



## **ABSTRACT**

Tamil Nadu Medical Service – Selection of 36 candidates for temporary appointment to the post of Assistant Surgeon (Dental-Speciality) through the Medical Services Recruitment Board – Ordered - Amendment Orders – Issued.

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### **HEALTH AND FAMILY WELFARE (B1) DEPARTMENT**

G.O.(4D) No.9

Dated:26.09.2014  
Thiruvalluvar Aandu – 2045  
Jaya Purattasi-10

Read:

1. G.O.(3D) No.72, Health and Family Welfare(B2) Department, dated:18.7.2014.
2. From the Chairman, Medical Services Recruitment Board, Letter Ref No.620/MRB/E4/2014, dated:27.8.2014.
3. From the Director of Medical and Rural Health Services Letter Ref No.46296/E6/4/2014, dated:4.09.2014.
4. Interim Order of the Hon'ble High Court of Madras in W.P.No.23948 of 2013 and batch cases dated:11.09.2013.

### **ORDER:**

The Chairman, Medical Services Recruitment Board in his letter 2<sup>nd</sup> read above has stated that 36 candidates were provisionally selected according to marks obtained in the competitive examination duly following communal rotation for the post of Assistant Surgeon (Dental-Specialty). Accordingly, in the Government order 1<sup>st</sup> read above, orders have been issued to 36 candidates.

2. The Chairman, Medical Services Recruitment Board has also stated that Dr.N. Jayalakshmi, who has specialized in the MDS (Oral pathology) category has filed an application (RTI) to MRB seeking information against her non-selection in the MDS (Oral Pathology) category even though she has secured 70 marks in the competitive examination. The Right To Information application was examined and it has been found that her application had been bundled along with the applications of Assistant Surgeon (Dental) (General) category, as she was not initially eligible for selection under Dental Speciality (MDS) as her registration of MDS course with Tamil Nadu Dental Council was belated. She has registered her name in the Tamil Nadu Dental Council belatedly as per the original notification and hence her name was not considered initially for selection under the Assistant Surgeon (Dental-Speciality). However, as she had registered BDS Course with the Tamil Nadu Dental Council before the stipulated date, her application was clubbed with the applications of Assistant Surgeon (Dental-General) (with BDS qualification) and as she had applied for both the posts.

3. The Chairman, Medical Services Recruitment Board has further stated that many of the aggrieved candidates who have secured higher marks could not be selected as they have registered their MDS Degree in the Tamil Nadu Dental Council belatedly, approached the Hon'ble High Court of Madras and obtained interim orders relaxing the same (subject to the final orders). Though Dr. N. Jayalakshmi did not file any Writ Petition and obtain specific orders of the Hon'ble High Court regarding extension of date of registration of her MDS Degree with the Tamil Nadu Dental Council, the directions of the Hon'ble High Court was adopted to similarly placed candidates, she ought to have been considered for selection for Assistant Surgeon (Dental-Speciality) as well. Because of the reasons explained above, her name has been inadvertently omitted to be included in the speciality selection i.e. MDS (Oral Pathology), or MDS (in any speciality).

4. The Chairman, Medical Services Recruitment Board has also stated that as per the notification, four posts of MDS (Oral Pathology) has been notified and the communal rotation for the four posts are for General Turn, SC-Arunthathiyar-Women, MBC & DNC and BC (other than Muslim). In the MDS (Oral pathology) category, the candidate Dr. J. Jude (Backward Class-Other than Muslim) who has obtained 69.50 marks has been inadvertently included instead of the candidate Dr. N. Jayalakshmi (BC-other than Muslim) who has secured 70.00 marks in the same speciality in the competitive examination and in view of the issues involved in the change of date of Dental Council registration (due to the interim orders of the Hon'ble High Court). The marks in the competitive examination obtained by Dr. J. Jude, (BC-other than Muslim) (overall rank 215) i.e. 69.50, is lower to Dr. N. Jayalakshmi (BC-other than Muslim) (overall rank 201) with 70.00 marks. Four candidates were selected against the requirement for the MDS (Oral Pathology) category as detailed below:-

Assistant Surgeon (Dental-Speciality)in MDS (Oral Pathology)

Sl. No.	Turn ID	Turn	Name	Register No.	Exam No.	Mark	Rank
1	1	GT	Dhanalakshmi	1005124	22738	75	68
2	2	SC A-W	Shanthi	1005493	22596	59.5	665
3	3	MBC & DNC	Pamalai	1001226	22679	70	196
4	4	BC (OM)	Jude	1010901	22613	69.5	215

5. The Chairman, Medical Services Recruitment Board has further stated that after the receipt of Right To Information petition from Dr. N. Jayalakshmi stating that she has secured 70 marks and requested the reason for non-inclusion in the selection list, the Board has decided to call both the candidates i.e. Dr. J. Jude and Dr.N.Jayalakshmi to appear before the Board to examine the issue in detail, on 27.8.2014. Dr. N. Jayalakshmi requested to give her appointment based on her higher marks. On scrutiny of records and based on the hearing conducted on 27.08.2014, it is found that Dr. N. Jayalakshmi, MDS (Oral pathology) category (Backward Class-Other than Muslim with 70 marks in the examination) is eligible for selection to the post of Assistant Surgeon (Dental) (Speciality) in MDS (Oral Pathology) in the communal rotation of Backward Class – (other than Muslim) in place of Dr.J.Jude

in view of her higher marks. Hence, the Chairman, MSRB has furnished the following revised selection list for issuing necessary amendment to the Government Orders so as to cancel the selection of Dr. J. Jude and to select Dr. N. Jayalakshmi in place of Dr. J. Jude:-

**Assistant Surgeon (Dental-Speciality) MDS (Oral Pathology)**

Sl. No.	Turn ID	Turn	Name	Register No.	Exam No.	Mark	Rank
1	1	GT	Dhanalakshmi	1005124	22738	75	68
2	2	SCA-W	Shanthi	1005493	22596	59.5	665
3	3	MBC & DNC	Pamalai	1001226	22679	70	196
4	4	<b>BC(OM)</b>	<b>N.Jayalakshmi*</b>	<b>1003037</b>	<b>22714</b>	<b>70</b>	<b>201</b>

[\*The selection and appointment is subject to the outcome of the W.P.No.23948/2013 and related batch cases.]

As the case relating to W.P.No.23948 of 2013 and related batch cases(Hon'ble High Court of Madras) regarding the date of registration in Tamil Nadu Medical/Dental Council is pending her selection is subject to the outcome of the pending Court cases.

6. The Chairman, Medical Services Recruitment Board has stated that due to the pending litigation with regard to the specific issue of last date of registration of MDS Degree in the Tamil Nadu Dental Council, the name of Dr. N. Jayalakshmi has been inadvertently overlooked under MDS (Oral Pathology) in Backward Class (Other than Muslim) category. However, as soon as the issue was brought to the notice of the Medical Services Recruitment Board, an impartial hearing was done and remedial action has been initiated. Additionally, the process of verification of final results (before publication) is being strengthened in the MRB, so that such recurrences are avoided in future.

7. The Chairman, Medical Services Recruitment Board has, therefore, requested the Government to issue necessary amendment to the G.O.(3D).No.72, Health and Family Welfare (B2) Department, dated 18.7.2014 by deleting the name of "12. J. Jude (Registration No.1010901 and Exam No.22613)" and replace the selection with "12. N. Jayalakshmi\* (Registration No.1003037 and Exam No.22714)".

8. The Director of Medical and Rural Health Services has stated that posting orders have been issued to all the temporarily appointed 36 candidates vide his proceedings dated: 28.7.2014 and Dr. J. Jude is one among the 36 temporarily appointed candidates was posted as Tutor/Assistant Professor, Department of Oral Pathology, to the Tamil Nadu Government Dental College and Hospital, Chennai where he joined duty on 31.7.2014 F.N.

9. The Government have examined the proposal of the Chairman, Medical Services Recruitment Board and accept the same. Accordingly, in partial modification of the orders issued in the Government Order 1<sup>st</sup> read above, Dr.N.Jayalakshmi (Communal Rotation Turn: BC(OM), Register No.1003037 and Exam No.22714) is temporarily appointed as Assistant Surgeon (Dental(Speciality) in the existing vacancy in the Tamil Nadu Medical Service and her name is placed against Serial No.12 in the Annexure to the above Government Order.

10. The Government also order that the appointment of Dr.J.Jude earlier mentioned against Serial No.12 in the annexure to the Government Order 1<sup>st</sup> read above stands cancelled.

11. This order is subject to the outcome of W.P.No.23948/2013 and other cases filed in the High Court in this regard.

**(BY ORDER OF THE GOVERNOR)**

**J. RADHAKRISHNAN,  
SECRETARY TO GOVERNMENT**

To

The Director of Medical and Rural Health Services, Chennai-6.

The Chairman, Medical Services Recruitment Board, Chennai-6.

The Director of Medical Education, Chennai-10.

The Accountant General, Chennai-18.

Copy to:

The Special Personal Assistant to Hon'ble Minister(Health), Chennai-9.

The Resident Audit Officer, Office of the Principal Accountant General, Chennai-9.

The Private Secretary to Special Secretary to Government

Health and Family Welfare Department, Chennai-9,

✓The Health and Family Welfare(Data Cell) Department, Chennai-9.

SF/SCs.

**// FORWARDED BY ORDER //**

  
SECTION OFFICER  
