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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
DEPARTMENT OF HEALTH & FAMILY WELFARE
DENTAL BRANCH
Swasthya Bhawan,
Sector - V, Salt Lake City, Kolkata – 700 029

No. HF/O/DENTAL/232/ME/TR-02-2012

Kolkata, the 24th September, 2013.

NOTIFICATION

In exercise of the power conferred by sub-section (I) of section 22 of the West Bengal State Dental Service Act V 2009 (West Bengal Act-V of 2009), the Governor, in supersession of earlier orders or guidelines relating to Trainee Reserve for the West Bengal Dental Education Service and the West Bengal Dental Service, issued by this Department, is pleased hereby to make the following rules :—

Rules

1. Short title and commencement :—

(1). These rules may be called the West Bengal Dental Education Service and the West Bengal Dental Service (Placement on Trainee Reserve) Rules, 2013.

(2). These rules shall come into force on the date of their Publication in the Official Gazette.

2. Application of the rules. :— These rules shall be applicable for all categories of Dental teachers of all ranks in the cadre of the West Bengal Dental Education Service and the Dental Surgeons of all ranks in the case of the West Bengal Dental Service (hereinafter referred to as officers).

3. Criteria for placement on trainee reserve :— (1) The following shall be the eligibility criteria for placement on trainee reserve as Government sponsored candidates for the Officers of the West Bengal Dental Education Service and the West Bengal Dental Service :

- (i) a minimum of three years qualifying service under the employment of the Government of West Bengal in the respective cadre as determined on the thirty-first day of March of the concerned year and for the

officers who have been appointed in any of the two cadre service from any of the two other services, they must have put in at least three years service in the West Bengal Dental Education Service and the West Bengal Dental Service taken together.

Provided that for officers of West Bengal Dental Service, the minimum period of qualifying service required shall have to be rendered in rural areas in Primary Health Centers, Block Primary Health Centers and Rural Hospitals, for being considered for placement on trainee reserve as Government sponsored candidate.

- (ii) Officers, who had acquired any post-graduate degree, irrespective of the fact whether such degree was acquired with or without Government sponsorship, shall only be allowed to undergo post-doctoral courses and in no case shall be allowed any trainee reserve facilities for undergoing any other post-graduate degree or diploma courses. Officers with post graduate degree may be allowed trainee reserve for certain relevant and recognized or authorized Post Doctoral Diploma courses provided that there are scopes of utilization of the qualification in the service and / or this is necessary for up gradation of the concerned discipline, as would be determined by the Health and Family Welfare Department from time to time. Officers in possession of any post-graduate diploma acquired with Government sponsorship shall only be eligible for trainee reserve in post-graduate degree courses of the concerned discipline.
 - (iii) The officers must not be more than fifty years of age on the thirty-first day of March of the concerned year of placement on trainee reserve. However, no officer shall be eligible for trainee reserve in excess of a total period of eight years during his entire service tenure;
 - (iv) For placement on trainee reserve for undergoing post-graduate degree or post-doctoral courses, other eligibility criteria as may be prescribed by the concerned University or concerned Institution both within the State or outside shall also determine the eligibility for being placed on trainee reserve. Officers joining any post-graduate course on trainee reserve shall not be allowed such facility in any other discipline, unless such change is determined by way of recounselling conducted by the same University for the same batch of post-graduate course entrants and for the same academic session.
- (2) The officers of the West Bengal Dental Education Service and the West Bengal Dental Service shall be eligible to be placed on trainee reserve for the courses as recognized by the Dental Council of India .
 - (3) No officer shall be placed on any further trainee reserve unless he had successfully passed the post graduate course in which he had been placed on trainee reserve earlier subject to the provisions contained under these rules and unless he has served in their respective cadre or service or in any of them (subject to the provisions of other rules in force) for a minimum period of three years as contained in the bond he has executed prior proceeding on trainee reserve during the first occasion.

4. Execution of bond :— (1) The Dental Officers of the West Bengal Dental Service and the West Bengal Dental Education Service shall have to execute a bond in triplicate prior to proceeding on trainee reserve, to the effect that they shall serve in their respective cadre or service or in any of them (subject to the provisions of other rules in force) for a minimum period of three years or the date of superannuation, as the case may be, for two years or lesser duration courses, and five years or the date of superannuation, as the case may be in case of three years post-graduate courses or post doctoral degree courses and, for minimum period of ten years or the date of superannuation, as the case may be in case of courses of more than three years, on return from trainee reserve, failing which such officer(s) shall pay to the State Government the amount of money, in the manner prescribed below :—

- (i) For post-graduate courses of more than three years duration : — Twenty five Lakh rupees.
 - (ii) For post-graduate courses of three years duration : — Fifteen Lakh rupees.
 - (iii) For post-graduate courses of two years duration or less :— Ten Lakh rupees.
- (2). No officer shall be allowed to resign or retire voluntarily or to be placed on lien during the period of service required in the bond.

- (3). Any officer who discontinues or drops out of any post-graduate course in which he had been placed on trainee reserve, has to refund the amount of money as specified in sub rule 4 (1) and shall forgo any further privilege of being placed on trainee reserve, and the period which he has spent on trainee reserve shall be adjusted against his admissible leave.

5. Procedure for application and placement on trainee reserve :— The Officers of the West Bengal Dental Service and the West Bengal Dental Education Service when eligible under the foregoing rules can directly apply to any University or Institution for appearing in the post-graduate Entrance Examination and after being selected or being invited for counselling before admission, shall apply to the Director of Health Services or to the Director of Medical Education for sponsorship certificates. In cases wherever the concerned University or Institution requires a sponsorship certificate, for appearing in the post-graduate Entrance Examination or otherwise only the eligible candidates can directly apply to the Director of Health Service or Director of Medical Education who shall be the competent authority for such matter. After such process is over, placement orders for trainee reserve will be issued by the Department of Health and Family Welfare and thereafter such officers will proceed on trainee reserve and execute bonds as specified in rule 4 of these Rules.

6. Eligibility for further Government sponsorship:— Any officer, after completion of one course by availing "Trainee Reserve" facility, may be eligible for further Government sponsorship as "Trainee Reserve" for the Post-doctoral/ Post- graduate Degree/Post-doctoral diploma course after the result of the 1st course has been officially published, in which the candidate has been successful and only after he has served in the respective cadre or service or in any of them (subject to the provisions of other rules in force) for a minimum period of three years as contained in the bond he has executed prior proceeding on trainee reserve during the first occasion.

7. Bar to study and trainee reserve other than approved by the State Government :— No officer shall be allowed to undergo studies on trainee reserve in any manner other than being sponsored by the State Government. However, for short duration training courses other than those specified in rule 3 (b), the Department of Health and Family Welfare may allow sponsorship and place such officer on trainee reserve, or, allow such officer to undergo such course by availing leave as felt expedient by the Department in accordance with the provisions contained in sub rule (1) of Rule 4.

8. Penalty :— Violation of the foregoing rules shall render the concerned officer or the authority issuing sponsorship certificates liable to departmental action in accordance with the West Bengal Services (Classification, Control and Appeal) Rules, 1970 .

9. Discretion of Government :— Notwithstanding anything contained in these rules, the placement on trainee reserve as a Government sponsored candidate shall be under the sole discretion of the Department of Health and Family Welfare even when an officer had been selected for a course and had been given a sponsorship certificate thereof from the Director of Health Service or the Director of Medical Education.

By order of the Governor,

MALAY KUMAR DE

Principal Secretary to the Govt. of W.B.

