

## KIDWAI MEMORIAL INSTITUTE OF ONCOLOGY

### BYE-LAWS

#### 1. Short title, extent and commencement:

- a) These bye-laws are called the Kidwai Memorial Institute of Oncology Bye-laws, 2024.
- b) They shall be applicable to the Kidwai Memorial Institute of Oncology.
- c) These bye-laws shall come into force from such date on which the Governing Council approves the same.

#### 2. Definitions: In these Bye-laws unless the context otherwise requires,

- a) **"Institute"** means the Kidwai Memorial Institute of Oncology and other establishments attached to it.
- b) **"Governing Council"** means the Governing Council of the Institute.
- c) **"Chairman"** means the Chairman of the Governing Council, the Standing committee and Sub Committees as the case may be in the Institute.
- d) **"Director"** means the chief executive of the institute overall in-charge of administration and academics.
- e) **"Medical Superintendent"** means the person in-charge of hospital (s) attached to the Institute.
- f) **"Principal/Dean"** means the person in-charge of academics in the institute.
- g) **"Employee"** means any person in the service of the Institute working in any cadre or any post.
- h) **Group 'A', Group 'B', Group 'C' and Group 'D'** posts in the Institute shall correspond to the classification of the posts vide rule

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5 of Karnataka Civil Services Rules (Classification, Control and Appeal) Rules, 1957.

- i) **"Teaching Staff"** means any member of the Staff who is wholly engaged in the Teaching, Clinical work and Research Programs.
- j) **"Non-teaching staff"** means staff other than teaching staff who are providing medical services and other health care related services.
- k) **"Ministerial staff"** means staff other than teaching and non-teaching staff.
- l) **"Academic Staff"** means any member of the Teaching Staff who is wholly engaged in the Teaching, Clinical work and Research Programs or other teaching related assigned duties.
- m) **"Selection Committee"** means a committee of experts/representatives as per the byelaw constituted to undertake the process of selection to be placed before the Board of Appointment.
- n) **"Controlling authority"** means the Authority as defined under the Rules and Regulations of the Institute.
- o) **"Head of the Department"** means the Heads of various Teaching Departments of the Institute.
- p) **"Rules"** means the rules framed under the bye-laws of the Institute.
- q) **"Calendar Year"** means the year commencing from 1<sup>st</sup> January to 31<sup>st</sup> of December of the particular year and "Financial Year" means the year from 1<sup>st</sup> April of the year and ending on 31<sup>st</sup> March of the succeeding year.
- r) **"Super Specialty Hospitals"** – means institutes rendering super specialty (as per NMC Norms) services.
- s) **"Special Officer – New Medical College"** – means wherever applicable teaching faculty not below the rank of Professor appointed for initial setting up of the institution in terms of

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infrastructure and other formalities. Until such time LOP is received, or first Director is appointed or Superannuation whichever is earlier.

t) **"Special Officer"** – Super Specialty Hospital / Trauma Care Center / Critical Care Center / MCH hospital" –means wherever applicable teaching faculty not below the rank of Professor appointed for initial setting up of the institution in terms of infrastructure and other formalities.

u) **"Board of Appointment"** means the Chairman, Vice Chairman of the Governing Council, Director of Medical Education and the Dean and Director of the Institute.

**v) Appointing Authority:**

a) **Karnataka Government** in respect of the first Director and Dean, Director – Super Specialty Hospitals, Special Officer and appointments of Chief Administrative Officer, Chief Accounts Officer cum Financial Advisor/Accounts officer.

b) **Governing Council** in respect of the subsequent Dean/Director

c) **Board of Appointment** in respect of the Principal, Medical Superintendents, Group A & B posts

d) **Director and Dean** of the Institute for all Group 'C' and 'D' posts.

w) **Scale of pay for teaching staff:** Scales of pay of teaching staff and any other special allowances shall be those, as sanctioned by the State Government from time to time.

x) **Scale of pay for non-teaching staff:** Pay and allowances shall be on par with the pay and allowances of employees in the equivalent cadre in the Department of Health and Family Welfare, Government of Karnataka.

y) **Employees to be whole time employees:** Unless the context otherwise provided, an employee of the Institute shall be whole

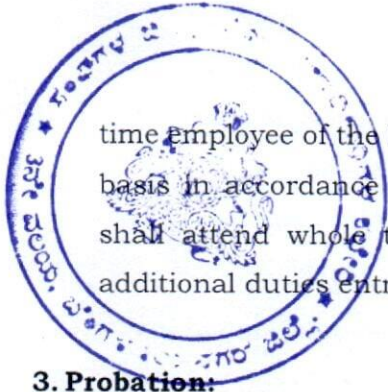
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time employee of the Institute, who has been appointed on regular basis in accordance with the rules/byelaws of the Institute. He shall attend whole time duties as assigned to him and other additional duties entrusted by the authority concerned.

### 3. Probation:

- a) Every employee appointed by the Institute by direct recruitment shall be on probation for two years. This condition shall not be applicable to the officials who have undergone probation while in Government service in an equivalent post and such probation has been declared to have been satisfactorily completed.
- b) During the period of Probation, the employee shall be required to put in satisfactory service failing which his/her services shall be liable for discharge at any time without any prior notice by the Appointing Authority.
- c) The period of Probation may for reasons to be recorded in writing, be extended by the Appointing Authority.
- d) Provided that in respect of matters not covered under this rule, the provisions contained in the Karnataka Civil Services (Probation) Rules, 1977 shall be applicable.

**4. Disciplinary Action** against any employee may be taken at any time after duly following the procedures laid down in the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

### 5. Retirement:

The provisions of Karnataka Civil Service Rules (KCSR) relating to retirement including compulsory retirement, voluntary retirement, retirement on superannuation and retirement on invalid grounds shall apply to the regular employees of the Institute. It is clarified

  
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that an incumbent will automatically demit the office after attaining the age of 60 years.

- a) However, teaching faculty may be appointed on contract basis (other than the post of the Director cum Dean / Director) to comply with the NMC norms after retirement on case to case basis.
- b) Nobody is allowed to hold an administrative post after superannuation.

#### 6. Duties:

Every employee shall perform his duties to the best of his ability and carry out the duties assigned to him by the Dean and Director or any other concerned authority. The Medical personnel working in the Institute shall follow professional ethics maintain dignity and decorum in the Institute and render devoted service to the patients besides their teaching responsibilities. The provisions of the Karnataka Civil Services (Conduct) Rules, 2021 shall apply to the employees of the Institute.

#### 7. Permanent, temporary posts:

Contractual appointments can be done against the sanctioned posts only. Appointment shall be only for a period of 11 months at a time. The administrative posts like CAO/FA/AAO/AO may be taken on contract basis only after prior approval from the government.

#### 8. Method of recruitment and minimum qualifications for appointment:

- a) The categories of posts, their scale of pay, their number, and method of recruitment and minimum qualifications for appointment to all the posts shall be as specified in the cadre & recruitment rules.

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b) The age limit and other conditions of appointment in the larger interests of the Institute shall be subject to the terms and conditions of the State Government as issued by government from time to time.

c) While making recruitments/promotion to any posts, the rules of reservation for persons belonging to the Scheduled Castes or Scheduled Tribes and Other Backward Classes as made from time to time by the State Government shall be followed. Director cum Dean, Principal, Medical Superintendent, Head of the Department, Professors, Associate Professors, Assistant Professors, Senior/Junior residents and Tutors shall be appointed as per the minimum qualification/experience prescribed in the C & R Rules, and NMC – TEQ minimum mandatory requirements, as and when applicable. Under no circumstances, for any posts the minimum qualification prescribed shall be relaxed.

d) No person who does not possess the Medical qualification shall be appointed to the posts of Dean and Director, Principal, Medical Superintendent and Professor and Head of the Department.

e) Appointment in case of in-charge arrangement: An appointment on in charge basis shall be as per the minimum eligibility criteria prescribed for that post for a maximum period of six months only (68 of KCSR).

#### 9. Constitution of selection committees for recruitments:

The Selection Committees members for the various posts are as follows, namely:

##### 1. Post of Director of Institutes (Medical Colleges) & Director cum Dean (IGOT, IGICH, KIER, KMIO, SGITO, DIMHANS):

a) Minister in-charge of Medical Education (Chairman)

b) The Secretary to Government, Department of Medical Education.  
(Vice-Chairman)

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- c) Vice Chancellor, Rajiv Gandhi University of Health Sciences
- d) Director of Medical Education
- e) Chief Administrative Officer (CAO) of the Institute & in case of First Director & Dean, CAO of DME (Secretary).

**2. Post of Director cum Dean of Super Specialty Institutes (SJIC, SDS RGICD/INU):**

- a) The Honorable Chief Minister (Chairman)
- b) Honorable the Minister for Medical Education (Vice-Chairman)
- c) The Secretary to Government, Department of Medical Education.
- d) Vice Chancellor, Rajiv Gandhi University of Health Sciences
- e) Director of Medical Education
- f) Chief Administrative Officer (CAO) of the Institute & in case of First Director & Dean, CAO of DME (Secretary).

**3. Post of Principal/Medical Superintendent/ Special Officer:**

- a) The Secretary to Government, Department of Medical Education (Chairman)
- b) The Director of Medical Education (Vice-Chairman)
- c) The Registrar, Rajiv Gandhi University of Health Sciences.
- d) The Director / Director cum Dean of the Institute.
- e) Chief Administrative Officer (CAO) of the Institute (Member Secretary).

**4. Post of Professor / Associate Professor /Assistant Professors:**

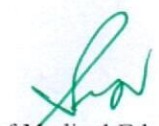
- a) The Secretary to Government, Department of Medical Education (Chairman)
- b) The Director of Medical Education (Vice Chairman) or his nominee not below the rank of Deputy Director.

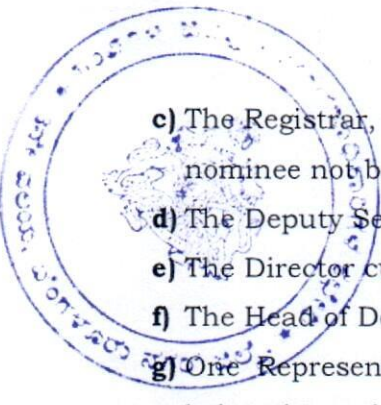
  
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- c) The Registrar, Rajiv Gandhi University of Health Sciences or his nominee not below the rank of Deputy Registrar.
  - d) The Deputy Secretary, Department of Medical Education.
  - e) The Director cum Dean of the Institute.
  - f) The Head of Department of the Respective Department.
  - g) One Representative from the Social Welfare Department not below the rank of under-secretary. (Special Invitee)
  - h) Chief Administrative Officer (CAO) of the Institute (Member Secretary).

Provided that in case the Chairman deposes another for the Selection committee then the Director cum Dean of the Institute will chair the meeting.

**5. Non-Teaching (Senior Residents and Tutors)/ Non-Teaching (Jr. Residents) /All other posts [Non-teaching (Ministerial and technical) Group 'B' 'C' and 'D']**

- a) The Director cum Dean of the Institute. (Chairman)
- b) The Principal of the Institute or Medical Superintendent for Super Specialty Institute.
- c) The Head of Department of the respective Department.
- d) Chief Administrative Officer (CAO) of the Institute (Member Secretary).

**10. Method of Recruitment:**

Either by Direct recruitment or by Promotion or by deputation within department of medical education or on contract basis as per C & R Rules/ Bye- Laws of the Institute.

- a) **For Senior Resident:** On deputation through Compulsory service or on contractual basis for the Interim period if they are not posted.

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b) **For Assistant Professor:** By way of competitive exams as notified by Government or as per the directions of the Government

c) **For Associate Professor / Professor:** For the newly established colleges/Institutes through direct recruitment and in case of other colleges/ Institutes it may be filled by direct recruitment if no person becomes eligible for promotion in the next one year.

d) **Non-Teaching (Senior Residents and Tutors)/Non-Teaching (Jr. Residents) /All other posts [Non-teaching (Ministerial and technical) Group 'B' 'C' and 'D']:** as per the directions of the Government from time to time.

**11. Procedure for direct recruitment:**

- a) The Institute shall take necessary steps to invite application from all eligible candidates by advertising the vacancies in the institutional website specifying the conditions of eligibility, method of selection applicable, provisional number of vacancies to be filled and their classification according to reservation policy of the state.
- b) An abstract of such advertisement shall also be published in atleast two state wide circulated newspaper in the regional language and English, in all editions of newspaper and such other media of publication as it may deem fit.
- c) The Selection Committee shall verify the credentials of all the persons to be considered for the appointment.
- d) The Selection Committee shall prepare a panel of names in the order of merit, subject to the reservation policy of the State and recommend the names for appointment to the Board of appointment.

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e) The Selection Committee may also prepare an additional list from amongst eligible candidates, excluding those in the final list. The candidates in the additional list shall be appointed only to the extent where the candidates in the main list who have been issued with order of appointment do not report for duty within the stipulated time.

f) In respect of posts to be filled by promotion, shall be filled by seniority cum merit, only after complying with National Medical Commission (NMC) norms.

## 12. Method of selection:

The method of selection shall be on the basis of merit. The merit is assessed on the basis of the performance of the candidates and the marks obtained in the interview, as detailed below.

### 1. For Director cum Dean (IGICH, KMIO, KIER, SGITO & IGOT) and Director's Post:

**Tenure:** The tenure of the Director / Director cum Dean shall be not more than 4 years or superannuation whichever is earlier. No Director / Director cum Dean will be eligible for a second term.

**Eligibility:** A candidate shall possess minimum of 10 years of regular qualifying Teaching experience out of which a minimum 5 years as a Professor in the same medical college and other eligibility criteria mentioned in C & R Rules of the Institute.

The Merit will be decided as follows:

Maximum Marks: 15.

a) Publication of Original research articles over and above MCI requirements in indexed journals as First or Corresponding author -1/2 mark per publication to maximum of 3 marks.



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- b) Additional experience as Professor over and above the required five years for the post - ½ mark for each completed year subject to a maximum of 3 marks.
- c) If holding a patent in his/her name for innovation in field of allopathic medicine-1 mark.
- d) Administrative Experience for having worked as Medical Superintendent / Principal / HOD /Unit Chief / JDME / DDME/ Special Officer or Registrar/ Director / Deputy Director / Deputy Registrar in RGUHS - ½ mark for each completed year of services to a maximum of – 3 marks (In respect of considering in-charge arrangement, the administrative experience shall be considered while the same is not applicable for teaching post).
- e) Personality interview – 5 Marks.

## **2. For Selection of Professor/Associate Professors/ Assistant**

### **Professors:**

The Method Recruitment shall be on the basis of merit.

The merit list shall be prepared by adding 30% of the aggregate marks obtained in MBBS Qualifying examination, 40% of the aggregate marks obtained in the post graduate examination and the marks obtained in the interview conducted by the selection committee.

The Maximum marks in the interview shall be thirty (30) distributed as follows.

- a) Publication of Original research articles over and above NMC requirements in indexed journals as First or Corresponding author -1/2 mark per publication to maximum of 8 marks.
- b) Additional teaching experience more than minimum required for the post - ½ mark for each year subject to a maximum of 6 marks.

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- c) State / Central University topper / Gold medalist at UG/PG level - 4 marks (where more than 5 candidates have appeared in the annual examination).
- d) If holding a patent in his/her name for innovation in field of allopathic medicine-2 marks.
- e) Personality interview – 10 Marks.

**Note: However if written examination is conducted by Government then the total marks will be 100 marks in the examination.**

**3. For Senior Residents and Tutors:** As per NMC norms. On deputation through Compulsory service or on Contractual basis for the Interim period if they are not posted

**4. For Junior Residents:**

Shall be from compulsory service deputed from DME/HFW. In case not deputed as part of compulsory service then the method of Recruitment shall be on the basis of merit among the preferred candidates.

- a) The merit list shall be prepared by taking aggregate marks obtained in all years of the Qualifying Examination.
- b) A person with postgraduate degree shall be preferred.
- c) If a person with postgraduate medical degree is not available, then a post graduate medical diploma graduate shall be preferred.
- d) If a person with postgraduate Medical Degree or Diploma is not available, then a MBBS Graduate shall be considered.

**5. For Group 'C' and 'D' Ministerial Staff (Non-Teaching Staff):**

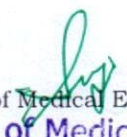
- a) The method of selection for Group 'C' and 'D' Ministerial posts shall be as per the provisions of the Karnataka Civil Services

  
 Dear Sir, Director

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(Recruitment to Ministerial posts) Rules, 1978 and for other Group C posts the Karnataka Civil Services (Recruitment of Group-A, Group-B, Group-C and Group-D posts) by Competitive Examination and Selection (General) Rules, 2006.

Provided that if two or more candidates secure equal marks, then preference for selection of the candidates shall be given in the following order, namely:-

- a) The person older in age shall be placed higher in the merit.
- b) Who has higher qualification than required.
- c) Who has more experience than required.

#### **6. Method of recruitment for Non-teaching Technical Staff:**

The method of recruitment for the post of non-teaching technical staff shall be on the basis of merit determined by marks obtained by competitive examination conducted for the purpose of Recruitment or as per the directions of the Government from time to time.

#### **13. Promotion to higher post:**

- 1) Subject to the provisions of the recruitment rules of the Institute and in case where the C& R Rules of the Institute provide for promotion to a post, such post shall be filled by promotion on the basis of seniority cum merit 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.

- 1(a) In respect of the CMO/LMO/ICMO, where there are no promotional prospects (the incumbent would have joined for the post with MBBS or with post graduate diploma after MBBS), in order to provide for career progression to such of the candidates, the incumbents, if appointed against a permanent post, their case may

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be considered for promotion to the cadre of Assistant Professor, if they acquire a post graduate degree, provided that there exist a vacancy under the promotional quota, in the particular stream, after the candidate is found to be eligible as per NMC norm. Similarly, such of those who have joined as Senior Residents, with PG qualification may also be considered for promotion to the cadre of Assistant Professor in the respective stream subject to the availability of the vacancy. In any case, the promotion shall be from prospective date.

**2) The Departmental Promotion Committee for teaching staff (Group A)** shall consist of the following members, namely: -

- a) The Secretary to Government, Department of Medical Education (Chairman)
- b) The Director of Medical Education (Vice-Chairman) or his nominee not below the rank of Deputy Director.
- c) The Registrar, Rajiv Gandhi University of Health Sciences or his nominee not below the rank of Deputy Registrar.
- d) The Deputy Secretary, Health and Family Welfare Department (Medical Education).
- e) The Director / Director cum Dean of the Institute.
- f) The Principal of the Institute / Medical Superintendent in case of SSH.
- g) Chief Administrative Officer (CAO) of the Institute (Member Secretary).

**3) The Review Committee for Non-Teaching staff (Group A, B, C, D)** shall consist of the following members, namely:

- a) The Director/ Director cum Dean of the Institute - Chairman
- b) The Principal of the Institute / Medical Superintendent in case of SSH - Member
- c) The Medical Superintendent of the concerned hospital - Member.

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d) The Chief Administrative Officer of the Institute – Member Secretary

**4) Time Bound Promotion:**

The facility of time bound promotion shall be as per Departmental Promotion Committee procedure followed in the institute.

**5) Career Advancement Scheme:**

Career Advancement Scheme shall be as per Government directions from time to time.

**14. Permission to travel abroad**

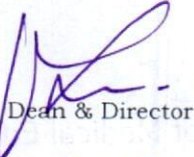
In respect of any travel outside India

a) In respect of persons proceeding abroad for any private visit for purely personal reasons without any sponsorship (from person or agency) not linked to any official visit – the Director / Director cum Dean of the Institute shall be the sanctioning authority. The following guidelines are prescribed for the guidance of the department before the issue of no objection certificate to their employees. The concerned department should before issuing and no objection. Verify:

- i. Whether any disciplinary proceedings are pending or contemplated against the individual.
- ii. Whether any vigilance case is pending or contemplated against him.
- iii. Whether there are grounds to believe that the applicant would figure adversely on the security records of the government.

In case an employee does not attract any of the above grounds, an NOC maybe invariably issued in his favour.

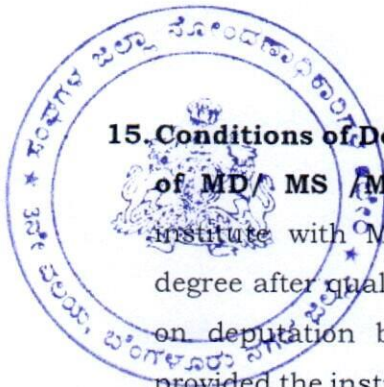
b) For official visits (guests or invited talks / sponsored etc) for any reason, permission of the Government shall be obtained.

  
Dean & Director

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**15. Conditions of Deputation for higher studies in broad specialties of MD/ MS /MDS:**

If any of the permanent employees of the institute with MBBS/BDS qualification are selected for master degree after qualifying in NEET exam, such employee may be sent on deputation by the appointing authority for higher studies, provided the institutional head certifies that the specialty chosen by the employee is required for the discharge of his/her duties in that particular Institute, with the following conditions:

- a) Qualified in PGNEET or equivalent exam of that particular year.
- b) Completed a minimum of 5 years of service.
- c) Probationary period must have been declared as satisfactorily.
- d) That the concerned Speciality vacant posts are available and are required in the same institute.

Provided that the total deputed candidates for higher studies for is less than 5% of the sanctioned cadre of the institute or as notified by the Government from time to time.


- a) The treatment of an officer who is on study leave for deputation shall be as follows: If they fail to complete & successfully pass the Postgraduate exam after the completion of the term in the next one year, all fees, salary & other remunerations received during the period of Deputation, shall be recovered. The fees payable by the institute shall be equivalent of the fees fixed for Government seats & any fees over and above shall be borne by the candidate himself.
- b) Non-Practicing allowance is not admissible during deputation to PG studies.
- c) The Institute shall take an undertaking/bond (as annexure) from such candidate before issuing the NOC for higher studies.
- d) The deputation for higher studies shall be given only once in his entire service.

  
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- e) If any exceptional circumstances if the candidate wants to go for second & subsequent studies then he will not be entitled to salary, fee reimbursement & any other associated perquisites with the post he/she is holding.

**16. Conditions for deputation for higher studies in Super specialties in DM / MCh:**

If any of the permanent employees of the institute with MD/MS qualification are selected for Super specialty studies in any subject after qualifying in NEET exam, such employee may be sent on deputation by appointing authority for higher studies, provided the institutional head certifies that the specialty chosen by the employee is required for the discharge of his/her duties in that particular Institute, with the following conditions.

- Must have qualified in NEET SS or equivalent exam of that particular year. Completed a minimum of 3 years of service.
- Only Assistant Professors are eligible for Super specialty DM / MCh higher studies.
- Probationary period must have been declared as satisfactorily.
- That the concerned Specialty vacant posts are available and are required in the same institute.

Provided that the total deputed candidates for higher studies for is less than 5% of the sanctioned cadre of the institute or as notified by the Government from time to time. However, the permanent employees are not eligible for second deputation.

The treatment of an officer who is on study leave for deputation shall be as follows:

- Period spent during PG Super specialty studies will not be considered as teaching experience for the purpose of promotion to higher post or time bond advancement in the broad specialty from where the candidate was deputed for super specialty studies.

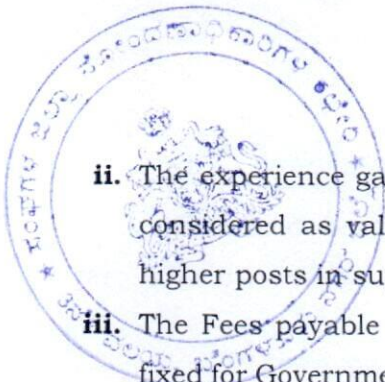
  
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- ii. The experience gained during such deputation or transfer will be considered as valid experience for the purpose of promotion to higher posts in super specialty Department.
- iii. The Fees payable by the institute shall be equivalent of the fees fixed for Government seat & any fees over and above shall be borne by the candidate himself.
- iv. The Institute shall take an undertaking/bond (as annexure) from such candidate before issuing the NOC for higher studies.
- v. Deputation for higher studies shall be given only once in his entire service.
- vi. Non Practicing allowance is not admissible during deputation to PG super specialty studies.
- vii. If the candidate fail to complete & / or successfully pass the super specialty examination after the completion of the term, in the next three years, all salary & other remunerations received for that period shall be recovered from him/her.
- viii. The deputation of Candidates for super specialty higher studies is subject to the notification issued by the Government from time to time.
- ix. If any exceptional circumstances if the candidate wants to go for second & subsequent studies then he will not be entitled to salary, fee reimbursement & any other associated perquisites with the post he/she is holding.

**17. Provident Fund, Pension and Gratuity benefits:** The Governing Council with the approval of the State Government shall/may frame or adopt separate rules to govern the service conditions and other related rules like, NPS, and other retirement benefits on par with the State Government Employees as notified by Government from time to time.

  
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Director  
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Cancer Research & Training Centre  
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**18. Disciplinary proceedings:** The Vice Chairman of Governing Council in respect of the Director/ Director Cum Dean, the Principal, Medical Superintendents, & Group A. The Director / Director cum Dean of the Institute for all Group 'B' 'C' and 'D' posts. (See Schedule I)

**19. Seniority:**


- a) The Director / Director cum Dean of the Institute shall prepare and maintain a gradation list in respect of each of the categories of employees and publish the same on the 1<sup>st</sup> of January every year.
- b) The seniority of the employees in each category shall be determined by order of merit in which they were selected for appointment to the cadre in question. It shall be subject wise in respect of teaching cadres. In respect of non-teaching staff, cadre wise seniority list shall be prepared and published.
- c) Where two persons are appointed on the same date, the seniority between them shall be determined as follows, namely:-
  - i. A member appointed by direct recruitment shall be senior to a member appointed by promotion.
  - ii. In case of members appointed by promotion, seniority shall be determined according to the seniority of such members in the cadres from which they were promoted.
  - iii. In case of Members appointed by promotion from different cadres, then the member who is on a higher scale of pay shall be senior to those in lower scales.
  - iv. In case of any dispute regarding the seniority, the decision of the appointing authority in respect of concerned cadre shall be final.

  
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**20. Rotation of Head of Department:**

In the Department where there are more than one Professor, the HOD shall be rotated among them. Each Professor serving as a head for a period of three years or superannuation whichever is earlier and so in the order of seniority or as notified by Government from time to time.

The EPAR of all HOD's current and preceding shall be reviewed by the Director / Director Cum Dean of the institute in case of medical college and by the Director in case of super speciality hospitals respectively.

The Director / Director cum Dean and CAO shall ensure due diligence for seniority in the implementation of the same in their respective institute.

Provided for serving as HOD there is no vigilance or departmental enquiry / criminal case is pending against the concerned staff

**21. Superannuation:** The age of superannuation in respect of all the permanent employees of the Institute shall be 60 years or as defined by Government from time to time.

**22. Interpretation:** In case of any doubt or difficulty in understanding the clauses of the bye-laws, the Governing Council shall be competent to interpret and decide. The decision of the Governing Council shall be final and binding on the employees.

**23. Appointment on compassionate grounds:** The eligibility in respect of eligibility seeking compassionate appointments shall be the same eligibility criteria covering qualifications prescribed for the

Dean & Director

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respective categories besides the other prerequisite and detailed in the rules pertaining to compassionate appointment applicable to Govt. services as per Karnataka Civil Services (Appointment On Compassionate Grounds) Rules, 1996

**24. Application of other provisions:** The provisions of the following rules shall mutatis mutandis apply to the employees of the Institution:

- a) Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.
- b) The Karnataka Civil Services Rules 1958.
- c) The Karnataka Civil Services (Probation) Rules 1977.
- d) The Karnataka Civil Services (Performance Reports) Rules, 2000.
- e) The Karnataka Civil Services (Conduct) Rules 2021.
- f) Any other rules regulating the conditions of service of employees not defined and in so far as they are not inconsistent with the provisions of these rules shall mutatis mutandis apply.

**25. REPEAL AND SAVINGS:** The Bye-laws of **Kidwai Memorial Institute of Oncology** are hereby repealed. Provided that any order issued, any appointment made, anything done or any action taken under the provisions of any of the repealed byelaws shall be deemed to have been issued, made, done or taken under the provisions of these byelaws and shall, until altered or cancelled, continue to be in force. However, this bye laws shall prevail over the repealed byelaws in all matters of dispute.

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**SCHEDULE-I**

SI. NO.	Class of Posts	Authority empowered to appoint	Authority empowered to impose penalties and penalties which he may impose		Appellate Authority
			Authority	Penalties KCS (CCA) Rules, 1957	
1	2	3	4	5	6
1.	Director cum Dean Medical Superintendent Principal, Professor, Associate Professor, Assistant Professor & Non-Teaching Group A	Board Of appointment	Vice Chairman of the Governing Council	Rule 8 Clauses (ii) to (viii)	Governing Council
			Board Of appointment	Rule 11	Governing Council
2.	Senior Residents, Tutors, Junior Residents Group-B, C, D employees.	Director	Director	Rule 8 Clauses (ii) to (v)	Director of Medical Education
			Vice Chairman of the Governing Council	Rule 11	Governing Council

**District Registrar of Societies**  
Zone-3, Bangalore Urban Dist.

Dean & Director

Kidwai Memorial Institute of Oncology

Director of Medical Education

**Director of Medical Education**  
Bangaluru.