



ABSTRACT

NATIONAL RURAL HEALTH MISSION – Formation of "District Health Mission" and "District Health Society" – Approval of Memorandum of Association and Bye-laws – Orders - Issued.

HEALTH AND FAMILY WELFARE (EAP.II.2) DEPARTMENT

G.O.Ms.No. 68

Dated:29.03.2006

Read:

1. From the Secretary to Government of India, Ministry of Health and Family Welfare, D.O.Letter No.37018/6/2003-EA.G(Part IV), dated 20.6.2005.
2. From the Secretary to Government of India, Ministry of Health and Family Welfare, New Delhi, D.O.Letter No.14011/14/2004 EAG (Part), dated 24.6.2005.
3. G.O.Ms.No.309, Health and Family Welfare (EAP.II.2) Department, dated 16.12.2005.
4. G.O.Ms.No.19, Health and Family Welfare (EAP.II.2) Department, dated 08.02.2006.
5. G.O.Ms.No.27, Health and Family Welfare (EAP.II.2) Department, dated 21.02.2006.
6. From the Project Director, Reproductive and Child Health Project, Letter No.2719/RCHP/P/2005-1, dated 7.2.2006.

-:o0o:-

ORDER:

The Government of India have launched the National Rural Health Mission during April, 2005, to provide effective health care to the poor, the vulnerable and marginalized sections of the society throughout the country. The duration of the Mission is seven years (2005-2012). The NRHM envisages to integrate all vertical Health & Family Welfare Programmes at National, State and District levels, which would help to pool all available resources, in implementation of programme activities.

2. The Government of India have recommended the State Governments to constitute the State Health Mission/State Health Society in the State Level and the District Health Mission/District Health Societies in the district level on the lines of the National Rural Health Mission. The Government of India have also forwarded general guidelines for the formation of State and District Health Mission and integrated State and District Health Societies, including general Memorandum of Association and Bye-Laws.

3. Based on the recommendations of the Welfare, Government of India, "State Health Mission Society-Tamil Nadu", and District Health Mission of Health and Family Welfare, Government of India, "State Health Mission Society-Tamil Nadu" and "State Health Mission Society-Tamil Nadu" have been constituted in Government Order third and fifth read above respectively. The Bye-Laws for the State Health Society have also been approved in the G.O. fourth read above.

4. As per the guidelines issued by the Ministry of Health and Family Welfare, Government of India, the Government have decided to frame the Memorandum of Association and Bye-Laws of the District Health Societies as per the State's requirements. The objective of the Society, Composition of the Governing Body / Executive Committee, Programme and activities are enumerated in the Memorandum of Association of District Health Society and the Rules and Regulations of the Society. Accordingly, the Government approve the Memorandum of Association and Bye-Laws of the "District Health Societies" as annexed to this Order.

5. The Mission Director/Project Director, Reproductive and Child Health Project, is requested to take necessary action to register the "District Health Societies" in each and every district through the Executive Secretary of the District Health Society under Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act, 27 of 1975).

(BY ORDER OF THE GOVERNOR)

SHEELA RANI CHUNKATH
SECRETARY TO GOVERNMENT

To

The Project Director, Reproductive and Child Health Project, Chennai-6.

All District Collectors.

Member of Parliament/Member of Legislative Assembly of the District through the District Collector.

The Secretary to Government, Social Welfare and Nutritious Meal Programme Department, Chennai-9.

The Secretary to Government, Rural Development Department, Chennai-9.

The Secretary to Government, Adi-dravidar and Tribal Welfare Department, Chennai-9.

The Secretary to Government, Finance Department, Chennai-9.

The Secretary to Government, Planning and Development and Special Initiative Department, Chennai-9.

The Secretary to Government, Municipal Administration and Water Supplies Department, Chennai-9.

The Regional Director, Ministry of Health and Family Welfare, Government of India, Chennai.

State Representative, UNICEF, WHO, Chennai thro' the Project Director, RCHP, Chennai-6.

The Managing Director, Tamil Nadu Medical Services Corporation Ltd., Chennai-8.

The Commissioner of Indian Medicine and Homeopathy, Chennai-106.

The Director of Social Welfare, Chennai-5.

The Chief Engineer, (Buildings), Public Works Department, Chennai-5.

**MEMORANDUM OF ASSOCIATION
OF
DISTRICT HEALTH SOCIETY- (Name of the District)**

1. **Name of the Society:** The Name of the Society shall be "District Health Society, ---
-----District (district name)" hereinafter referred to as the
"Society".
 2. **Area of operation:** The area of operation of the Society shall be whole of the
district of -----(district name)
 3. **Location:** The Society shall have its office at the Office of Deputy
Director of Health Services, -----district, situated at
----- (postal address)
 4. **Objectives:** The Society shall assist district health administration in the
implementation of various health programmes and projects
in the district, with special emphasis on priority sectors like
Reproductive and Child Health, Population Control, Control
of Malaria, TB and Leprosy and Prevention of Blindness and
Malnutrition, etc.
 5. **Scope of functions:** To achieve the above objectives, the Society shall direct its
resources towards performance of the following key tasks:
 - To act as the nodal forum for all stake holders-line
departments, Panchayatraj Institutions and Non
Governmental Organisations to participate in planning
implementation and monitoring of the various Health and
Family Welfare Programmes and projects in the district.
 - To receive, manage and account for the funds received
from the State Government (including State Level
Societies in the Health Sector) for implementation of
Centrally Sponsored Schemes in the district.
 - To strengthen the technical / management capacity of
the District Health Administration through recruitment of
individual/institutional experts from the open market.
 - To facilitate preparation of integrated district health
development plans, for health and its various
determinants like sanitation, nutrition and safe drinking
water, etc. Registration of vital events, Biomedical Waste
Management in Hospitals and Primary Health Centres.
-
- To guide the functions related to "Total Sanitation
Campaign" at the District level.
 - To mobilize financial and non-financial resources for
complementing / Supplementing the Health and Family
Welfare activities in the district.

- To assist hospital management societies in the district
- To undertake such other activities for strengthening Health and Family Welfare activities in the district as may be identified from time to time, including mechanisms for intra and inter-sectoral convergence of inputs and structures.

6. **First members of the Governing Body:**

The names, addresses, occupations and designations of the First Members of the Governing Body of the Society to whom by the rules and regulations of the Society, the management of the affairs of the Society is entrusted as required under section 6 of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975) are as follows:-

Sl. No.	Name / Designation	Status in Governing Body
1	District Collector	Chair-person
2	Deputy Director of Health Services.	Convenor
3.	Joint Director of Medical, Rural Health Services and Family Welfare	Member
4	District Panchayat President	Member
5.	Project Officer, DRDA	Member
6.	Deputy Director of Medical, Rural Health Services and Family Welfare	Member
7.	Deputy Director of Health Services (of the District Health Unit where in one Revenue District, there are 2 Health Unit District) concerned.	Member

A copy of the rules of the Society certified to be a correct copy by three members of the Governing Body is filed along with this Memorandum of Association.

7. **Declaration:**

We, the several persons whose names and addresses are given below having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our several and respective hands hereunto and form ourselves into a Society under the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act, 27 of 1975) on this day of 2006 at

Sl.No.	Name	Occupation and address	Status in Society	Signature	Attested by
1.					
2.					
3.					
4.					
5.					
6.					
7.					

DISTRICT HEALTH SOCIETY,DISTRICTTHE RULES AND REGULATIONS

1. **SHORT TITLE:-** (1) These Rules and Regulations shall be called "The Rules and Regulations of the District Health Society, _____ District, 2006".
 (2) These Rules shall come into force with effect from the date of registration of the Society by the Registrar of Societies.
2. **DEFINITIONS:** In the interpretation of these Rules and Regulations, the following expressions shall have the following meaning unless inconsistent with subject or context:
 - (i) "Act" means the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975);
 - (ii) "DHS" means the District Health Society, _____ District;
 - (iii) "Central Government" means the Government of India;
 - (iv) "Chairperson" means the Chairperson of the Governing Body of the Society;
 - (v) "Chief Executive Officer (CEO)" means the Chairperson of the Executive Committee of the Society;
 - (vi) "Executive Committee" means the Executive Committee of the Society;
 - (vii) "Executive Secretary" means the Executive Secretary of the Society;
 - (viii) "Governing Body" means the Governing Body of the Society;
 - (ix) "Member" means the Member of the Society as referred to in these rules.
 - (x) "Rules" means these Rules and Regulations registered along with the Memorandum of Association and as may be amended by the Governing Body of the Society, from time to time;
 - (xi) "Secretariat" means the Secretariat of the Society;
 - (xii) "State Government" means the Government of Tamil Nadu; and
 - (xiii) "Year" means the financial year of the State Government of Tamil Nadu.
3. **OFFICE AND JURISDICTION:** (1) Registered office of the Society shall be situated at the office of the Deputy Director of Health Services, _____ District having its office at _____
 (2) The Jurisdiction of the Society shall be the whole of _____ (District name).

4. **MEMBERSHIP:** (1) The following shall be the members of the Society;

Sl. No.	Name / Designation	Status in Governing Body
1	District Collector	Chair-person
2	Deputy Director of Health Services of the Health Unit District, where Headquarters is the District Headquarters.	Convenor
3	Joint Director of Medical, Rural Health Services and Family Welfare	Member
4	District Panchayat President	Member
5	Project Officer, DRDA	Member
6	Deputy Director of Medical, Rural Health Services and Family Welfare of the Health Unit District.	Member
7	Deputy Director of Health Services. (of the District Health Unit where in one Revenue District, there are 2 Health Unit District)	Member
8	Deputy Director of Medical, Rural Health Services (TB)	Member, Ex-officio
9	District Siddha Medical Officer	Member, Ex-officio
10	District Project Officer, ICDS	Member, Ex-officio
11	Education Officer of the District	Member, Ex-officio
12	District Social Welfare Officer	Member, Ex-officio
13	Assistant Director (Panchayat)	Member, Ex-officio
14	Representative of IMA - District Branch/MNGO	Member, Ex-officio

• **Other Ex-Officio, Non-official Members:**

- Representatives of Development Partners supporting health and family welfare activities in the district, if any.
- Representatives of other organisations as may be determined by the Governing Body from time to time.
- Individuals as may be nominated by the Governing Body from time to time.

- (2) The membership of an ex-officio member of the Society and of the Governing Body shall terminate when he/she ceases to hold the office by virtue of which he/she was member and his/her successor to the office shall become such member.
- (3) Non official members of the Society will be nominated by the Chairperson in consultation with the Governing Body. Nominated members shall hold office for a period of three years from the date of their nomination by the Chairperson. Such members will be eligible for re-nomination.
- (4) The Society shall maintain a roll of members at its registered office and every member shall sign the roll and state therein his/her rank or position and address. No member shall be entitled to exercise rights and privileges of a member unless he/she has signed the roll as aforesaid.
- (5) All members of the Governing Body shall cease to be members if they resign, become of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude or removal from the post by virtue of which he/she was holding the membership.
- (6) Resignation of membership shall be tendered to the Governing Body in person to its Executive Secretary and shall not take effect until it has been accepted on behalf of the Governing Body by the Chairperson.

(7) If a member of the Society changes his/her address he/she shall notify his/her new address to the Executive Secretary who shall thereupon enter his/her new address in the roll of member. But if a member fails to notify his/her new address, the address in the roll of members shall be deemed to be his/her address.

(8) Any vacancy in the Society or in the Governing Body shall be filled by the authority entitled to make such appointment. No act or proceedings of the Society or of the Governing Body shall be invalid merely by reason of the existence of any vacancy therein or of any defect in appointment of any of its members.

(9) No member of the Governing Body, except the Executive Secretary to be appointed as per these Rules, shall be entitled to any remuneration.

5. **AUTHORITIES OF THE DISTRICT HEALTH SOCIETY:** (1) The following shall be the bodies and authorities of the Society:

- Governing Body
- Executive Committee

Sub-Committees of the Executive Committee, such as Programme Committees.

(2) **Governing Body:** (a) All members of the Society as set out in sub-rule (1) of rule 4 shall constitute the Governing Body of the Society:

(b) The first members of the Governing Body of the Society shall be those mentioned in Clause 6 of the Memorandum of Association. They shall hold office until a new Governing Body is appointed according to these Rules.

(c) The management of the affairs of the Society shall be entrusted to the Governing Body and the property of the Society shall be vested with the Governing Body.

(3) **Proceedings Of The Governing Body:** (a) The meetings of the Governing Body shall be held at least once in six months and at such time and place as the Chairperson shall decide. If the Chairperson receives a requisition for calling a meeting signed by one-third members of the Governing Body, the Chairperson shall call such a meeting as soon as may be reasonably possible and at such place as he/she may deem fit.

(b) Following minimum business shall be brought forward and disposed off in every meeting of the Governing Body:

- Annual Report of the society relating to last financial year, including (a) Income and expenditure account, (b) balance sheet and (c) audit report.
- Physical and financial progress of the programmes / projects in the current year,
- Work plan (including budget) for the next financial year,
- Any other business brought forward with the assent of the Chairperson.

(c) Every notice calling meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Governing Body not less than twenty one clear days before the date appointed for the meeting. Such notice shall be issued under the hand of the Convenor and shall be accompanied by an agenda of the business to be placed before the meeting provided that accidental omission to give such notice to any member shall not invalidate any resolution passed at such meeting. In the event of any urgent business, the Chairperson may call the meeting of the Governing Body at clear ten days notice.

- (d) The Chairperson shall take the Chair at the meetings of the Governing Body. In his/her absence, the Governing Body shall elect one from among the members present as Chairperson of the meeting.
 - (e) One third of the members of the Governing Body, including the substitutes nominated under rule 5(3)(g), present in person, shall form a quorum at every meeting of the Governing Body.
 - (f) All disputed questions at the meeting of the Governing Body shall be determined by votes. Each member of the Governing Body shall have one vote and in case of tie, the Chairperson shall have a casting vote.
 - (g) Should any official members be prevented for any reason whatsoever from attending a meeting of the Governing Body, the Chairperson of the Society shall be at liberty to nominate a substitute to take his place at the meeting of the Governing Body. Such substitute shall have all the rights and privileges of a member of the Governing Body for that meeting only.
 - (h) Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Convenor of not less than ten clear days before the day of such meetings.
 - (i) Any business which it may become necessary for the Governing Body to perform except the agenda prescribed for the full meeting as set out in rule 5(3) (b) above, may be carried out by circulation among all its members and any resolution so circulated and approved by majority of the members signing shall be as effectual and binding as if such resolution has been passed at a meeting of the Governing Body provided that at least one third members of the Governing Body have recorded their consent of such resolution.
 - (j) In the event of any urgent business, the Chairperson of the Society may take a decision on behalf of the Governing Body. Such a decision shall be reported to the Governing Body at its next meeting for ratification.
 - (k) A copy of the minutes of the proceedings of each meeting shall be furnished to the members of the Governing Body as soon as possible after completion of the meeting.
- (4) **Powers Of The Governing Body:-** (a) The Governing Body will have full control of the affairs of the Society and will have authority to exercise and perform all the powers, acts and deeds of the Society consistent with the aims and objects of the Society.
- (b) In particular and without prejudice to the generality of foregoing provision, the Governing Body may:
 - make, amend, or repeal any bye laws relating to administration and management of the affairs of the Society subject to the observance of the provisions contained in the Act, provided that such amendments are brought to the Governing Body after obtaining endorsement / approval from the State Government.

(This provision is being made to ensure that the Deputy Director of

- consider the annual budget and the annual action plan, its subsequent alterations placed before it by the Executive Secretary from time to time and to pass it with such modifications as the Governing Body may think fit.
- monitor the financial position of the Society in order to ensure smooth income flow and to review annual audited accounts.
- accept donations and endowments or give grants upon such terms as it thinks fit.
- delegate its powers, other than those of making rules to the Chairperson, Executive Secretary or other authorities of the Society as may deem fit.
- authorise the Executive Secretary to execute such contracts on behalf of the Society as it may deem fit in the conduct of the business of the Society.
- appoint committees, sub-committees and boards etc. for such purpose and on such terms as it may deem fit, and to dissolve or remove any of them.
- recruit administrative / technical staff for the Society Secretariat as per the Operational Manual of the Society.
- procure goods and services in accordance with the procedures laid down in the Operational Manual of the Society.
- do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the Society or any of them, provided that nothing herein contained shall authorise the Governing Body to do any act or to pass any bye-laws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Governing Body and other authorities, or which may be inconsistent with the objectives of the Society.

(5) **Powers And Functions Of The Chairperson Of The Governing Body:** (a) The Chairperson shall have the powers to call for and preside over all meetings of the Governing Body.

(b) The Chairperson may himself/herself call, or by a requisition in writing signed by him/her may require the Executive Secretary to call, a meeting of the Governing Body at any time and on the receipt of such requisition, the Executive Secretary shall forthwith call such a meeting.

(c) The Chairperson shall enjoy such powers as may be delegated to him/her by the Governing Body.

(d) The Chairperson shall have the authority to review periodically the work and progress of the Society and to order inquiries into the affairs of the Society and to pass orders on the recommendations of the reviewing or Inquiry Committee.

(e) Nothing in these Rules shall prevent the Chairperson from exercising any or all the powers of the Governing Body in case of emergencies in furtherance of the objectives of the Society. However, the action taken by the Chairperson on such occasions shall be reported to the Governing Body subsequently for ratification.

- (6) **Executive Committee and its Sub-Committees (Programme Committees):** (a) The Governing Body will constitute an Executive Committee which will be responsible for acting for and doing all deeds on behalf of the Governing Body and for taking all decisions and exercising all the powers, vested with the Governing Body except those which the Governing Body may specifically specify to be excluded from the jurisdiction of by the Executive Committee.

(b) The composition of the Executive Committee shall be as follows:

Sl.No.	Name / designation	Status in Executive Committee
1	District Collector	Chairperson/Chief Executive Officer
2	Deputy Director of Health Services.	Convenor/Executive Secretary
3	Joint Director of Medical, Rural Health Services and Family Welfare.	Member
4.	Deputy Director of Health Services. (of the District Health Unit where in one Revenue District, there are 2 Health Unit District)	Member
5.	Deputy Director of Medical, Rural Health Services and Family Welfare	Member
6.	Deputy Director of Medical, Rural Health Services (TB).	Member
7. -	Municipal Commissioners of the Municipalities	Member
8.	Corporation Health Officer (in case there is a Corporation)	Member
9.	Superintendent of District Hospitals	Member
10.	NGOs/representatives of the Private Hospitals	Member
11.	Representative of MNGO for the district who are governing body members (3)	Member
12.	Deans of Medical College Hospitals	Member

(c) Till such time, a regular incumbent to the post of District Programme Manager has been appointed, the district may decide to designate one of the Deputy Director of Health Services to function as Convenor of the Governing Body/Executive Committee.

(d) The Executive Committee may co-opt additional members or invite subject experts to its meetings, from time to time.

(e) Meetings of the Executive Committee shall be convened by the Convenor, by giving clear seven days notice in writing along with the Agenda specifying the business to be transacted, the date, time and venue of the meeting.

(f) Meetings of the Executive Committee shall be held at least once a month or more frequently if necessary.

(g) The minutes of the Executive Committee meetings will be placed before the Governing Body at its next meeting.

(h) The Executive Committee may appoint one or more programme committees for the purpose of day-to-day execution of the various programmes.

(i) The Programme Committees shall submit a monthly performance / progress reports to the Executive Committee which shall incorporate these into the consolidated progress reports to be placed before the Governing Body.

6. **SOCIETY SECRETARIAT AND EXECUTIVE SECRETARY:-** (1) Governing Body, with the assistance of the Executive Secretary, will establish a Secretariat of the Society consisting of technical, financial and management professionals to serve as the District Programme Management Support Unit (DPMSU) to assist the district health administration.

(2) The Secretariat shall consist of all such technical / management units as set out in the Operational Manual prescribed by the State Government.

(3) The District Level Officers appointed under ongoing projects sponsored by development partners, if any, shall be physically co-located in the Society Secretariat Office.*

**(These include NPSP Medical Officers (WHO), District Programme Managers of the Border District Cluster Scheme (UNICEF) and District Programme Manager for the nutrition projects of the CARE, etc.)*

(4) **Powers And Functions Of The Secretariat:-** (a) The Secretariat of the Society shall consist of the Executive Secretary and Staff of the Society.

(b) The Secretariat will be responsible for day-to-day management of the Society's activities. In particular, it will be responsible for performing all functions of the Society as set out in Clause 5 of the Memorandum of Association.

(c) The Secretariat will provide Technical support to the District Health Mission. It will also be responsible for financial management of funds of the Society.:

(d) The funds sanctioned by the Governing Body / Executive Committee shall be released by the two authorized signatories and a copy of the sanction order marked to the District Programme Management Support Unit (DPMSU) for financial management of the same.

7. **FUNDS OF THE SOCIETY:-** (1) The funds of the Society shall consist of the following:-

- Grants-in-Aid from the State Government and or State Health Society.
- Grants in aid from the Central Government, if it decides to give the whole or part of grants directly to District Society.
- Grants and donations from trade, industry, institutions and individuals.
- Receipts from disposal of assets.

(2) The assets and liabilities of all Societies merged into the integrated Society shall be subsumed within the new Society.

8. **ACCOUNTS AND AUDIT:-** (1) The Society shall cause regular accounts to be kept of all its monies and properties in respect of the affairs of the Society.

(2) The Executive Committee may cause separate Bank Accounts in respect of each scheme or separate ledgers for each scheme under one account. In such an event, the Governing Body shall prescribe written instructions relating to submission of Statement of Expenditure (SoE) for each scheme. The separate Accounts of different Programmes could be audited by different auditors, and submitted to Programme Units separately. However, the District Programme Management Support Unit (DPMSU) will ensure one integrated audit of the District Health Society.

- (3) The accounts of the Society shall be audited annually by a Chartered Accountant firm included in the panel of Comptroller and Auditor General of India or any qualified person appointed by the Government of India or State Government and any expenditure incurred in connection with such audit shall be payable by the Society to the Auditors. The Office of the Accountant General of State may also, at its discretion, audit the accounts of the society.
 - (4) The Chartered Accountant or any qualified person appointed by the Government of India or State Government in connection with the audit of the accounts of the society shall have the same rights, privileges and authority in connection with such audit as the Auditor General of the State 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 necessary documents and papers.
 - (5) The report of such audit shall be communicated by the auditor to the Society, which shall submit a copy of the Audit Report along with its observation to the State Government.
 - (6) The Auditor shall also forward a copy of the report to the following:-
 - A designated authority of the State Society as may be determined by its Governing Body/Executive Committee.
 - The District Collector.
 - Chairperson of the Governing Body of the Society and State Government or a designated authority of the State Level Society.
9. **BANK ACCOUNT** - (1) The account of the Society shall be opened in a nationalised bank approved by the Executive Committee or in a scheduled commercial bank as may be specified by the Ministry of Health and Family Welfare, Government of India. All funds shall be paid into the Society's account with the appointed bank and shall not be withdrawn except through a cheque, bill note, other negotiable instruments or through electronic banking (e-banking) procedures signed / electronically authorised by such authorities of the Society Secretariat as may be determined by the Executive Committee.
- (2) The Society shall switch over to e-banking procedures as and when the Ministry of Health and Family Welfare, Government of India directs the Society to do so as the principal donor to the Society.
 - (3) The Executive Committee shall authorise the Executive Secretary to operate the accounts of the Society in connection with another senior official as may be decided by the Committee.
10. **ANNUAL REPORT** - A draft annual report and the yearly accounts of the Society shall be placed before the Governing Body at next meeting for consideration and approval. A copy of the annual report and audited statement of accounts as finally approved by the Governing Body shall be forwarded within six months of the closure of a financial year to the following:-

• Chairperson, Governing Body and

11. **SUITS AND PROCEEDINGS:-** (1) The Society may sue or be sued in the name of Society through its Executive Secretary.
 - (2) No suit or proceedings shall abate by the reason of any vacancy or change in the holder of the office of the chairperson or Executive Secretary or any office bearer authorised in this behalf.
 - (3) Every decree or order against the Society in any suit or proceedings shall be executable against the property of the Society and not against the person or the property of the Chairperson, Executive Secretary or any office bearer of the Society.
 - (4) Nothing in sub-rule 3 above shall exempt the Chairperson, Executive Secretary or office bearer of the Society from any criminal liability or entitle him of claim any contributions from the property of the Society in respect of any fine to be paid by him on conviction by a criminal court.
 - (5) For the above purpose, the Jurisdiction of legal proceedings shall be within the State of Tamil Nadu.
12. **AMENDMENTS:-** (1) The Society may amend these Rules provided that such changes shall not alter the nature and / or the objectives and / or the purposes for which it has been set up. The proposals for any amendments shall be carried out only through the following process:-
 - a) Proposals for amendments must be circulated to all members of the Governing Body and must be duly included in the written Agenda of the ensuing meeting of the Governing Body or a special meeting of the Governing Body.
 - b) No amendment shall be effective unless the proposal in this regard have been endorsed by at least 3/5th of the members of the Governing Body; provided that such proposals have been endorsed in writing by the State Government representatives of the Governing Body either during the meeting of the Governing Body or through a written communication.
13. **DISSOLUTION:-** (1) The Governing Body may resolve to dissolve the Society by bringing a proposal to that effect in a special meeting to be convened for the purpose provided that the proposal for dissolution should have been duly approved / endorsed through the process prescribed for amendment as set out under rule 12 of these Rules.
 - (2) The dissolution proceedings shall be made in accordance with the provisions of the Act as amended from time to time, in its application in the State.
 - (3) Upon the dissolution of the Society, all assets of the Society, after the settlement of all its debts and liabilities, shall stand reverted to the State Government of Tamil Nadu for such purposes as it may deem fit.
14. **MISCELLANEOUS - (1) CONTRACTS:** (a) All contracts and other instruments for and on behalf of the Society shall be subject to the provisions of the Act, be expressed to be made in the name of the Society and shall be executed by the persons authorised by the Governing Body.
 - (b) No contracts for the sale, purchase or supply of any goods and material shall be made for and on behalf of the Society with any member of the Society or his/her relative or firm in which such member or his/her relative is a partner or shareholder or any other partner or shareholder of a firm or a private company in which the said member is a partner or director.

- (2) **Common Seal:-** The society shall have a common seal of such make and design as the Governing Body may approve.
- (3) **Compliance Of Statutory Requirements:-** The Society shall register itself with relevant government agencies for the purpose of complying with the statutory requirements including regulations governing deduction of tax at source relating to the staff, consultants and experts employed by it and / or consultancies / contracts awarded by it in the course of performance of its tasks.
- (4) **Government's Power To Review:** (1) Notwithstanding anything to the contrary contained in these Rules, the State Government and/ or the Ministry of Health & Family Welfare, may appoint one or more persons to review the work and progress of the Society and hold enquiries into the affairs thereof and report thereon, get the accounts of the society audited by the internal audit parties of the Chief Controller of Accounts, Ministry of Health and Family Welfare, Government of India and issue directions, as deemed appropriate, to the Society.
- (2) The Chairperson of the Governing Body shall have the right to nominate one or more persons to be part of the review / enquiries.
- (3) The progress review reports or enquiry reports shall be included in the written agenda of the ensuing meeting of the Governing Body.

We, the undersigned being three of the members of the first Governing Body of the District Health Society, _____ (name of the district) certify that the above is a correct copy of the Rules and Regulations of the said Society.

Sl.No.	Name and address	Signature
1		
2		
3		

Dated: _____

A. Procurement Policy and Procedures

Procurement of goods and services shall be organised as per the procedures recommended by the State Health Society. Commitments made to multilateral / bilateral donor agencies with regard to Procurement Procedures under different Projects would be honoured.

B. Procedure for release of funds:

Funds would be ordinarily released from State Health Society to District Health Society in two branches. The Society funds shall be drawn through cheques and / or bank drafts or through e-banking mechanism as and when the same is introduced.

All cheques shall be signed by two authorised signatories comprising of Accounts Manager and Member-Secretary of the concerned Programme Committee:

All releases will be made on the basis of a written authorization from the Member-Secretary of the concerned Programme Committee.

Wherever releases are decided to be made through Bank drafts and / or through e-banking, the authorisation letter to the bank shall be signed by the concerned authorised signatories.

NOTE: Wherever, under e-banking procedures, releases are to be made through electronic authorisation to the bank to issue cheque / draft / account transfer on behalf of the society, the electronic authorisation will be executed by the same two authorised functionaries of the Society Secretariat who have been authorised to sign cheques on the basis of a written authorisation from the concerned Programme Manager and / or consultant and / or Head of concerned Programme Division and / or Executive Secretary and / or Chief Medical Officer.

C. Financial Powers of the Office Bearers of the Society (Governing Body, Executive Committee, Programme Committees), Executive Secretary and District Programme Managers:

Classification of items of Expenditure and Financial powers of the bodies and office bearers of the Society

Type of expenditure	Authority	Extent of power
A. Release of funds to Hospitals / Hospital Societies, Block Medical Officers and Other implementing agencies as per State Government approved norms and / or proposals approved by State Government.	District Programme Manager (DHS)/Member Secretary of the concerned programme	Full power
B. Release of funds for implementation of plans / allocations approved by Governing Body / Executive Committee as approved by the Executive Committee	Programme Committee	Full power

C: Expenditure proposals not covered under categories A and / or B		
C-1: Procurement of goods	Chairperson, Governing Body	More than Rs.2.00 lakh and upto Rs.5.00 lakh per case
C-2: Repairs and minor civil works	Chairperson, Executive Committee	Upto Rs.2.00 lakh per case
C-3: Procurement of services for specific tasks including outsourcing of support services for the Directorate	-do-	-do-
C-4: Miscellaneous items not mentioned above such as hiring of taxis, hiring of auditors, meetings and workshops, training, purchase of training materials / books and magazines, payment of TA/DA allowances for contractual staff and / or non-official invitees to DHS meetings and / or officials deputed to meetings outside the district.	Chairperson, Executive Committee	Full powers, provided that the contracts shall be for a period not exceeding 11 months at a time
	Chairperson, Governing Body	Upto Rs.1.00 lakh at a time subject to a maximum of Rs.10.00 lakh per annum
	Chairperson, Executive Committee	Upto Rs.50,000/- at a time subject to a maximum of Rs.5.00 lakh per annum
	Member - Secretaries of the Programme Committees	Upto Rs.5,000 at a time subject to a maximum of Rs.1.00 lakh per annum

II. Review/Revision Of Financial Powers:

The Executive Committee may review and revise the financial powers of the office bearers of the bodies of the Society on an annual basis and revise the same, if considered necessary.

D. Human Resources Policy and Procedures

D-1: Recruitment and Appointment

Recruitment would be through either of the following two routes:

- Appointments from open market: all such appointments will be on contractual basis for a fixed tenure.
- Appointments on "Deputation" basis: all such appointments will be regulated in terms of the State Government rules relating to Deputation.

Recruitment may either be made by the State Society (e.g. recruitment of Executive Secretary from the Open market or recruitment of District Programme Managers on deputation basis) or by the District Health Society (e.g. recruitment of support staff for the District Programme Manager) or a combination of both may be determined by the State Society.

All appointments would be temporary and would be made for the contract / deputation period.

In the case of contract appointments necessary terms and conditions will be stipulated at the time of appointment by the Executive Committee and the same will be signed by the individual. The individual so appointed will have to sign and abide by the terms and conditions governing his/her appointment and shall not have any preferential right to claim for permanent absorption either in the Society or in Government.

D-2: Leave Rules:

Holidays, Casual Leave, Medical Leave: The Society staff and the full time consultants shall be governed by the State Government rules, in so far as observance of holidays and grant of casual/medical leave is concerned.

Leave without pay: The Society staff (including fulltime consultants) shall be entitled to take leave without pay in exceptional circumstances. This can be sanctioned by the Executive Secretary after recording the reasons. For the Executive Secretary, this will have to be endorsed by the Chairperson, Executive Committee.

Training and Capability Development: Full time consultants and staff of the Society (including staff on deputation) would be encouraged to take up skill development courses and even correspondence courses which further their employment prospects, enhance their skills, and build up society capabilities.

D-3: Terms of appointment (applicable to Society staff and consultants):

The terms of appointment of the staff of the Society shall be regulated in terms of the guidelines that may be provided by the State Government.

D-4: Compliance of Statutory Requirements:

The Society shall register itself with relevant government agencies for the purpose of complying with the statutory requirements including regulations governing deduction of tax at source relating to the staff, consultants and experts employed by it and/or consultancies / contracts awarded by it in the course of performance of its tasks.

**SHEELA RANI CHUNKATH
SECRETARY TO GOVERNMENT**

//TRUE COPY//

[Signature]
SECTION OFFICER 3/4/01