



The Mizoram Gazette

EXTRAORDINARY

Published by Authority

RNI No. 27009/1973

VOL - LIII Aizawl, Wednesday 18.12.2024 Agrahayana 27, S.E. 1946, Issue No. 839

NOTIFICATION

No. A.12018/16/2019-P&AR(GSW), the 18th December, 2024: In exercise of the powers conferred by the proviso to article 309 of the Constitution, the Governor of Mizoram hereby makes the following rules further to amend the Mizoram Health Service Rules, 2009 (hereinafter referred to as the principal rules) as follows, namely:-

1. Short title and commencement.-
 - (1) These rules may be called the Mizoram Health Service (Amendment) Rules, 2024.
 - (2) They shall come into force from 1st January, 2025.
2. Amendment of rule 10.- Sub-rule(4) of rule 10 of the principal rules shall be omitted.
3. Amendment of rule 29.- Rule 29 of the principal rules shall be substituted as follows, namely;

“29.

 - 1) Members of the service shall be prohibited from engaging in any form of private practice, including any consultation and laboratory practice. Notwithstanding the foregoing, the Government may, in its discretion, grant prior permission to members of the service to engage in private practice, including consultation and laboratory practice, subject to such conditions and guidelines as may be prescribed by the Government from time to time, provided that such practice does not adversely affect the discharge of their official duties.
 - 2) Members of the service who are registered as medical practitioners with the National Medical Commission (formerly Medical Council of India) or Mizoram Medical Council and are not engaged in any form of private practice, including any consultation or laboratory practice, shall be eligible for a non-practicing allowance at rates determined by the Government from time to time. Such allowance shall be restricted to medical posts requiring qualifications prescribed under the National Medical Commission Act, 2019 (formerly the Indian Medical Council

Act, 1956) or the Dentist Act, 1948 and where the following conditions are met:-

- (a) The post is a clinical one.
- (b) The post is a whole time post
- (c) There is ample scope for private practice, and
- (d) It is necessary to prohibit private practice in public interest.

Note 1: Notwithstanding any Government Notifications, Circulars, or Orders pertaining to Non-Practising Allowances and Private Practice that may be inconsistent with these rules, the provisions herein shall prevail.

Note 2: Private practice under these rules refers to any medical activity conducted by a government doctor outside their officially designated duties and responsibilities within the public healthcare system, for which they receive direct or indirect financial compensation other than salary and allowances received from the government and which has the potential to compromise their commitment to public service and negatively affect the accessibility, affordability, and quality of healthcare services provided by the government. This includes, but is not limited to:

- 1) Providing consultations or treatment at private medical clinics or hospitals.
- 2) Conducting surgeries or other procedures outside of their government role.
- 3) Offering medical services through telemedicine platforms for private entities.
- 4) Owning or having a financial stake in a medical clinic, private run hospitals, pharmacy, diagnostic lab, or similar businesses that benefit from their professional expertise.
- 5) Receiving gifts, favors, or other benefits in kind from clients in connection with their medical practice.

Note 3: Clinical post under these rules refers to any government medical position primarily dedicated to direct patient care, diagnosis, treatment, and medical procedures within a government-operated healthcare setting. These posts involve duties directly associated with the examination, diagnosis, and treatment of patients, typically in hospitals, health centres, or clinics under government administration. It excludes posts where the primary functions are administrative roles with no direct patient contact, research positions with no direct patient contact, and teaching positions without clinical responsibilities.”

K. Lalthawmmawia,

Commissioner & Secretary to the Govt. of Mizoram

Note: The principal rules were notified vide No. A12018/18/2003-P&AR (GSW) dated 16.02.2010 and published in the Mizoram gazette extra ordinary issue number 33 dated 17.02.2010 and subsequently

amended vide:

1. Notification No. A.12018/28/2003-P&AR(GSW), dated 11.10.2010 and published in the Mizoram Gazette extraordinary issue number 397 dated 20.10.2010.
2. Notification No. A.12018/20/2003-P&AR(GSW), dated 17.05.2012 and published in the Mizoram Gazette extraordinary issue number 247 dated 22.05.2012.
3. Notification No. A.12018/18/2012-P&AR(GSW), dated 03.08.2015 and published in the Mizoram Gazette extraordinary issue number 386 dated 11.08.2015.
4. Notification No. A.12018/18/2016-P&AR(GSW), dated 26.02.2018 and published in the Mizoram Gazette extraordinary issue number 121 dated 06.03.2018.
5. Notification No. A.12018/17/2022-P&AR(GSW), dated 26.02.2024 and published in the Mizoram Gazette extraordinary issue number 143 dated 27.02.2024.