR' s constitute interruption of service entailing forfeiture of past service. Other interruptions in the service of the employee shall not entail forfeiture of past service. The period/periods of such interruptions will not count as service qualifying for pension.

EXPLANATION

A strike of the employee means as defined in the Karnataka Civil Services (prevention of Strikes) Act, 1966, including refusal or abstaining from doing work though physically present at the place of duty by resorting to pen-down strike or stay in strike or authorized absence from duty for purpose of this rule.

6. Commutation of pension is permissible in the same manner and subject to the same conditions as prescribed in the Rule in chapter of part iv of KCSR and as amended from time to time.
7. The pensioners under these Rules are also eligible to draw Dearness Allowance and any other allowances in accordance with the orders issued by the State Government, from time to time in respect of the State pensioners.
8. The formal application for pension in the appropriate form of the KCSR's shall be made to the Director. The pension admissible shall be sanctioned by the Director.

NOTE: The payment of pension/Family/Pension shall be arranged through Banks.

9. Whenever the delay in the sanction of the pension is anticipated, the Director may sanction as anticipatory pension not exceeding the amount specified in Government Order No.FD (Spl) 59 CRP80 dated 29-6-1981.

NOTE: The anticipatory pension shall be sanctioned by the Director from the date of retirement and payment shall commence with effect from the date on which the employee finally quit the service only with the payment of pension shall commences effect from that date on which the employee finally quite the service.

11) FAMILY PENSION:

- a. The Karnataka Government Family pension Rules 1964 shall apply Mutates – Mutendis to the employees of the Institute as amended from time to time.

12) PENSION FUND:

Pension Fund of the Institute shall consist of the Annual contribution by the Institute to be made either in monthly or in a single installment at any time before the close of the financial year, equal to 10 percent of the total pay drawn by the employees governed by these Rules during the year. A separate account shall be opened for the pension fund. The Director or any other officer authorized by him shall operate the Fund and maintain accounts of the Funds including the disbursements of the pension and Family pension.

Pension Fund shall be invested with the approval of the chairman in the Fixed Deposit in the Schedule Banks, National Savings Certificates, Time Deposits in the Post Office or any other schemes and Government securities to obtain maximum return on the investments.

13) RECOVERY OF DUES:

Institute further reserve to themselves the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to Institute if, gravely in departmental or judicial proceedings, Pensioner is found guilty of grave misconduct or negligence during the period of his service, including service rendered upon employment after retirement; provided that;

- a. Such departmental proceedings, if instituted while the officer was in service, whether before his retirement or during his reemployment shall after the final retirement of the officers be continued and concluded by the authority by which it was commenced in the same manner as if the officer had continued in the service.

b. Such departmental proceeding, if not instituted while officer was in service, whether before his retirement or during his re-employment.

i) Shall not be instituted have with the sanction of Governing Council.

ii) Shall not be in respect of any event, which took place more than 4 years before such institution.

iii) Shall be conducted by such authority and in such place as Governing Council may direct and in accordance which the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the employee during his service;

c. No such judicial proceeding, if not instituted while the employee was in service, whether before his retirement or during his re-employment, shall be instituted in respect of a cause if action which arose or an event which took place more than 4 years before such institution.

14) 1. (1) Where any departmental or judicial proceedings is instituted under rules 12, or where a departmental proceeding is continued under clause (a) of the provision there to against an employee who has retired on attaining the age of compulsory retirement or otherwise shall be paid during the period commencing from the date of his retirement to the date on which, upon conclusion as such proceedings final orders are passed, a provisional pension not exceeding the pension which would have been admissible on the basis of his qualifying service up to the date of retirement, or if he was under suspension on the date of retirement up to the date immediately preceding the date on which he was placed under suspension; but no gratuity or death-cum-retirement gratuity shall be paid to him until the conclusion of such proceeding and the issued of final orders thereon.

(2) Payment of provisional pension made under clause (1) shall be adjusted against the final retirement benefits sanctioned to such officer upon conclusion of the aforesaid proceeding but no recovery shall be made where the pension is reduced or withheld either permanently or for a specified period.

14) 2. Incases not governed by the provisions of rule 12, the following rules shall govern the recoveries from pension and compassionate allowances:

1. A claim may become know and the question of recovery may arise.

- a. When the calculation of pension being made and before the pension is actually sanctioned; or
- b. After the pension has been sanctioned;

2. The claim and the recovery may be by one or other of the following:

- a. Recovery as punitive measure in order to make good the loss caused to Institute as a result of negligence or fraud on the part of the person concerned while he was in service.
- b. Recovery of other dues of the institute such as over issued of pay, allowances, or leave salary of admitted and obvious due such as house rent, life insurance premia, outstanding motor car, house building, traveling and other advances.

c. Recovery of non-institute dues.

14 (3) Incases falling under clause (1) (a) above, none of the recoveries mentioned in clause (2) (a) to (c) above may be effected by a reduction of the pension about to the sanctioned except in the following circumstances.

a. When the service of a government servant can be held to have been not thoroughly satisfactory reduction in the amount of pension may be made by a competent authority although no direct penal recovery from pension is permissible.

b. When the pensioner by request made or consent given has agreed that the recovery may be made provided such recovery is restricted to the amount of pension which has already become payable on the date of the agreement or consent. If such requests is not made or consent is not given by the pensioner, even sums admitted due to institute such as rent, outstanding advances, etc., may not be recovered from pension.

In such cases, however, the executive authorities, concerned would have to consider whether they should not try to effect the recovery otherwise than from pension, for example by going to a court of law, if necessary.

14) 4. In case falling under clause (1) (b) above, none of the recoveries mentioned in clause (2) (a) to (c) to above may be effected by deduction from the pension already sanctioned except at the request of with the express consent of the pensioner; (Provided such recovery is restricted to the amount of pension which has already become payable on the date of such agreement or consent).

In case falling where the pensioner does not agree to recovery being made even of sums admittedly due to Institute, action as indicated in the sentence of clause (3) may be taken.

Not withstanding the pension rules applicable to a Institute's dues and any pecuniary loss found to have been caused to Institute in any departmental or judicial proceedings instituted against such institute's servant under rule 12 from the Death-Cum-Retirement gratuity or any other gratuity payable to Institute's servant without obtaining his consent and when the Institute's servant is dead without obtaining the consent of the members of his family.

15) RESIDENTIAL ACCOMMODATION:

1. The Director, the Medical Superintendent and the Resident Medical Officer of the Institute (subject to availability), will be provided with free houses in the campus of the Institute, in which they will be required to reside and they are not entitled to get HRA at the prescribed rates.
2. Other employees of the institute may be provided houses in the campus of the institute, in which they are required to reside if so desired by the Director subject to payment of license fee as per rules of the State/Institute in the matter.
3. The occupants of the houses shall pay extra for water, electricity and other services made available to them.

4. The other rules with regard to occupation vacation, eviction, and levy of penal license fee etc., shall be as prescribed by the State Government.

CONDUCT AND DISCIPLINARY PROCEEDINGS RULES:

1) DISCIPLINARY AND APPELLATE AUTHORITY:

The particulars of the appointing. Disciplinary and appellate authority in respect of particular category of categories of posts or holder of such posts shall be as specified in Annexure.

2) NATURE OF PENALTIES:

One or more of the following Penalties for good sufficient reasons may be imposed on the employees namely:

- i) Fine in the case of employees belonging to Group 'D'
- ii) Censure;
- iii) Withholding of increments (iii-a) withholding of promotion;
- iv) Recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders of the Karnataka Institute of Medical Sciences, Hubli or to any person, body or authority, to whom the service of the employee had been lent;
- iv -a) "Reduction to a lower stage in the time scale of pay for specified period, with further directions as to whether the pay shall remain constant with a further direction and on the expiry of the period of penalty the reduction will or will not have the effect of postponing the future increments of his pay".
- v) "Reduction to lower time scale of pay, grade, post of service which shall, unless otherwise directed, be a bar to the promotion from which he was reduced, with or without further direction regarding;
 - a) Seniority and pay in the scale of pay, grade, post or service to which the employee is reduced.
 - b) Condition of restoration to the scale of pay grade or post of service from which the employee was reduced and his seniority and pay on such restoration to that scale of pay, grade, post, post of service".
- vii) Removal from service, which shall not be a disqualification for future employment.
- viii) Dismissal from service, which shall ordinarily be a disqualification for future employment. "Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the order of disciplinary authority, no penalty other than those specified in clauses (vi) to (vii) shall be imposed for an established charge of corruption.

3) SUSPENSION:

- 1) The Director in the case of member of the staff appointed by him, and the Board of Appointment in the case of others may place a member of the staff under suspension.
 - a. Where a disciplinary proceeding against him is contemplated or is pending; or

- b. Where a case against him in respect of any criminal offence is under investigation or trial.
- 2) Substance allowance to an amount equal to 75 percent of the pay which the employee was in receipt of or which he would have received but for his proceeding or being on leave immediately prior to the date of suspension and in addition dearness allowance, if admissible, on the basis of the amount of such substance allowance. Provided that where the period of suspension exceeds twelve months, the authority which made or deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first twelve months as follows;
- i) The amount of subsistence allowance may be increased to an amount equal to 90 percent of the pay drawn or which he would have drawn but for proceeding on leave immediately prior to the date of suspension if, in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the employee.
- ii) The amount of subsistence allowance may be reduced by a suitable amount not exceeding 50 percent of the subsistence allowance admissible during the period of the first twelve months, if in the opinion of said authority, the period of suspension has been prolonged due to the reasons, to be recorded in writing, directly attributable to the employee.
- 3) If as a result of the enquiry charge formed against a member of the staff is proved, the director in the case of those appointed by him, and board of appointment the case of any member of the staff may at their Direction inflict any of the following penalties.
- a. Fine in case of Group 'D' employees.
- b. Censure.
- c. Recovery from pay of the whole or part of any pecuniary loss caused to the institute by negligence or breach of orders.
- d. Withholding of increments or promotion.
- e. Reduction in rank, i.e., reduction to a lower post or time scale or to a lower stage in a time scale.
- f. Removal from service.
- Provided, however, no such member of the staff as aforesaid shall be reduced in rank, removed or dismissed from the service of the Institute until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.
- Provided further that no such inquiry as aforesaid shall be necessary if reduction in rank, removal or dismissal is proposed on the ground of conviction by a criminal court.
- 4) A member of the staff aggrieved by any order imposing penalty passed by the Director against him shall be entitled to prefer an appeal to the appropriate authority against the order and there shall be no further appeal on the decision of the Governing Council. No appeal under these rules shall be entertained unless it is submitted within a period of three months from the date on which the applicant received a copy of the order

appealed against; provided that the Governing Council may entertain the appeal after the expiry of the said period if it is satisfied that the applicant had sufficient cause for not submitting the appeal in time.

- 5) In the case of an appeal against an order of removal or dismissal from service, the Governing Council shall consider:
 - a. Whether the procedure prescribed in the proceeding rules has been completed with and if not, whether such noncompliance has resulted in a miscarriage of justice.
 - b. Whether the findings are justified.
 - c. Whether the penalty imposed is excessive, adequate or inadequate; and passes orders;
 - i) Setting a side, reducing, confirmation or enhancing the penalty, or;
 - ii) Remitting the case to the Director or to any other authority with such directions as it may deem fit in the circumstances of the case.

Provided that the Governing Council shall not impose any enhanced penalty unless the appellant is given an opportunity of making any representation which he may wish to make, against such enhanced penalty.

- 6) When a member of the staff of the institute has been dismissed, removed or suspended from service on certain charges and if the charges are not proved against him in appeal, the governing Council may grant to him for the period of his absence from duty.
 - a. If he honorably acquitted the fully pay and allowance to which he would have been entitled may be given if he had not been dismissed, removed or suspend from services; or
 - b. If otherwise such proportion of such pay and allowances as the Governing Council may prescribed shall be paid. In a case falling under clause (a), the period of absence from duty shall be treated as a period spent on duty. In a case falling under clause (b) it shall not be treated as a period spent on duty unless the council so direct.
- 7) When an order imposing the penalty not amounting to an order of removal of service under the rules is passed by the Governing Council, it shall be final and there shall be no further appeal.
- 8) Not with standing anything contained in these rules, the Governing Council may impose any of the penalties on the employees of the institute and it may on its own motion or otherwise, after calling for the records of the case, review any order which is made or applicable under these rules and;
 - a) Confirm, modify or set aside the order.
 - b) Impose any penalty or set a side, reduce, confirm or enhance the penalty imposed by the order.
 - c) Remit the case to the Director or to any other authority, directing such further action or Inquiry as it considered proper in the circumstances of the case, or;
 - d) Pass any such other orders as it deems fit.

Provided that an order imposing or enhancing the penalty shall not be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty. The provisions of KCSR (CCA) Rules, 1957, will be applicable to the conduct and disciplinary proceedings to the cases of the employees of KIMS.

4) PERMANENCE OF DUTIES:

Every employees shall perform such duties as have been entrusted to him and shall, to the best of his ability, carry out the lawful directions of the Governing Council, or the Director or of any other authority be to whom he is subordinate.

5) WHOLE TIME SERVICE:

Unless in any case it is otherwise distinctly provided, an employee shall be daily twenty-four hours employees of the Institute and may be called upon to perform any function as required by the authority concerned.

6) ATTENDANCE TO DUTY:

An employee who absent himself from duty without leave will not be entitled to any salary for the days of absence and the period of such absence shall be debited to his leave account as though if it were a half-pay leave to the extent of the period of half pay leave is granted by a competent authority for the days of such absence. Absence from duty of an employee without leave granted by a competent authority, will also render such employee liable to disciplinary action for misconducts except where the employee establishes to the satisfaction of the authority competent to section leave that he was unable to join duty for reasons beyond his control. The provisions of KCSR' s are made applicable with regard to the leave of the employee of K.I.M.S., in so far as they are applicable to the particular case.

7) DEPUTATION AND PERMISSION TO VISIT/WORK AND STUDY OUTSIDE THE INSTITUTE:

- 1) The Director may depute members of the academic and others staff to any place outside the Institute but within India in the interest of the Institute's service or for any other specified purpose. If the period of such deputation is in excess of six months, approval of the Governing Council shall be obtained.
- 2) In such cases of deputation, the Governing Council may required an undertaking in writing to serve the Institute or return for such period as it may prescribed.

8) DEPUTATION OUTSIDE INDIA:

The Governing Council can approve the deputation of any staff members of the Institute to outside India, on such terms and conditions, as it may prescribe.

9) GENERAL:

In respect of matters not specifically provided herein the provisions contained in the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, shall hold good to the employee of the Karnataka Institute of Medical Sciences, Hubli. The reference made therein to governor Government and head of the Department shall be constructed as referenced to Governing Council Board of Appointment and Director respectively.

10) CONDUCT RULES:

In respect of matter not provided for in the rules the Karnataka servant conduct rules, 1966, for the time being in force shall be applicable to the employees of the Karnataka Institute of Medical Sciences, also.

11) CONFIDENTIAL REPORTS:

In respect of matter not specifically provided herein the provisions contain in the Karnataka Civil Services As per G.C.Resolution DT. 4-2-97. (* Preference Report Rules 1994). For the time being in force, shall be applicable to the members of the staff of Karnataka Institute of Medical Sciences, Hubli.
*As per G.C.Resolution Dt: 4-2-1997.

