

***Draft for Contract of Services (Applicable from: 2022-2026)***

The terms of appointment and payment structure of the personnel working on various designations in all Associations affiliated to Seth GSMC and KEM Hospital, Mumbai have been finalized as per Legal and Auditor opinion by the Secretaries and Treasurers of DDF, DJST, Research Society, Gosumec Alumni Association, PBCF, Staff Society and IEC.

**The following terms of appointment will come into effect from 1/8/2022 till 31/7/2026.**

1. The following rules will be applicable to the personnel appointed by Society/Trust/ Association/Principal Investigators (PI) who deposit funds in the various Societies, henceforth referred to as common societies (Exception: staff appointed on Government projects who will be paid as per the government rules) As per the legal opinion taken, the following changes to be incorporated while appointing or reappointing the personnel on all societies.
  - a) To make fresh appointments on fixed term contracts for old and new personnel. The contract will be termed as," Contract for providing Services and the payment given will be called as," **Remuneration for contractual services**" and the yearly rise given will be termed as," perks". It is advisable to use terms such as job-work, service -provider, compensation, duration of contract, termination of contract, etc.
  - b) The duration of the contract will be 180 days. **It was decided that the personnel** will be given a break in contract service of one day before the completion of the 180th day and not on the 180th day. If the 180th day falls on a Sunday or holiday which is non-working day, then the break in service should be on (178th/179th day). The renewal of contract will be considered only after the break in service for the next 180 days for old and new personnel. If there are **more than 2 contractual personnel appointed the break days can be** accordingly adjusted so that work does not suffer. **Each contractual personnel will therefore have 2 breaks in** contract which will be LWP and there will be no reimbursement in the form of ex-gratia for the breaks in a year.
  - c) The Contract for providing Services (New) must include:
    - i. The detailing of the nature of services that would be rendered by the person engaged should be mentioned clearly by the PI/Secretary of Society in the contract.
      1. a clause making it clear that the nature of employment is purely temporary and on contract basis, monetary compensation would be paid against the services provided by that person

2. a clause which expressly reserves the right of the Hospital / Trust / Association to terminate the services at its discretion without assigning any reason. (A NOTICE PERIOD OF 30 DAYS MAY BE PROVIDED),
3. a specific clause which says that the contract shall stand terminated automatically on the expiry of the term (duration of the contract OR on sooner determination thereof by the Hospital / Trust / Association,
4. the person would be entitled to 6 days leave in the 180 days contract,
5. a clause which expressly clarifies that the person so engaged shall not be entitled to claim any benefits of permanent employment or increments, etc.
6. a clause that the person shall not be entitled to benefit of services such as PF, pension, gratuity, medical allowances, seniority, promotion, etc.
7. a clause that the person should not have completed 58 years as on the date of appointment.
8. a clause stating that the contract stands terminated on the date of completion of 58 years.
- If the contract person remains in the contract for several years and has eventually reached the ceiling of maximum payment, then the perks will be 0 up to 3% based on the assessment of his or her performance, workload, and availability of funds in the society. **The respective EC of each society or PI can have the discretion to decide the perks. The PI should communicate to the Secretary of the respective Society for discussion in the Society's meeting. The assessment can be done on an objective structured format with a detail of increase in the workload than the previous year. Benefits of 7 days CL and 8 days medical leave (with pay) will be granted in 180 days contract.**

Every New contract appointment will start only after the completion of the prior contract and if the personnel is eligible for the new contract as per the terms and conditions laid down by the respective Society/Trust/ Association/Principal Investigators.

- d) Societies having minimal work can club their requirement and contract person may be paid jointly through them. One of them should take responsibility of making the contract. Ideally each society to appoint their own personnel. This will make it easy for auditing Society/Trust/ Association/Principal Investigators purpose as TDS etc would require to be deducted.

- e) Identity cards should be given to all the contractual personnel appointed on common societies and research projects.
- f) The yearly rise of remuneration for a contract person will be from (up to 7.5 % based on the assessment of his or her performance, workload, and availability of funds in the society. This would be applicable only if the personnel have completed 2 contract appointments each of 180 days. The PI should communicate to the Secretary of the respective Society for discussion in the Society's meeting. The assessment can be done on an **objective structured format** with a detail of increase in the workload than the previous year.
- g) There will be no provision for bonus payment. Individual society/PI may give appreciation to the contract person based on assessment of his or her performance, workload, and availability of funds in the society. The assessment can be **done on an objective structured format with a detail of increase in the workload than the previous year.**
- h) No higher grade or category promotion to be given even **if the contract person has served the society** for many years. He/ she may be **reappointed if qualified, in the next category** only after the contract expires.
- i) The rules for Contract of **Services will be updated every 4 years. The next** update is around June 2026.
- j) Please note that the staff members **appointed on Government grants/ funding agencies** will have to be paid as per the remuneration structure of the concerned **government agency.**
- k) The person who is drawing salary from MCGM or is resident/ SR/SMO/ contractual assistant Professor may work for the research project but he/she cannot be **remunerated/ paid** in case of projects funded by Pharmaceutical companies/ Govt. organization or any other organization.
2. The structure for remuneration for the **contractual services has been done as per the Minimum Wages Act cut-off.**

3. The minimum remuneration mentioned is indicative and may be followed while appointing a new person. However, in exceptional cases, based on the qualification experiences and competency of the applicant, the initial remuneration may be started at the level above the **minimum remuneration** subject to availability of funds.

4. The following categories are the **ones on which the contract personnel are appointed for all non-government projects or administrative work of all societies.**


Sr. No.	Category	Qualification	Minimum Remuneration (Rs.)	Maximum Remuneration (Rs.)	Professional Tax (Rs.)
1	Research Fellows/Study coordinator	DM, MCh	50,000/-	80,000/-	175-200 For Feb- 300/-
		MD, DNB, PhD	45,000/-	70,000/-	175-200 For Feb- 300/-
		Diplomas, MD (Ayurveda) / PhD	40,000/-	60,000/-	175-200 For Feb- 300/-
		MBBS	35,000/-	50,000/-	175-200 For Feb- 300/-
		BAMS	30,000/-	40,000/-	175-200 For Feb- 300/-
2	Clinical Pharmacist	M.Pharm	25,000/-	50,000/-	175-200 For Feb- 300/-
		B.Pharm	20,000/-	40,000/-	175-200 For Feb- 300/-
3	Biostatistician	MSc in Biostatistics or any other equivalent degree in Biostatistics	25,000/-	50,000/-	175-200 For Feb- 300/-

Sr. No.	Category	Qualification	Minimum Remuneration (Rs.)	Maximum Remuneration (Rs.)	Professional Tax (Rs.)
4	Medical Social Worker /Dietician/Nutritionist Counselor/ Clinical Psychologist	MPhil-Social Work, B.Sc/M.Sc Nutrition and Dietics MA-Clinical psychology/ counselling Psychology/	25,000/-	40,000/-	175-200 For Feb- 300/-
5	Technical help-I Lab technician Nursing  Field worker	MSc./PG-DMLT / B.Sc./B.A./ BPMT/BSc Nursing Graduate	20,000/-  15,000/-	40,000/-  30,000/-	Nil -175-200 For Feb- 300/-  Nil -175-200 For Feb- 300/-
6	Technical help II (Computer hardware experts)/Data operator / Artist	Graduate +Diploma in computer hardware/ BSc Computer	15,000/-	35,000/-	Nil -175-200
7	Computer graphic designer/ Web Designer	Graduate +Diploma in computer designing/ Computer Graphics	15000/-	40,000/-	Nil -175-200 For Feb- 300/-
8	Technical help-III Lab Assistant Nursing assistant	DMLT/CMLT/ Diploma Nursing	15,000/-	30,000/-	Nil -175-200 For Feb- 300/-
9	Technical help-IV Peon/ Helper/office attendant	Non-qualified/10 <sup>th</sup> /12 <sup>th</sup> passed/non graduates	11,000/-	25,000/-	Nil -175-200 For Feb- 300/-

Sr. No.	Category	Qualification	Minimum Remuneration (Rs.)	Maximum Remuneration (Rs.)	Professional Tax (Rs.)
10	Clerk/ Accountant / Officer having knowledge of MS Office( <b>should know MS word, Excel and powerpoint</b> ) / Multipurpose Office Secretary/Front Desk Manager	BSc /BA/BCom +computer expertise + accounting	15,000/-	40,000/-	Nil -175-200 For Feb- 300/
11	Advisor/ Project Consultant /Scientific officer/ Other (Age upto 70 years due to experience required)	As per the requirement of the project	AS PER PI DISCRETION		
12	Special Educator	B.Ed/M.Ed (Special Education)	25,000/-	40,000/-	

The decision about TDS and PT can be taken by each Society/Trust/ Association in **consultation with** their respective Auditors.

Draft is approved by all the Secretaries and Treasurers of the Societies/Trust and Associations affiliated to Seth GSMC and KEM Hospital, Mumbai.

  
12/18/22  
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