

VENKATARAMANA. N. NAYAK, KAS

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಆರೋಗ್ಯ, ಮನೆ, ಕುಟುಂಬ ಕಲ್ಯಾಣ ಇಲಾಖೆ
DEPUTY SECRETARY TO GOVT.
HEALTH AND FAMILY WELFARE
DEPARTMENT



ಅ.ಸ. ಪತ್ರ ಸಂಖ್ಯೆ :
D.O. NO.

HPW

DSE 97

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಕುಟುಂಬ
ಮನೆ ಮತ್ತು ಆರೋಗ್ಯ ಇಲಾಖೆ, 1ನೇ ಮಹಡಿ
(ಮಾಧವೇಶ್ವರ ಮಠ) ಹಾಗೂ ಆರೋಗ್ಯ, ಕುಟುಂಬ
ಮನೆ ಮತ್ತು ಕಲ್ಯಾಣ ಇಲಾಖೆ
KARNATAKA GOVT. SECRETARIAT
III STAGE, (FIRST FLOOR)
MULTISTOREYED BUILDINGS
DR. B. R. AMBEDKAR ROAD
BANGALORE. 560001

ಆದೇಶ ದಿನಾಂಕ 24-11-1997

Dear Dr. Biradar,

Please find herewith enclosed a copy of the
Proceedings of the Governing Council Meeting of
the Karnataka Institute of Medical Sciences, Hubli
held on 17th September 1997, for further deedful
action.

With regards,

Yours sincerely,

24/11/97 -

Dr. V.N. Biradar,
Director (Incharge),
Karnataka Institute of Medical Sciences,
H U B L I.

PROCEEDINGS OF THE GOVERNING COUNCIL MEETING OF THE
KARNATAKA INSTITUTE OF MEDICAL SCIENCES, HUBLI, HELD AT
COMMITTEE ROOM OF THE SECRETARIAT, HEALTH & FAMILY WELFARE
DEPT., M.S.BUILDING, BANGALORE-1, ON 17TH SEPTEMBER 1997.

The following Members were present:

- | | |
|---|----------------------|
| 1. Dr.M.Shankar Naik
Hon'ble Minister of State for
Medical Education,
Government of Karnataka. | ... Chairman |
| 2. Shri B.Eswarappa, IAS
Secretary to Government,
H.F.W. Department, Bangalore. | ... Member |
| 3. Shri Mehdi Hugsain,
Addl.Secy to Finance Department. | ... Member |
| 4. Sri Venkataramana.N.Nayak
Deputy Secretary to Government,
HFW Dept. (Medical Education) | ... Member |
| 5. Dr.V.G.Shetty,
Director, H.F.W. Services. | ... Member |
| 6. Dr.Thirumalachar,
Director, Medical Education. | ... Member |
| 7. Secretary to Government,
Social Welfare Department,
M.S.Building, Bangalore. | ... Member |
| 8. Dr.Prabhudev,
Director, Jayadeva Institute of
Cardiology, Bangalore. | ... Member |
| 9. Sri S.G.Dattathri,
Under Secretary to Govt.,
Finance Department. | ... Member |
| 10. Dr.V.N.Biradar,
Director (Incharge), KIMS, Hubli | ... Member-Secretary |

At the outset, the Principal and Incharge Director
Dr.V.N.Biradar welcomed the Chairman and the Members of
the Governing Council, KIMS, Hubli.

ITEM No.1: Confirmation of previous Governing Council
Meeting proceedings held on 10-6-1997. The Proceedings of
the previous Governing Council Meeting held on 10-6-97 were
read and confirmed. However, decision of Governing
Council in regard to Agenda No.9 is not confirmed. The
Director was requested to bring up the subject again
before Governing Council.

...2...

Item No.2: Demand of KIMS Employees payment, their salary etc. and problems pertaining to service conditions.

The Governing Council examined the employees demands. It was brought to the notice of the Governing Council that the C&D employees have been receiving their salary and other salary benefits from KIMS Fund since 1-7-1997. It was resolved that all the Government employees working be deputed to the Karnataka Institute of Medical Sciences, Hubli, from 1-7-1997 until further orders. A Government order to this effect would be issued shortly.

Item No.3: Amendment of Bye-laws

The Government Employees have demanded the amendment of Bye-Laws of KIMS. The I/c Director has explained that the suggestions for the amendment of the byelaws have come from both Gazetted and Non-Gazetted employees through their respective associations. The I /c Director has also stated that the bye-law No.10(3) of conditions of service rules page 67 had led to a lot of apprehensions and heartburn among the present employees of KIMS & VIMS. This has been mis-interpreted and rumours have been going round that this bye-law makes the present employee, who wishes to get absorbed in the autonomous Institute ineligible for the pensionary benefits for the services rendered as Government Servant, especially the employee who has already put up more than 15 years or more service and who will be retiring within 10 years after absorption in the institute. The employees also went on strike in July 1997 last week demanding salary through treasury, their deputation, to the institute and amendment of bye-laws including this subject.

This bye-law states as under:-

"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 dt. 27-10-77 will be sanctioned and paid by Government."

.....3....

After thorough discussion and after obtaining the considered views of the Finance Department, the Governing Council resolved to amend this bye-law No. Annexure-II, Chapter-I 'CONDITIONS OF SERVICE RULES, SUBRULE 10(3), as under:-

"To agree to settle pensionary benefits on the basis of combined service in Government, and in Karnataka Institute of Medical Science, Hubli, in respect of employees who have been absorbed from Government in the Institute, subject to the following conditions:-

- (1) Government's commitment will be limited to prorata pension with reference to qualifying service rendered under Government as per pension rules as on the date of absorption.
- (2) The condition laid down in G.O.No.FD 70 SRS 77 dated 27-10-77 shall apply.
- (3) There shall not be any additional financial burden on the Government on this account. The Institute shall not be given any additional funds for this purpose.
- (4) The amount on account of pro-rata pension payable in this institute shall be paid as part of annual grants, and therefore, no lumpsum grant shall be paid on this account".
- (5) The employees shall also adhere to the following conditions:-
 - i) The institute shall under take to recover any advance/advances drawn by these officials/officers from Government while in Government service, from their salary and remit the same to the State Government, with balances of such advances with interest.
 - ii) The conditions of service of these employees, from the date of their absorption, shall be governed by the rules of the Institute.

Item No.4: Four stalls already constructed in the KIMS campus.

The issue of 4 stalls built unauthorisedly was discussed. Dr.V.N.Biradar said that an agreement had been entered into with the stall owners by the previous director. But he had not taken the permission of the Governing Council to allot the stalls. But in the agreement there was a clause that the allottees

....4....

had to take prior permission from the concerned authorities including municipal Corporation, Hubli, before construction. Corporation of Hubli-Dharwad had already issued a notice, the allottees of these stalls. The Chairman asked why action cannot be taken against these allottees to which Dr.V.N.Biradar suggested a caveat should be taken before any efiction proceedings were initiated. Finally the matter was deferred pending obtaining legal advice on the course of action that could be initiated against ~~primamfacie~~ the allottee as the allotment is considered prima-facie, irregular, etc.

Item No.5: Complaints submitted by the Group-D employees of KIMS, Hubli.

The matter was postponed to next Governing Council Meeting.

Item No.6: Permission to divert Rs.50 lakhs to developmental work. Rs.295 lakhs released under Plan Scheme.

The suggestions of the I/C. Director was accepted and he was asked to submit an action plan for Rs.295 lakhs.

Item No.7: Enhancement of hostel rent and other charges and enhancement of allowances to Superintendent & Warden.

The Governing Council agreed to defer the proposal of the I/c Director, as it felt that a comprehensive proposal should be formulated after examining the rate structure etc. in force in respect of the hostals of other Medical/Engineering Colleges.

Item No.8: Charges for issuing certificates.

The Governing Council postponed this to the next Governing Council Meeting.

Item No.9: Approval of Lecturers appointed on contract basis before the MCI Inspection. (1) Dr.Meena Shetty, MD(G.M.)
(2) Dr.Ishwar Hasabi, MD(Gen.Med)
(3) Dr.H.S.Betageri, MD(TB & CD).

.....5....

and following Hon! teaching staff viz., Dr.V.N. Gore, Prof. of Radiology, Dr.(Mrs) Nalini Sowkar, Asst. Prof. of Radiology and Dr.B.T.Patil Kulkarni, Prof. of Physiology.

The Incharge Director explained the circumstances under which the above adhoc appointments were made viz., due to the shortage of the staff and the scheduled MCI visits to KIMS, on the 2nd and 3rd July 1997.

The Governing Council give post-facto approval for these appointments.

Item - 10: Appointment of Honerary Neurosurgeon.

The item was deferred.

Item - 11: Appointment of Smt.S.Mahalakshmi as Rhy Psychiatrist in the ~~Stk~~ Scale of Rs.2375-4450 on contract basis and other qualified people in Orthopaedics, ENT, etc.

The Governing Council approved the appointment of Psychiatrist Smt.S.Mahalaxmi in the scale of Rs.2375-4450.

Item - 12: Other subjects with the approval of the Chairman.

Seniority of Teaching Staff:

It was decided by the Governing Council that the existing seniority of the Govt . servants working in KIMS, Hubli should be as per the State Govt. rules only.

Due to the paucity of time and urgent engagements of the Chairman of the Governing Council, the Chairman suggested the postponment of the meeting. Dr.V.N.Biradar sought the permission of the Chairman and Members the remaining un-decided subjects will be taken up next Governing Council Meeting. The Committee agreed for the same unanimously.


Member-Secretary.

Sd/-
Chairman.
Governing Council, KIMS, Hubli.

(Venkataramana.N.Nayak)
Deputy Secretary to Government
Health & Family Welfare Department(M.E.)

Additional Subject:- Giving another opportunity to Government Servants working in KIMS to exercise their option to be absorbed in KIMS or otherwise in terms of amended Bye-law.No.10(3)

The incharge director explained to the Members of the Governing Council the history of Karnataka Medical College and Hospital being converted into an autonomous institution. In 1994, the Government in their order dated 11-11-1994 vide No. HFW 1 MPS 94, converted the existing Karnataka Medical College and K.M.C. Hospital and allied institutions into an Autonomous body and rules/regulations and Bye-laws thereof were approved vide G.O.No. HFW 1 MPS 94, Bangalore dated 5-9-1996.

Government servants working in Karnataka Medical College, KMC Hospital and allied institutions were given an opportunity to give their option for their absorption or otherwise in KIMS, in terms of the above mentioned Bye-laws etc. Some of Government servants have given their option and some have not. Some Section of Government servants working in KIMS started entertaining some apprehensions about the service conditions after their absorption in KIMS and Pensionary benefits accruing to them after their retirement from KIMS. Some of them resorted to strike etc.

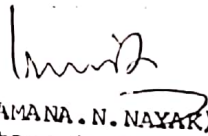
All the issues concerning such Government servants were discussed in a series of meetings at both local and State levels. Accordingly, Governing Council has resolved to amend Bye-law No.10(3) of KIMS as per resolution Agenda subject No.3.

In the circumstances explained above, Governing Council is of the considered opinion that it is only fair and proper to give another opportunity to Government servants working in KIMS to exercise their option to be absorbed in KIMS or to be repatriated to their parent Departments in terms of amended Bye-law No.10(3).

...2....

Therefore, Governing Council hereby resolved to give another opportunity to Government servants working in KIMS, Hubli to exercise their option to be absorbed in KIMS or to be repatriated to their parent Department/s. Such option should be exercised in the format attached to these proceedings within a period of 15 days from the date of receipt of individual communication from KIMS authorities by each of the Government servants working in KIMS. The Incharge Director was requested to ensure that such communication as such to each of Government servants working in KIMS on the same day and served copy of such communications be preserved for records and reference. It should be made either in the letter to be sent to Government servants that the option once exercised will be final and there should not be any exercise of conditional option.

Sd/-
Chairman.
Governing Council,
Karnataka Institute of Medical Science.
H U B L I.


(VENKATARAMANA.N.NAYAK)
Deputy Secretary to Government,
Health & Family Welfare Department(ME).

ಕರ್ನಾಟಕ ಉಪವಿಭಾಗ (ವೈ. ಶಿ.)
ಆರೋಗ್ಯ, ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣ ಇಲಾಖೆ
KARNATAKA INSTITUTE OF MEDICAL SCIENCES
HUBLI - 22

OPTION - FORM

I ----- Son/ Daughter / wife of
Sri. ----- have carefully gone through the rules
regulations , and byelaws of Karnataka Institute of Medical Sciences
Hubli as laid down in the Government order NO.HFW 1 MPS 94 dated 5-2-96
with up to date amendments .

I do hereby exercise my option according to my own free will as
under

1) I hereby exercise my option for absorption into the services
of Karnataka Institute of Medical Sciences Hubli permanently.

I hereby agree to abide by Rules, regulations and bye-laws of
Karnataka Institute of Medical Sciences Hubli and also agree to abide
by future amendments to these, if any.

This option of mine may be treated as FINAL.

Hubli.

Date :

Signature

Designation

2) I do not wish to be absorbed into the services of Karnataka
Institute of Medical Sciences Hubli and wish to remain in Government
services .

This option of mine may be treated as FINAL

Hubli .

Da-te .

Signature

Designation

DECISION OF THE SCREENING COMMITTEE