

THE NIZAM'S INSTITUTE OF MEDICAL SCIENCES ACT, 1989.

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ACT No. 13 OF 1989

An Act to provide for the Establishment of the Nizam's Institute of Medical Sciences, Hyderabad by law and to confer the Status of a University thereon and for Matters connected therewith or incidental thereto.

It is enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fortieth Year of the Republic of India as follows :-

1. Short title, and commencement :—(1) This Act may be called the Nizam's Institute of Medical Sciences Act, 1989.

(2) It shall come into force on such date as the Government may, by notification in the Andhra Pradesh Gazette, appoint.

2. Definitions:—In this Act, unless the context otherwise requires,—

(a) 'Director' means the Director of the Institute appointed under Section 17 ;

(b) 'Fund' means the fund of the Institute referred to in Section 26 ;

(c) 'Governing Council' means Governing Council of the Institute constituted under Section 9 ;

(d) 'government' means the State Government of Andhra Pradesh ;

(e) 'Institute' means the Nizam's Institute of Medical Sciences, Hyderabad established under Section 3 ;

(f) 'member' means a member of the Institute ;

(g) 'notification' means a notification published in the Andhra Pradesh Gazette ;

(h) 'prescribed' means prescribed by rules made by the Government under this Act ;

(i) 'President' means the President of the Institute referred to in Section 7 ;

(j) 'regulation' means a regulation made by the Institute under this Act ;

(k) 'teacher' includes a Professor, Additional Professor, Associate Professor, Assistant Professor, Lecturer or any person appointed under this Act, for the conduct of training, research, or imparting medical or paramedical education in the Institute ;

3. Establishment of the Institute :—(1) As soon as may be after the commencement of this Act, the Government may by notification establish

at Hyderabad an Institute of Medical Sciences, to be known as the Nizam's Institute of Medical Sciences, Hyderabad.

(2) The Institute shall function as a University established under a State Act.

(3) The Institute shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the said corporate name.

(4) In all suits and other legal proceedings by or against the Institute the pleadings shall be signed and verified by the Executive Registrar and all process in such suits and proceedings shall be issued to and on the Executive Registrar.

4. Objects of the Institute :—The objects of the Institute shall be :—

(a) to create a centre of excellence for providing medical care, educational and research facilities of high order in the field of medical sciences in the existing super-specialities and such other super-specialities as may develop in future, including continuing medical education and hospital administration ;

(b) to develop patterns of teaching in post-graduate level and in super-specialities so as to set a high standard of medical education ;

(c) to provide for training in para-medical and allied fields, particularly in relation to super-specialities ;

(d) to function as a referral hospital ;

(e) to provide for post-graduate teaching and conduct of research in the relevant disciplines of modern medicine and other allied sciences, including inter-disciplinary fields of Physical and Biological Sciences ;

5. Powers and functions of the Institute :—The Institute shall have the following powers and functions, namely :—

(a) to conduct experiments in new methods of medical education, in order to arrive at a satisfactory standards of such education ;

(b) to prescribe courses and curricula for post-graduate studies ;

(c) to give training to teachers for imparting medical education ;

(d) to hold examinations and grant such degrees, diplomas or other academic distinctions and titles in post-graduate medical education as may be laid down in the regulations ;

(e) to receive grants from the Government and gifts, donations, benefactions, bequests and transfer of properties, both movable and immovable from donors, benefactors, testators or transferors as the case may be ;

(f) to deal with property belonging to or vested in the Institute in any manner which is considered necessary for promoting the objects of the Institute ;

(g) to demand and receive such fees as may be laid down by the

(h) to co-operate with other Institutions in the conduct of research and higher education in medical fields ;

(i) to take decisions on questions of policy relating to the administration of the affairs and working of the Institute ;

(j) to appoint officers, teachers and other employees as are necessary for carrying out the functions of the Institute in accordance with this Act, and the rules and regulations made thereunder ;

(k) to do such other acts and things as may be necessary to further the objects of the Institute.

6. Authorities of the Institute :—The following shall be the authorities of the Institute :—

- (a) the Governing Council ;
- (b) the Executive Board ;
- (c) the Academic Council ; and
- (d) the Finance Committee.

7. Officers of the Institute :—The following shall be the officers of the Institute, namely :—

- (a) the President ;
- (b) the Vice-President ;
- (c) the Director ;
- (d) the Dean ;
- (e) the Executive Registrar ; and
- (f) such other persons as may be prescribed to be officers of the

Institute.

8. The President :—(1) The Chief Minister of Andhra Pradesh shall be the President of the Institute.

(2) The President shall, after every five years cause to be reviewed the progress of the Institute, in such manner as he thinks fit.

9. Governing Council :—There shall be a Governing Council consisting of the following members, namely :—

- (1) the President ;
- (2) the Vice-President who shall be the Minister incharge of Medical, Health and Family Welfare ;
- (3) the Director of the Institute who shall be the Secretary ;
- (4) The Secretary to Government, Health, Medical and Family Welfare ;
- (5) The Secretary to Government, Finance and Planning (Finance-Wing) ;
- (6) a nominee of the University Grants Commission ;
- (7) The Director General of Health Services, Government of India ;

- (8) The President, Medical Council of India or his nominee ;
- (9) The Vice-Chancellor, University of Health Sciences, Andhra Pradesh ;
- (10) The Vice-Chancellor, Osmania University, Hyderabad ;
- (11) The Vice-Chancellor, University of Hyderabad, Hyderabad ;
- (12) One member to be nominated by the Vice-President from among the Financing Agencies ;
- (13) The Dean of the Faculty of the Institute ;
- (14) Two members to be nominated by the Nizam's Charitable Trust ; and
- (15) Two members of Faculty of the Institute to be nominated by the Vice-President.
- (16) Four members to be elected by the Academic Council.

10. **Functions of the Governing Council :—**(1) Subject to the provisions of this Act the Governing Council shall be responsible for the general supervision, direction and control of the affairs of the Institute.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Governing Council shall perform the following functions, namely :—

- (a) take steps for achieving the objectives of the Institute ;
- (b) hold control and administer the property and funds of the Institute ;
- (c) acquire or transfer any movable or immovable property on behalf of the Institute ;
- (d) administer any funds placed at the disposal of the Institute for specific purposes ;
- (e) manage and regulate the finances, accounts investments, property, business and all other administrative affairs of the Institute and for that purpose appoint such agent as it may think fit ;
- (f) invest the money belonging to the Institute (including any income from trust and endowed property) in such stocks, funds, shares or securities as it may from time to time think fit ;
- (g) enter into, vary, carry out and cancel contracts on behalf of the Institute ;
- (h) regulate and determine all other matters concerning the Institute in accordance with the provisions of this Act, and the rules and regulations made thereunder ;
- (i) delegate any of its powers to a Committee or the Director or to any Officer of the Institute ; and

- (j) cooperate with other Institutions, Universities and other authorities in such manner and for such purpose as it may determine.

11. Executive Board :—There shall be an Executive Board consisting of the following members of the Governing Council, namely :—

- (1) the Vice-President of the Governing Council ;
- (2) the Secretary of the Governing Council ;
- (3) the Secretary to Government, Health Medical and Family Welfare;
- (4) the Secretary, Finance and Planning (Finance Wing) Department ;
- (5) the Dean of the Faculty of the Institute ;
- (6) a member of the Nizam's Charitable Trust to be nominated by the President ; and
- (7) a member to be nominated by the President from amongst the Financing Agencies.

12. Power of the Executive Board :—(1) The Executive Board shall have the following powers, namely :—

- (a) to constitute Committees for specific or general purposes ;
- (b) to appoint from time to time such number of Officers and other employees and on such terms and conditions as it may deem fit for carrying out the management and affairs of the Institute ;
- (c) to appoint such number of persons and on such terms and conditions as it may deem fit as for the conduct of the studies, investigations, research, teaching or other work undertake in by the Institute ;
- (d) to exercise control and discipline over the employees of the Institute ;
- (e) to accept on behalf of the Institute endowments, bequests, donations, grants and transfer of any immovable property made to it ;
- (f) to receive moneys, securities, instruments or any other movable property for and on behalf of the Institute ;
- (g) to grant receipts sign and execute instruments and endorse or discount cheques or other negotiable instruments through its accredited agents ;
- (h) to make sign and execute all such documents and instruments, as may be necessary or proper for carrying on the management of the property or affairs of the Institute ;
- (i) to invest moneys and funds of the Institute and vary the investments as and when it may be necessary or proper ;
- (j) to introduce courses of study at the Institute and take decisions on the recommendations of the Academic Council ;
- (k) to co-operate and co-ordinate with other educational and medical institutions and authorities in India and abroad ;

- (i) to grant fellowships and scholarships or other monetary assistance on such terms and conditions as it may prescribe to such persons as it may select to carry on any research, investigation or study ;
- (m) to propose regulations for consideration and adoption by the Governing Council ;
- (n) to publish or finance the publication of studies, treatises, books, periodicals, reports and other literature and sell or arrange for the sale of them, as it may deem fit, from time to time ;
- (o) to cause to maintain proper books of accounts supported by necessary vouchers ;
- (p) to arrange for the audit of the accounts of the Institute annually ;
- (q) to create or abolish posts of teachers of the Institute ;
- (r) to delegate any of its powers to a committee or the Director or to any officer of the Institute ;
- (s) to exercise all the powers of the Institute not otherwise provided for and all powers requisite to give effect to the provisions of this Act or the rules made thereunder.

13. Meetings of the Governing Council :—(1) The Governing Council shall meet atleast twice in a calendar year ;

(2) The President may convene a meeting of the Governing Council as and when necessary ;

(3) An emergency meeting of the Governing Council may be convened by the President on the request of the Director on a requisition signed by not less than eight members of the Governing Council and in such manner as may be prescribed by the Regulations.

14. Meetings of the Executive Board :—The Executive Board shall meet atleast once in three months. An emergency meeting of the Executive Board may be convened by the Vice-President in such manner as may be prescribed by the Regulations.

15. Special Invitees :—The Vice-President shall have the power to invite any person not being a member of the Governing Council or the Executive Board to attend meeting of the Governing Council or the Executive Board but such invitee shall not be entitled to vote at such meeting.

16. Term of office and vacancies among members of Governing Council and Executive Board :—(1) Save as otherwise provided in this section, the term of nominated members of the Governing Council or the Executive Board shall be three years from the date of nomination.

(2) An ex-officio member shall continue so long as he holds the office by virtue of which he is such member.

(3) Any vacancy in the membership occurring before the next reconstitution or before the expiry of the prescribed period shall be filled by nomination of another person by the Vice-President.

(4) A member nominated under sub-section (3) shall continue for the remainder of the term of a member in whose place he is nominated.

(5) An outgoing member shall be eligible for renomination.

(6) A member may resign his office by writing under his hand addressed to the Vice-President, but he shall continue in office until his resignation is accepted by the Vice-President.

17. Method of appointment of Director ;—(1) There shall be a Director of the Institute who shall be appointed by the President for a term of three years who shall be eligible for re-appointment for two more terms from out of the panel of names recommended by a Committee consisting of,

(a) the Vice-President of the Institute ;

(b) a nominee of the Governing Council of the Institute ;

(c) a nominee of the Academic Council of the Institute ;

(2) The Committee shall forward to the President the panel of names together with a concise statement showing the academic qualifications and other distinctions of each of the persons included in such panel but shall not indicate any order of preference.

(3) Whenever a vacancy occurs or is likely to occur in the office of Director, the Committee constituted in accordance with the provisions of sub-section (1) shall prepare a panel of names of three persons who are in its opinion suitable to hold the said office.

(4) Notwithstanding anything in sub-sections (1), (2) and (3), the Director of the Institute holding office at the commencement of this Act, shall be deemed to have been appointed as the first Director.

(5) Where a vacancy in the office of Director occurs and it can not be conveniently and expeditiously filled in accordance with the provisions of sub-sections (1), (2) and (3) or if there is any emergency, the President may appoint any suitable person to be the Director and may, from time to time, extend the term of such appointment under this sub-section, so, however, that the total term of such appointment, including the term fixed in the original order, shall not exceed one year.

(6) The conditions of service of the Director, including salary, allowances, leave, pension and provident fund, admissible to him, shall be such as may be prescribed by the Executive Board and until so prescribed shall be determined by the Vice-President.

18. Powers and duties of the Director :—(1) The Director shall be the Chief Executive and Academic Officer of the Institute. He shall preside over the meetings of the Academic Council and Finance Committee.

(2) Without prejudice to the generality of the provisions contained in sub-section (1), the Director shall,—

(a) exercise general supervision and control over the affairs of the Institute and its affiliates ;

(b) ensure implementation of the decisions of the authorities of the Institute ;

(c) be responsible for imparting of instructions and maintenance of discipline in the Institute ;

(d) create or abolish posts in cadres other than teaching cadres of the Institute and in respect of teaching cadre to create posts for a period not exceeding six months.

(3) Where any matter is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or authority or other body of the Institute, empowered by or under this Act to deal with it, the Director may take such action as he may deem fit and shall forthwith report the action taken by him to the Vice-President and also the Officer, authority or other body who or which, in the ordinary course, would have dealt with the matter :

Provided that if such officer, authority or other body is of opinion that such action ought not to have been taken by the Director, it may refer the matter to the Vice-President who may either confirm the action taken by the Director or annul the same or modify it in such manner as he thinks fit, and thereupon it shall cease to have effect or as the case may be, shall take effect only in such modified form so however that such modification or annulment shall be without prejudice to the validity of anything previously done by or under the orders of the Director.

(4) Where the exercise of the power by the Director or under subsection (3) involves the appointment of any person, such appointment shall terminate on the appointment being made in accordance with the provisions of this Act or on the expiration of a period of three months from the date of the order of the Director, whichever is earlier.

(5) The Director shall exercise such other powers and perform such other duties as may be assigned to him by or under this Act or as may be delegated to him by the Governing Council or the Vice-President as the case may be.

19. Executive Registrar :—(1) The Executive Registrar shall be appointed by the Institute, in such manner and on such terms and conditions as may be prescribed.

(2) The Executive Registrar shall have the following powers and duties, namely :—

(a) he shall be responsible for the custody of the records and the common seal of the Institute ;

(b) he shall be bound to place before the Governing Council and the Executive Board and authorities of the Institute all such information as may be necessary for the transaction of their business ;

(c) he shall, subject to the control of the Director, conduct the examinations and make all other arrangements necessary therefor and be responsible for the due execution of all processes connected therewith ;

(d) he shall exercise such other powers and perform such other duties as may be assigned to him by or under this Act or as may be delegated to him by the Governing Council, the Vice-President or the Director ;

(e) he shall be responsible to the Director for the proper discharge of his functions ; and

(f) he shall attest and execute the documents on behalf of the Institute.

20. Appointment of Dean :—(1) There shall be a Dean of the Institute who shall be appointed by the Governing Council from amongst the faculty of the Institute.

(2) The Dean shall assist the Director in academic affairs of the Institute and shall exercise such powers and perform such functions as may be laid down in the Regulations or entrusted by the Director.

21. Academic Council :—There shall be an Academic Council which shall consist of the following members, namely :—

(a) the Director, who shall be the Chairman of the Council ;

(b) the Dean of the Faculty of the Institute who shall be Member-Secretary of the Council ;

(c) the Director of Medical Education, Andhra Pradesh ;

(d) all Heads of Departments of the Institute ;

(e) two Assistant Professors of the Institute to be nominated by the Director ;

(f) two Honourary consultants to be nominated by the Director.

22. Selection Committee:—The Selection Committee for the appointment or promotion of a Professor, Associate Professor and Assistant Professor, shall consist of :—

(a) the Director ;

(b) the Secretary to Government, Health, Medical & Family Welfare Department ;

(c) one external expert in the concerned speciality, nominated by the Director ;

(d) Dean of the Faculty ;

(e) one Honourary Medical Consultant to the Institute to be nominated by the Director ;

Provided that no person shall participate in the meeting of the Selection Committee for any appointment, if he or his near relative is a candidate for that appointment.

23. Finance Committee :—There shall be constituted a Finance Committee which shall consist of the following, namely :—

(a) the Director who shall be the Chairman of the Committee ;

(b) the Executive Registrar who shall be the Secretary of the Committee ;

(c) the Secretary to Government, Health, Medical & Family Welfare Department ;

(d) the Secretary to Government, Finance and Planning (Finance Wing) Department or his nominee ;

(e) the member nominated from amongst the Financing Agencies on the Governing Council and the Finance Officer of the Institute.

24. Powers of Finance Committee :—The Finance Committee shall have the following powers, namely :—

(i) to examine the annual accounts of the Institute and advise Executive Board thereon ;

(ii) to examine the annual budget estimates and advise the Executive Board thereon ;

(iii) to review the financial position of the Institute from time to time ;

(iv) to make recommendations to the Executive Board on all financial matters relating to the Institute ;

(v) to make recommendations to the Executive Board on all proposals involving raising of funds, receipts and expenditure ;

(vi) to make recommendation on all proposals involving expenditure for which no provision has been made in the budget or which involve expenditure in excess of the amount provided in the budget.

25. Payment to the Institute :—The Government may pay to the Institute in each financial year such sums of money and to such manner as may be considered necessary for the exercise of its powers and discharge its functions under this Act.

26. Funds of the Institute :—(1) The Institute shall have its own fund consisting of—

(a) all moneys provided by the Government under Section 25 ;

(b) all fees and other charges received by the Institute ;

(c) all moneys received by the Institute by way of grants, loans, gifts, donations, benefactions, bequests or transfers ;

(d) all moneys received by the Institute in any other manner or from any other source.

(2) All moneys credited to the Fund shall be deposited in such banks or invested in such manner as the Governing Council may decide.

(3) The fund shall be applied towards the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its functions.

27. Annual Financial Statement :—(1) The Institute shall prepare an annual financial statement on or before such date as may be prescribed

by the regulations of the estimated capital and revenue receipts and expenditure for the ensuing year and submit the same to the Government.

(2) The said statement shall include a statement of salaries and allowances of members, officers and servants of the Institute and of such other particulars as may be prescribed by the regulations ;

(3) The Government shall, as soon as may be after the receipt of the said statement, cause it to be laid on the Table of the Legislative Assembly of the State.

(4) The Institute shall take into consideration any comments made on the said statement in the Legislative Assembly of the State.

(5) The Institute may at any time during the year in respect of which a statement under sub-section (1) has been submitted, submit to the Government a supplementary statement, and all provisions of this section shall apply to such statements as they apply to the statement under the said sub-section.

28. Accounts and Audit :—(1) The Institute shall cause proper accounts and other records in relation thereto be kept, including the proper system of internal check and prepare an annual statement of accounts including the income and expenditure account and the balance sheet in such manner as may be prescribed by regulations.

(2) The Accounts of the Institute shall be audited by such persons as may be appointed by the Government and any expenditure incurred in connection with such audit shall be payable by the Institute to the Government.

(3) The persons so appointed and any other person so authorised by him in connection with such audit of accounts of the Institute shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of Government Accounts and in particular shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Institute

(4) The accounts of the Institute certified by the person so appointed or any other person authorised in this behalf together with the audit report thereon shall be forwarded annually to the Government and the Government may issue such instructions to the Institute in respect thereof as they deem fit and the Institute shall comply with such instructions.

(5) The Government may cause the accounts of the Institute together with the audit report thereon forwarded to them under sub-section (4) to be laid annually before the Legislative Assembly of the State.

29. Annual Report :—The Institute shall prepare for every year a report of its activities during the previous year and submit the report to the Governing Council on or before such date as may be prescribed and copies of the report shall be submitted to the President and the Government.

30. Pension and Provident Funds :—(1) The Institute shall constitute for the benefit of its officers, teachers and other employees, in such manner and subject to such conditions, as may be prescribed by the regulations, such schemes of pension, provident funds and insurance as it may deem fit with prior approval of the Government.

(2) Where any such pension or provident fund has been constituted, the Government may declare that the provisions of the Provident Funds Act 1925, shall apply to such fund as if it were a Government Provident Fund.

31. Authentication of orders and instruments of the Institute :—All orders and decisions of the Institute shall be authenticated by the signature of the Executive Registrar or any other member or officer authorised by the Director in this behalf and all other instruments issued by the Institute shall be authenticated by the signature of such officer of the Institute as may be authorised by the Director in this behalf.

32. Acts and Proceedings not to be invalidated by vacancies, etc.:—No act or proceeding of the Governing Council, Executive Board or any authority of the Institute or any committee constituted under this Act, shall be questioned on the ground merely of the existence of any vacancy in or defect in the constitution of, the Governing Council, Executive Board, authority or such committee.

33. Grant of Medical Degrees, Diplomas etc. by the Institute :—Notwithstanding anything contained in any other law for the time being in force, the Institute shall have power to grant medical degrees, diplomas and other academic distinctions and titles under this Act.

34. Recognition of Medical Qualifications granted by the Institute :—Subject to the provisions of the Indian Medical Council Act, 1956 the medical degrees and diplomas granted by the Institute under this Act, shall be recognised medical qualifications for the purposes of that Act.

35. Direction by the Government :—(1) In the discharge of its functions under this Act, the Institute shall be guided by such directions on questions of policy relating to State purposes or in case of any emergency as may be given to it by the Government.

(2) If any dispute arises between the Government and the Institute as to whether the question is or is not a question of policy relating to the State purposes or whether an emergency has arisen the decision of the Government thereon shall be final.

(3) The Institute shall function under the General supervision of the Government and the Government shall have power to review the actions of the Institute taken under this Act.

36. Reference to the President :—If any question arises whether any person has been duly appointed as, or is entitled to be, a member of the Governing Council, Executive Board, or any authority or other body of the Institute or whether any decision of the Governing Council, Executive Board

or any authority or other body of the Institute is in conformity with this Act or the rules or regulations made thereunder, the matter shall be referred to the President and the decision of the President thereon shall be final.

Provided that no reference made under this section shall be made more than three months after the date when the question could have been raised for the first time :

Provided further that the President may in exceptional circumstances act *suo-motu* to entertain reference after the expiry of the period mentioned in the preceding proviso.

37. Returns and Information :—The Institute shall furnish to the Government such reports, returns, statements and other information as it may require from time to time.

38. Power to Remove Difficulties :—If any difficulty arises in giving effect to the provisions of this Act, the Government may, within a period of two years from the commencement of this Act, by order publish in the Gazette, make such provisions including adaptation or modification if any, of the provisions of this Act not affecting the substance thereof as appears to it to be necessary or expedient for removing the difficulty.

39. Power to make Rules :—(1) The Government may, by notification, make rules to carry out the purposes of this Act.

(2) Every rule made under this Act, shall immediately after it is made, be laid before the Legislative Assembly of the State if it is in session and if it is not in session in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees in making any modification in the rule or in the annulment of the rule, the rule shall from the date on which the modification or annulment is notified have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

40. Power to make Regulations :—Subject to the provisions of this Act, and the rules made thereunder, the Governing Council may, with the previous approval of the Government make regulations to provide for any matter which is to be or may be provided for, by regulation and without prejudice to the generality of this power, such regulations may provide for,—

(a) the summoning and holding of meetings, other than first meeting, of the Governing Council and the quorum and conduct of business at such meetings ;

(b) any matter in respect of the constitution of the Governing Council or any committee or other body to be constituted under this Act ;

(c) the powers and functions to be exercised and discharged by the President of the Institute ;

(d) the procedure to be followed by the Governing Council and any committee or other body constituted under this Act in the conduct of their business, exercise of their powers and discharge of their functions ;

(e) the tenure of office, salaries and allowances and other conditions of service of the officers, teachers and employees of the Institute ;

(f) the powers and duties of the Director and other officers and employees of the Institute ;

(g) the management of the properties of the Institute ;

(h) the degrees, diplomas and other academic distinctions and titles which may be granted by the Institute ;

(i) the creation of posts of professors, Heads of Departments, Associate Professors, Assistant Professors, Class-I Officers, Class-II Officers and post of other teachers, officers and employees of the Institute, and the appointment of persons to such posts including the qualifications requisite therefor.

(j) the fees and other charges which may be deemed and received by the Institute ;

(k) the manner in which and the conditions subject to which, pension and provident funds, may be constituted for the benefit of officers, teachers, and other employees of the Institute ;

(1) any other matter for which provisions may be made under this Act by regulations.

(2) Notwithstanding anything contained in sub-section (1), the first regulations under this Act, shall be made by the Government and any regulations so made may be altered or recinded by the Governing Council in exercise of its powers under sub-section (1) with the approval of the Government.

41. Vesting of properties etc. Act 1 of 1350 F. :—Notwithstanding anything contained in the Andhra Pradesh (Telangana Area) Public Societies Registration Act, 1350 F. on and from the date of commencement of this Act, the Society known as "The Nizam's Institute of Medical Sciences, Hyderabad" registered with Certificate of Registration (No. 238 of 1980) issued by the Registrar of Societies, Andhra Pradesh, Hyderabad shall stand dissolved and the said certificate of Registration shall stand cancelled and thereupon.

(1) the Nizam's Institute of Medical Sciences together with,—

(a) all lands on which the Nizam's Institute of Medical Sciences stands, and all other lands appurtenant thereto and all buildings, erections and fixtures on such lands ;

(b) all furniture, equipments, stores, apparatus and appliances, drugs, moneys and other assets of the Nizam's Institute of Medical Sciences;

(c) all other properties and assets, movable and immovable including leases pertaining to the Nizam's Institute of Medical Sciences, cash-

balances, reserve funds, investments and all other rights and interests in, or in relation to, or arising out of, such property as were, immediately before the said commencement in the ownership, possession power or control of any person in charge of the management of the affairs of the Nizam's Institute of Medical Sciences ; and

(d) all borrowings made or contracts entered into by or on behalf, of and all other liabilities and obligations of whatever kind, incurred in relation to, the Nizam's Institute of Medical Sciences and subsisting on the appointed day, shall stand transferred to and shall vest absolutely in the Nizam's Institute of Medical Sciences established under Section 3 of this Act (herein-after in this section called 'the Institute')

(2) every deed of gift, endowment, bequest or trust or other document in relation to all or any of the properties, and assets, referred to in clause (1) shall as from the appointed day be construed as if it were made or executed in favour of the Institute ;

(3) every officer or other employee, who, immediately before the said commencement, is employed in, or in connection with the affairs of the Nizam's Institute of Medical Sciences, shall become, as from the appointed day, an officer or other employee, as the case may be, of the Institute and shall hold his office by the same tenure, at the same remuneration and upon the same rights and privileges as to pension, gratuity and other matters as he would have held, if this Act, had not been enacted and shall continue to do so unless and until his employment under the Institute is duly terminated or until his remuneration, terms and conditions duly altered by the Institute ;

Provided that, if the alteration so made is not acceptable to any such officer or other employee, his employment may be terminated by the Institute on payment to him of an amount equivalent to three month's remuneration in the case of permanent employees and one month's remuneration in the the case of other employees.

THE NIZAM'S INSTITUTE OF MEDICAL SCIENCES RULES, 1989
[G.O. Ms. No. 402, Health, Medical and Family Welfare, 24th June, 1989]

In exercise of the powers conferred by sub-section (1) of Section 39 read with sub-section (1) of Section 19 and Sec. 29 of the Nizam's Institute of Medical Sciences Act, 1989 (Act No. 13 of 1989) the Governor of Andhra Pradesh hereby makes the rules relating to the Nizam's Institute of Medical Sciences, Hyderabad.

CHAPTER—I

1. These Rules shall be called the Nizam's Institute of Medical Sciences Rules, 1989.

2. **Definitions:—**(1) In these rules, unless the context otherwise requires :—

(a) 'Act' means the Nizam's Institute of Medical Sciences Act, 1989 ;

(b) 'authority of the Institute' means the authorities referred to in Section 6 of the Act ;

(c) 'Committee' means the Committee constituted by the Executive Board or the Director ;

(d) 'employee' means an officer or member of the staff of the Institute other than a teacher as defined in clause (k) of Section 2 of the Act and officers defined in Section 7 ;

(e) 'Executive Registrar' means the Executive Registrar of the Institute appointed under Section 19.

(f) 'Officer' means the officers referred to in Section 7 of the Act.

(2) Words and expressions not defined in these rules and used in the Act, shall have the meaning assigned to them in the Act.

CHAPTER—II

Rules for the manner of Appointment, terms and conditions of the Executive Registrar

3. The Executive Registrar shall be a whole-time officer of the Institute and shall be appointed by the Executive Board on the Recommendation of a Selection Committee.

4. Whenever a vacancy is to be filled, the Director of the Institute shall constitute a Selection Committee consisting of the following :

(a) the Director of the Institute as Chairman.

(b) Dean of the faculty of the Institute as Member (Member of the Executive Board)

(c) One External Expert as Member.

5. The Director shall invite applications by advertising the vacancy or contract the appropriate Institutions and Agencies for suggesting a panel of suitable candidates. On receipt of applications or suggestions, the Selection Committee shall interview the candidates and recommend a panel of two names in the order of preference to the Executive Board for consideration.

6. Notwithstanding anything contained in these rules, the Executive Board may, in exceptional circumstances and for reasons to be recorded in writing for not following the normal procedure prescribed therefor, make appointment of any person to the post of Executive Registrar on the recommendation of the Director of the Institute.

7. Notwithstanding anything in Rules 3, 4, 5, and 6, the Executive Registrar of the Institute holding office at the commencement of the Act, shall be deemed to have been appointed as the first Executive Registrar.

8. The salary of the Executive Registrar shall be in the time scale of Rs. 3580-5380 as revised from time to time with usual allowance as in the State Government. The other terms and conditions of service of the Executive Registrar shall be such as may be decided, from time to time, by the Executive Board :

Provided that the Executive Registrar shall retire on attaining the age of fifty eight years :

Provided further that the Executive Registrar shall notwithstanding his/her attaining the age of fifty eight years, continue in office until his successor is appointed and enters upon his office or until the expiry of a period of one year whichever is earlier :

Provided also that the salary and allowances and the conditions of service shall not be varied to the disadvantage of an incumbent during the term of his office.

9. In the temporary absence of the Executive Registrar on leave, for whatever reason, or until the vacancy caused in any other manner is filled, the Director shall appoint any person temporarily for a period not exceeding three months to act as Executive Registrar.

CHAPTER—III

Rules prescribing the date for submission of Annual Report

10. The Annual Report referred to in Section 29 of the Act shall relate to the year ending on the 31st March and shall be submitted to the Governing Council on or before the 30th September of the succeeding financial year and copies of such report shall be submitted to the President of the Institute and the Government.

CHAPTER—IV

Powers and Functions of the Academic Council

11. The Academic Council shall have power subject to the provisions of the Act and the regulations, to prescribe all courses of study and determine the curricula and have general control and supervision of the teaching.

research and examinations within the Institute and be responsible for the maintenance of standard thereof.

12. In particular and without prejudice to the generality of the foregoing powers, the Academic Council shall have powers :

(a) to advise the Executive Board on all academic matters including the control and management of the libraries.

(b) to make recommendations to the Executive Board for the creation of posts of teachers, chairs, professors of Emeritus etc.,

(c) to make recommendations to the Executive Board to formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching.

(d) to make recommendations to the Executive Board to introduce courses leading to degrees, diplomas and titles in the Institute.

(e) to make recommendations to the Executive Board regarding collaboration, co-ordination and reciprocity with other Universities and Institutions in India and abroad with a view to promote academic activities.

(f) to make recommendations to the Executive Board to prescribe qualifications for appointment of teachers, visiting professors, Professors of Emeritus, Honorary Consultants, examiners and guides for research.

(g) to make recommendations to the Executive Board regarding the award of Scholarships, Stipends, Orations, Fellowships, Medals etc.,

(h) to make standing orders regarding the admission of students to the Institute.

(i) to make standing orders regarding the examinations of the Institute and the conditions on which students shall be admitted to such examinations.

(j) to make standing orders prescribing equivalence of examinations, degrees, diplomas and certificates of other Universities, Colleges, Institutes and Boards.

(k) to make standing orders prescribing the manner in which examinations, relating to the admission of students to examinations may be given.

(l) to determine the degrees and diplomas which shall be awarded and the conditions for their award.

(m) to promote research within the Institute and to require report on such research from the persons employed thereon.

(n) to make standing orders regarding the holding of convocation.

(o) to deal with any other matter referred to it by the Director or the Executive Board.

CHAPTER—V

Delegation of powers by the Authorities and Officers of the Institute

13. Subject to the provisions of the Act, the rules and the regulations made thereunder any officer or authority of the Institute may delegate

his or its powers to any other officer or committee or employee of the Institute and subject to the condition that overall responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

CHAPTER—VI

Powers to make Standing Orders

14. Any of the authorities of the Institute may make standing orders consistent with the Act, the rules and the regulations made thereunder for all or any other matters which by the Act and the rules and the regulations are to be provided for and also for any other matter solely concerning such authority and not so provided.

15. The Governing Council may direct the amendment, in such manner as it may specify or any standing order made under these rules or the annulment of any standing order made thereunder by any other authority.

THE FIRST REGULATIONS OF THE NIZAM'S INSTITUTE OF MEDICAL SCIENCES, HYDERABAD.

[G.O. Ms. No. 403, Health, Medical and Family Welfare,
(E 2), 24th June, 1989.]

In exercise of the powers conferred by sub-section (2) of Section 40 of the Nizam's Institute of Medical Sciences Act, 1989 (Act No. 13 of 1989), the Governor of Andhra Pradesh hereby makes the following first regulations of the Nizam's Institute of Medical Sciences, Hyderabad.

First Regulations

CHAPTER—I

1. These regulations shall be called the First Regulations of the Nizam's Institute of Medical Sciences, Hyderabad.

2. Definitions :—(1) In these regulations, unless the context otherwise requires :—

(a) 'Act' means the Nizam's Institute of Medical Sciences Act, 1989 ;

(b) 'appointed day' means the date of notification referred to in sub-section (2) of Section 1 of the Act ;

(c) 'Committee' means the Committee constituted by the Executive Board or the Director ;

(d) 'Director' means the Director of the Institute appointed under Section 17 ;

(e) 'employee' means an officer or member of the staff of the Institute other than a teacher as defined in clause (k) of Section 2 of the Act and officers defined in Section 7 ;

(2) Words and expressions not defined in these regulations and used in the Act shall have the meaning assigned to them in the Act and the rules.

CHAPTER—II

Powers and Functions of the Vice-President of the Institute

3. The Vice-President shall have the following powers and functions, namely :—

(a) to preside over the meeting of the Executive Board of the Institute ;

(b) to nominate members to the Governing Council and Executive Board as laid down in the Act ;

(c) to fill up any vacancy in the membership of the Governing Council and the Executive Board for the residuary period ;

(d) to invite any person not being a member of the Governing Council or the Executive Board to attend those meetings ;

(e) to convene any emergency meeting of the Executive Board ;

(f) to preside over the convocation in the absence of the President ;

(g) to deal with matters referred to him under the proviso to sub-section (3) of Section 18 of the Act ;

(h) to perform such other functions concerning the Institute as are entrusted to him by the President.

CHAPTER—III

Procedure for meetings of various Authorities meetings of the Governing Council.

4. **Date, Time and Place of the meetings :—**(a) The meetings of the Governing Council shall be held in the premises of the Institute or at such places and at such date and time as the President may determine from time to time.

(b) The President may convene a meeting of the Governing Council as and when necessary provided that the Governing Council shall meet atleast twice in a calendar year and that the period between the two meetings shall not exceed six months.

5. **Notices for the meetings :—**(a) Notice in writing for calling a meeting of the Governing Council shall be sent by the Director to all members not later than 15 days before the meeting.

(b) Notice for calling a meeting may be served upon each member either personally or by post under certificate of posting.

6. **Agenda for the Meetings :—**The Director shall send the agenda for every meeting along with explanatory notes of each item of the agenda to the members not later than seven days before the meeting. The agenda for a meeting may include :

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(i) matters relating to functions of the Governing Council specified under Section 10 of the Act.

(ii) the Annual Report as provided under Section 29 of the Act.

Provided that the President may include in the agenda at any time before or during a meeting for consideration ;—

(i) fresh items of business.

(ii) items supplementary to those included in the agenda.

7. **Discussions :—**The items on agenda shall be taken up for discussion in the order in which they find place on the agenda unless otherwise decided.

8. **Resolution of Members :—**(i) In case a member of the Governing Council proposes to move a resolution at a meeting of the Governing Council he shall give notice thereof in writing to the Director so as to reach him not less than 12 days before the date of the meeting and if such notice has been given, the proposed resolution shall be circulated to the members after approval by the President.

(ii) The subject shall be admitted if it complies with the following conditions, namely :—

(a) It shall relate to a matter within the cognizance and powers of the Institute ;

(b) It shall be clearly and precisely expressed and shall raise substantially one definite issue ;

(c) It shall not contain inferences, ironical expressions or defamatory statements nor shall it refer to the conduct or character of persons except in their official or public capacity ;

(d) It shall not refer to any matter which is under adjudication by a court of law ; and

(e) It shall not raise substantially same question as that raised and decided in the Governing Council during the six months preceding the date of the meeting at which it is to be moved unless prior consent of the President has been obtained

(iii) Any member who has given notice of a resolution may in writing withdraw such resolution, at any time.

9. **Emergency meetings :—**(a) An emergency meeting of the Governing Council shall be convened as provided under sub-section (3) of Section 13 of the Act. The requisition for such meeting shall contain the terms of resolution or resolutions to be moved together with the name of the mover of each resolution. No business other than consideration of such resolution or resolutions shall be transacted at an emergency meeting provided that the President may bring any urgent business before such emergency meeting with or without notice.

(b) A notice specifying the place, date and time of the emergency meeting as approved by the President shall be sent by the Director to the

members atleast seven days before the date of a meeting under a certificate of posting if sent by post or by telegram. The agenda shall be sent under a certificate of posting if sent by post atleast five days before the meeting.

10. **Quorum** :—Seven members of the Governing Council including the presiding member shall form the quorum at any meeting to transact the business.

11. **Adjourned Meetings** :—If the requisite number of members to form quorum is not present within thirty minutes from the time appointed for holding a meeting, the meeting shall stand adjourned and the members shall meet on a date, time and place fixed by the President.

Provided that atleast seven clear days notice is given to the members present and to each member who is not present at the meeting on the same or the following day by post or telegram or special messengers as the case may require. There shall be no quorum for the adjourned meeting.

12. **Presidency over a meeting** :—The President shall preside over every meeting of the Governing Council. If the President is not present at any such meeting, the Vice-President shall preside over the meeting. If both the President and the Vice-President are not present at any such meeting, the members present shall choose one member from among themselves as the President of the meeting.

13. **Voting** :—(a) All matters shall be decided by consensus. In case of dispute, the decision shall be by majority of the votes cast by the members present. The President shall be entitled to vote on any question. If the votes be equally divided, the President shall have a casting vote.

(b) On any matter being put to vote the manner in which the vote of the meeting shall be taken shall be left to the discretion and direction of the President.

14. **Recording of business** :—(a) The proceedings of the meeting shall be recorded by the Director of the Institute.

(b) The views or opinions expressed by the members at the meetings shall not ordinarily be recorded in the proceedings. But if any member insists that his views on any point or matter be recorded his views shall be recorded in the proceedings. The note of dissent, if any, given by any member shall also be recorded in the proceedings if that member so insists.

(c) The proceedings of the meetings of the Governing Council shall be circulated to all members. If no objection is taken by any member who was present at the meeting to the correctness of the proceedings within seven days of the sending proceedings, they shall be deemed to be correct. If objection be taken within the time aforesaid, a letter shall be sent to the Director specifying the points which require correction in the proceedings. The validity or otherwise of objections, if any, received from the members present at the meeting shall be decided by the President whose decision shall be final.

15. Transaction of business by circulation of papers :—(a) Any business which may be necessary for the Governing Council to transact may, if the President so directs, or is considered urgent by the Director, be dealt with by circulation of papers under registered cover among all members at their usual addresses.

(b) When any business is so referred to the members by circulation, a period of not less than fifteen clear days, shall be allowed for the receipt of replies from the members, such period to be counted from the date on which the notice of business is issued.

Provided that if no reply is received within the stipulated period from any member, the resolution so circulated shall be deemed to have been approved by the member concerned.

(c) If a resolution is circulated, the results of circulation shall be communicated to all the members.

16. Maintenance of Secrecy :—All notes circulated to the members and the decisions taken by the Governing Council shall be treated as strictly confidential and the members shall observe secrecy in all such matters.

Meetings of the Executive Board :

17. Date, time and place of the meetings :—(a) The meetings of the Executive Board shall be held in the premises of the Institute or at such places and at such date and time as the Vice-President may determine from time to time.

(b) The Vice-President may convene a meeting of the Executive Board as and when necessary provided that the Executive Board shall meet atleast once in three months.

18. Notices for the meetings :—(a) Notice in writing for calling a meeting of the Executive Board shall be sent by the Director (Secretary of Governing Council) to all members not later than ten days before the meeting.

(b) Notice for calling a meeting may be served upon each member either personally or by post under certificate of posting.

19. Agenda for the meetings :—The Director shall send the agenda for every meeting along with explanatory notes of each item of the agenda to the members not later than seven days before the meeting. The agenda for a meeting may include matters relating to the powers of the Executive Board specified under Section 12 of the Act :

Provided that the Vice-President may include in the agenda at any time before or during a meeting for consideration—

(i) fresh items of business.

(ii) items supplementary to those included in the agenda.

20. Discussions :—The items on agenda shall be taken up for discussion in the order in which they find place on the agenda unless otherwise decided.

21. Resolutions by Members:—(i) In case a member of the Executive Board proposes to move a resolution at a meeting of the Executive Board he shall give notice thereof in writing to the Director so as to reach him not less than seven days before the date of the meeting and if such notice has been given, the proposed resolution shall be circulated to the members after approval by the Vice-President.

(ii) The subject shall be admitted if it complies with the following conditions, namely :—

- (a) It shall relate to a matter within the cognizance and powers of the Executive Board.
- (b) It shall be clearly and precisely expressed and shall raise substantially one definite issue.
- (c) It shall not contain inferences, ironical expressions of defamatory statements nor shall it refer to the conduct or character of persons except in their official or public capacity.
- (d) It shall not refer to any matter which is under adjudication by a court of law ; and
- (e) It shall not raise substantially same question as that raised and decided in the Executive Board during the six months preceding the date of the meeting at which it is to be moved unless prior consent of the Vice-President has been obtained.

(iii) Any member who has given notice of a resolution may in writing withdraw such resolution, at any time.

22. Emergency Meetings :—(a) An emergency meeting of the Executive Board shall be convened by the Director under the directions of the Vice-President if a requisition signed by not less than three members of the Executive Board is sent to the Director. The requisition for such meeting shall contain the terms of resolution or resolutions to be moved together with the name of the mover of each resolution. No business other than consideration of such resolution or resolutions shall be transacted at an emergency meeting provided that the Vice-President may bring any urgent business before such emergency meeting with or without notice.

(b) A notice specifying the place, date and time of the emergency meeting as approved by the Vice-President shall be sent by the Director to the members at least seven days before the date of a meeting under certificate of posting if sent by post or by telegram. The agenda shall be sent under certificate of posting if sent by post atleast five days, before the meeting.

23. Quorum :—Three members of the Executive Board including the presiding member shall form the quorum at any meeting to transact the business.

24. If the requisite number of members to form quorum is not present within thirty minutes from the time appointed for holding a meeting, the

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meeting shall stand adjourned and the members shall meet on a date, time and place fixed by the Vice-President.

Provided that atleast seven clear days notice is given to the members present and to each member who is not present at the meeting on the same or the following day by post or telegram or special messenger as the case may require. There shall be a quorum for the adjourned meeting.

25. **Presidency over a meeting** :—The Vice-President shall preside over every meeting of the Executive Board.

26. **Voting** :—(a) All matters shall be decided by consensus. In case of dispute, the decision shall be by majority of the votes cast by the members present. The Presiding member shall be entitled to vote on any question. If the votes be equally divided, the presiding member shall have a casting vote.

(b) On any matter being put to vote the manner in which the vote of the meeting shall be taken shall be left to the discretion and direction of the presiding member.

27. **Recording of business** :—(a) The Director shall act as Secretary to the Executive Board and the proceedings of the meeting shall be recorded by the Director.

(b) The views or opinions expressed by the members at the meetings shall not ordinarily be recorded in the proceedings. But if any member insists that his views on any point or matter be recorded, his views shall be recorded in the proceedings. The note of dissent, if any, given by any member shall also be recorded in the proceedings if that member so insists.

(c) The proceedings of the meetings of the Executive Board shall be circulated to all members. If no objection is taken by any member who was present at the meeting to the correctness of the proceedings within seven days of the sending of the proceedings, they shall be deemed to be correct. If objection be taken within the time aforesaid, a letter shall be sent to the Director definitely specifying the points which require correction in the proceedings. The validity or otherwise of objections, if any, received from the members present at the meeting shall be decided by the Vice-President of the Institute whose decision shall be final.

28. **Transaction of business by circulation of papers** :—(a) Any business which may be necessary for the Executive Board to transact may, if the Vice-President so directs, or is considered urgent by the Director, be dealt with by circulation of papers under registered cover among all members at their usual addresses.

(b) When any business is so referred to the members by circulation, a period of not less than ten clear days shall be allowed for the receipt of replies from the members, such period to be counted from the date on which the notice of business is issued.

Provided that if no reply is received within the stipulated period from any member, the resolution so circulated shall be deemed to have been approved by the member concerned.

(c) If a resolution is circulated, the results of circulation shall be communicated to all the members.

29. Maintenance of secrecy :—All notes circulated to the members and the decisions taken by the Executive Board shall be treated as strictly confidential and the members shall observe secrecy in all such matters.

Academic Council

30. Conduct of meetings :—There shall be atleast two ordinary meetings of the Academic Council in a year on the dates to be fixed by the Director.

31. Notice :—The Dean of the Faculty of the Institute who shall be the Member-Secretary of the Academic Council shall under the direction of the Director (Chairman of the Academic Council) give not less than ten days notice, of an ordinary meeting.

32. Special meetings :—(i) The Director may, whenever he considers it necessary convene a special meeting of the Academic Council and may give such notice as circumstances may permit. In such cases the agenda papers shall be issued to the members along with the notice of the meeting.

(ii) A special meeting of the Academic Council shall be called on requisition signed by atleast one-third members of the Academic Council. The requisition for the special meeting shall be accompanied by the text of the proposal or proposals, along with the names of the proposer and the seconder of each such proposal. The meeting under orders of the Director shall be convened by the Dean not later than twenty one days after the receipt of the requisition from the members.

(iii) The Director may bring any urgent business before such special meeting with or without notice.

(iv) The Director shall preside at the meetings of the Academic Council.

33. Proposals from members :—(i) The Dean, Member-Secretary shall, not less than ten days prior to the date fixed for an ordinary meeting of the Academic Council, issue to the members, a notice stating the date, time and place of the meetings and prescribing the last date for receiving proposals from the members, i.e., five days before the date fixed for the meeting.

(ii) Any member who wishes to move a proposal at a meeting shall forward a copy of the proposal to the Dean so as to reach him atleast five days before the date fixed for the meeting.

(iii) After the proposals have been received from the members, the Dean, shall, atleast three days before the date fixed for the meeting, issues to the members preliminary agenda papers showing the business to be brought before the meeting, the text of the proposals to be proposed, (of which notice in writing has previously reached him) and the names of the proposer and seconder, of each proposal.

34. Re-opening an issue :—No matter which has already been decided at a meeting of the Academic Council, shall be brought forward for discussion within the same Academic year, except with the special permission of the Director or the consent of the two-thirds of the total number of members present at the meeting at which it is proposed to re-open the question.

35. Quorum :—(a) The quorum for a meeting of the Academic Council shall be one-third of the members of the Academic Council.

(b) No resolution, proposal, or other matter of business of which previous notice has not been given shall be brought up before the Academic Council except with the special permission of the Chairman.

36. Voting :—All decisions at the meeting of the Academic Council shall be taken by consensus. In cases of dispute, the decision shall be by majority of the votes cast by the members present at the meeting. The Chairman shall be entitled to vote on any question. If the votes be equally divided, the Chairman shall have a casting vote.

37. Recording of proceedings :—The proceedings of the Academic Council shall be recorded by the Dean who shall be its Secretary. In the absence of Dean, the Executive Registrar shall record the proceedings.

38. Circulation of proceedings :—The proceedings of the meetings of the Academic Council shall be circulated to all members. If no objection is taken by any member who was present at the meeting to the correctness of the proceedings within seven days of the sending of the proceedings, they shall be deemed to be correct. If objection be taken within the time aforesaid, a letter shall be sent to the Dean specifying the points which require correction in the proceedings. The validity or otherwise of objections, if any, received from the members present at the meeting shall be decided by the Director whose decision shall be final.

39. Maintenance of secrecy :—All notes circulated to the members and the decisions taken by the Academic Council shall be treated as strictly confidential and the members shall observe secrecy in all such matters.

Finance Committee

40. Date, time and place of the meeting :—The meetings of the Finance Committee shall be held in the premises of the Institute or at such place and such date and time as the Director of the Institute (Chairman of the Finance Committee) may determine from time to time. The Director of the Institute may convene a meeting of the Finance Committee as and when necessary.

41. Notice for the meetings :—(i) Notice in writing for calling a meeting of the Finance Committee shall be sent by the Executive Registrar (Secretary of the Finance Committee) to all members not later than ten days before the meeting. The notice shall be served on each member either personally or by post under certificate of posting. The Executive Registrar shall send agenda for every meeting along with explanatory notes of each item of the agenda to the members, not later than five days before the meetings.

(ii) The Director of the Institute shall preside over the meeting. The Executive Registrar who is the Secretary shall record the proceedings.

42. **Recording of proceedings :** The proceedings of the meeting so recorded shall be circulated to all members for information.

Selection Committee

43. **Date, time and place of the meeting :—**The meetings of the Selection Committee shall be held in the premises of the Institute on such date and such time as the Director of the Institute may determine from time to time.

44. **Record of proceedings :—**The Director of the Institute shall preside over all the meetings. The Executive Registrar shall act as Secretary and shall record the proceedings.

CHAPTER-IV

Other matters in Respect of Constitution of Authorities

45. **Term of Office and vacancies among members of Academic Council :—**(i) Save as otherwise provided, the term of a nominated member of the Academic Council shall be two years from the date of nomination.

(ii) An ex-officio member shall continue so long as he holds the office by virtue of which he is such a member.

(iii) Any vacancy in the membership occurring before the next reconstitution or before the expiry of the prescribed period shall be filled by nomination of another person by the Director.

(iv) A member nominated under clause (iii) shall continue for the remainder of the term of a member in whose place he is nominated.

(v) An outgoing member shall be eligible for renomination.

(vi) A member may resign his office by writing under his hand addressed to the Director but, he shall continue in office until his resignation is accepted by the Director.

46. **T.A. D.A. and remuneration to be paid to the members of Governing Council, Executive Board, Academic Council, Finance Committee and other Committees :—**(i) Members of the various authorities of the institute and those of the Committees shall not receive any remuneration or other allowance except travelling and daily allowances for attending meetings of the Authorities or Committees in which they are members.

(ii) The members of the Authorities, the standing and ad-hoc Committees, if they are Full-time officers of Government or any organisation shall be entitled to such travelling and daily allowances for the performance of journeys for attending the meetings or for attending any other work of the Institute, as are admissible under the rules applicable to them for journeys performed on official duty.

(iii) Such of those members who are not officers of Government or any organisation and coming from outstations shall be entitled to travelling

and daily allowance at the rates prescribed from time to time by the Executive Board.

47. Procedure for election of members from the Academic Council : Four members to the Governing Council as provided under item (16) of Section 9 of the Act shall be elected by the Academic Council at its meeting.

48. Finance Committee :—The person holding office of the Financial Controller at the commencement of the Act, shall serve as Finance Officer under clause (e) of Section 23 of the Act.

CHAPTER-V

Conditions of service of Officers, Teachers and other Employees

49. Tenure of office, salaries and other conditions of service of officers, teachers and employees :—(i) The tenure of office, salaries and allowances and other conditions of service of the officers (other than the President, Vice-President, Director and the Executive Registrar), teachers and employees of the Institute, shall be such as may be determined by the Executive Board.

Provided that in fixing the scales of pay of the posts of teachers, the scales of pay obtaining in National Institutes and those recommended by the University Grants Commission and the Medical Council of India, if any shall be kept in view :

Provided further that the sanctioned emoluments of any post and other conditions of service shall not be varied at any time to the disadvantage of the officer or teacher or other employee of the Institute holding a post.

(ii) Until the scales of pay and allowances and other conditions of service are determined by the Executive Board in accordance with clause (i), the officers (other than the President, Vice-President, Director and the Executive Registrar) teachers and other employees, who became employees of the Institute with reference to the provisions of sub-section (3) of Section 41 of the Act, shall, subject to the conditions laid down therein, continue to be governed by the rules regarding pay and allowances and other conditions of service by which they were governed immediately before the appointed day.

(iii) The starting pay of any person appointed to a post shall ordinarily be the minimum of the time scale of that post. The Executive Board or the Director, may, in appropriate cases, fix the pay in any of the stages in the time scale of the post as it deems fit and record reasons therefor.

(iv) The officers, teachers and other employees appointed by direct recruitment in the Institute shall until the service conditions and pay scales are determined, be governed by those applicable to the employees of the Institute prior to the appointed day.

(v) Notwithstanding anything contained in these regulations, the officers, teachers and other employees whose services are borrowed from the Central Government, the State Government or any other bodies on the terms and conditions prescribed by them for officers on foreign service or on contract basis shall be governed by the terms of their appointment.

(vi) All officers, teachers and other employees of the Institute shall be full time employees of the Institute and they shall not be entitled, as a matter of right, to any extra remuneration for any extra work allotted to them. The Director shall, however, have powers to fix remuneration that may be payable to the officers, teachers and other employees of the Institute for any extra work allotted to them.

(vii) The officers and teachers may accept remuneration in respect of the following items after obtaining the prior permission of the Director :—

- (a) as Examiners in other Universities and Institutes ;
- (b) as the members of the University Commission or Inspection Commission ;
- (c) Such other items as may be approved by the Director.

CHAPTER-VI

Powers and Duties of Director and other Officers Powers and Functions of the Director

50. As Chief Executive and Academic officer of the Institute, the Director shall also exercise the following powers, namely :

General-(i) He shall be entitled to be present at and address at any stage any meeting of any Committee of the Institute. He shall have the power to delete any item of the agenda of that Committee and the right to refer back for reconsideration any recommendation of that Committee.

(ii) He shall have the right to inspect all Departments, Sections, Laboratories, etc., of the Institute and he may express his views thereon to the appropriate officers/members of staff of the Institute.

(iii) He shall have power to constitute such Committees as he may deem necessary to assist him in the performance and discharge of his duties as the Chief Executive and Academic Officer of the Institute.

(iv) The power of the Director to interpret any provisions of the Act, rules, regulations and standing orders made thereunder, in case of dispute, shall be subject to an appeal to the Vice-President through the Director within 90 days of such interpretation or ruling of the Director. The decision of the Vice-President thereon shall be final.

51. Academic Powers : (i) He shall have power to invite persons for guest lectures and to sanction their remuneration and T.A. within the budget provision.

(ii) He shall be the final authority with regard to admissions into any course or training programme of the Institute.

(iii) He shall decide all matters relating to scholarships, stipends, bursaries, freeships and other financial concessions.

(iv) He shall appoint examiners from the panel of examiners recommended by the Academic Council and to approve and publish the results of the examinations conducted by the Institute.

(v) He shall have power to invite to the Academic Council, persons having proficiency in the speciality concerned from among the faculty of the Institute or from outside.

(vi) He shall have power to declare the Heads of Departments of the Institute from time to time.

52. Administrative Powers :—(i) He shall have power to institute an enquiry in respect of any matter concerning the Institute.

(ii) Whenever any officer or teacher or employee of the Institute is absent from duty on leave or for any other reason or whenever any post has not been filled up, the Director may make such arrangements as may be necessary for the proper discharge of duties of that officer or teacher or employee for such period as may be necessary.

(iii) He shall cause to be prepared and submit the Annual Financial Statement, Annual Statement of Accounts and the Annual Report to the appropriate authorities.

(iv) He shall be responsible for the maintenance of discipline among the students, teachers and employees of the Institute and shall have powers necessary for this purpose.

(v) He shall have power to grant all kinds of leave to the officers, teachers and employees of the Institute and sanction annual grade increments.

(vi) He shall have power to depute employees of the Institute to attend conferences or for any purpose connected with the Institute and to sanction their T.A. out of the budgetted grant or from savings.

(vii) He shall make appointments to such of the posts as may be delegated by the Executive Board.

53. Financial Powers :—The Director shall have power :

(a) to sanction recurring and non-recurring expenditure chargeable to contingencies within the budget provision ;

(b) to countersign his own T.A. Bill and T.A. bills of the officers, teachers and employees of the Institute.

(c) to re-appropriate from one detailed head to another in the same account provided that no recurring liability is involved.

(d) to sanction the temporary transfer of amounts from one fund to another provided that such transfers are reported to the Governing Council in its next meeting.

(e) to open and operate accounts on behalf of the Institute in such banks and in such manner as the Governing Council may decide.

(f) to sanction expenditure for any machinery, equipment or apparatus, consumables the cost of which does not exceed Rs. 1,00,000/- in respect of each item at a time.

(g) to incur expenditure upto a maximum of Rs. 500/- on presentation of momentos for exchange visitors and other specialists as and when occasion may demand and consistent with the need.

(h) to sanction expenditure upto Rs. 5,000/- at any time for payment towards specialised services.

(i) to sanction within the budget provision charges for translation, compilation and the revision of books and publication of original works.

(j) to sanction expenditure for the purchase of furniture, office equipment, stationery etc., subject to availability of funds.

(k) to sanction remission and write off of irrecoverable losses and damages of stores, equipment and other property of the Institute not exceeding Rs. 2,000/- in each case ;

(l) to approve the plans and estimates prepared by the Institute's Engineering Staff and sanction construction of buildings, additions, and repairs to the buildings not exceeding Rs. 25,000/- in each case subject to availability of funds.

(m) he shall exercise such other financial powers as are delegated to him by the Governing Council.

54. Miscellaneous :—He shall have power to delegate any of his academic, administrative and financial powers to any Committee or officer or teacher or employee of the Institute.

55. Powers and Duties of the Dean :—In addition to the powers and duties conferred upon the Dean by the Act, he shall have the following powers and duties, namely:—

(i) He shall generally assist the Director in maintaining the standards, co-ordinating teaching and research in the faculty.

(ii) He shall take part in the selection of Lecturers, Residents and Honorary Consultants.

(iii) He shall assist the Director to achieve the following objectives of the Institute :

(a) to provide for post-graduate teaching in the science of modern medicine and other allied sciences including physical and Biological Sciences;

(b) to provide clinical services and institute research studies in various specialities of medical and allied sciences ;

(c) to organise and conduct Post-graduate course in medical disciplines and problems related to the medical specialities ;

(d) to train members of the Medical Profession in Medical Specialities and Paramedical personnel including nursing profession ;

(e) to conduct lectures, seminars, study groups, workshops etc., on problems related to medical specialities ;

(f) to publish research papers, treatises, books and periodicals and other literature relating to medical specialities and health in general ;

(g) to hold examinations and grant such degrees, diplomas, and other academic distinctions and titles in post-graduate medical education

and research after obtaining required sanction of the competent authority therefor ;

(h) to prescribe syllabus, scheme of instructions and scheme of examination for various courses to be instituted at the Institute.

(i) to guide and organise continuing Medical Education Programme in different departments of the faculty.

(j) to suggest panel of examiners for various examinations and to suggest names against casual vacancies of examiners.

(iv) He shall associate himself in the selection of candidates for admission to the various courses offered by the Institute.

(v) He shall make recommendations to the Director for the award of academic prizes, awards, scholarships, stipends, freeships, bursaries, etc.

(vi) He shall carry out such other duties as regards academic matters as may be assigned to him by the Director from time to time.

56. Powers and Duties of the Executive Registrar :—In addition to the powers and duties conferred upon the Executive Registrar under the Act, he shall have the following powers and duties, namely : —

(i) He shall receive applications for entrance test for admission to the courses of the Institute and shall keep a permanent record of all courses, curricula and other information as may be necessary.

(ii) He shall be responsible for admission of students to the Institute including the supervision of the entrance examination.

(iii) He shall be responsible for the maintenance of a register of all degrees and diplomas conferred by the Institute.

(iv) He shall be responsible for the general discipline of the employees working in the Institute's office and shall have disciplinary control over such employees.

(v) He shall have the power to countersign the T.A Bills and sanction leave to the employees working under him.

(vi) He shall be present at the meetings of the Governing Council the Executive Board and the Academic Council and assist the Director in whatever manner he is required and participate in the meetings of such other committees as may be constituted.

CHAPTER-VII

Miscellaneous Matters

57. Management of the properties :—(i) The Institute shall use its land and buildings for the purpose of the Institute.

(ii) Every employee of the Institute, if offered residential accommodation in the premises of the Institute shall stay in that residence and pay therefor, such rent and other charges as may be fixed by the Institute.

58. Degrees, Diplomas and other academic distinctions :—The degrees diplomas and other academic distinctions and titles shall be granted as per the conditions prescribed by the Academic Council.

59. Creation of posts :—The Executive Board shall create the posts of teachers on the recommendation of the Academic Council. All posts other than of teachers shall be created by the Director. The qualifications for teachers shall be prescribed by the Executive Board on the recommendation of the Academic Council. The qualifications for officers and other employees shall be determined by the Director of the Institute.

60. Fees and other charges from the candidates seeking admission to the courses :—(i) Fees and other charges which may be demanded and received by the Institute shall be classified as follows :

- (a) Application fee,
- (b) Registration fee,
- (c) Tuition fee,
- (d) Security Deposit (refundable).
- (e) Examination fee,
- (f) Library fee,
- (g) Room Rent,
- (h) Contributions to such educational, social, recreational funds as may be specified.
- (i) Any other fees prescribed by the Academic Council from time

to time.

(ii) The amounts of fees chargeable under each category at various levels of academic pursuit, the term of payment and the penalties for late payment shall be as laid down by the Academic Council.

(iii) A student for admission shall not be permitted to attend classes until all the fees prescribed by the Institute and other amounts due are paid. No student shall be allowed to appear at an examination unless he has paid the examination fee and other dues payable by the date fixed by the Institute.

(iv) Any fee once paid shall not be refunded. However, the Security Deposit will be refunded after the Librarian and Head of the Department concerned have certified that no dues are outstanding against the student.

61. Pension and Provident fund :—The officers, teachers and other employees of the Institute are entitled to such benefits of pension and provident fund or other similar schemes as may be prescribed in the regulations with the prior approval of the Government.

62. Savings :—The standing orders, administrative instructions or directions as issued by the Director before the commencement of the Act, shall continue to be in force in so far as they are not inconsistent with the provisions of the Act and the rules and the regulations made thereunder until such time they are repealed, amended or altered by the regulations and the standing orders.