



ABSTRACT

NATIONAL RURAL HEALTH MISSION – Formation of "State Health Mission- Tamil Nadu" and "State Health Society- Tamil Nadu" – Approval of Memorandum of Association and Bye-Laws – Orders Issued.

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

G.O.Ms.No.19

Dated: 08-02-2006

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. From the Project Director, Reproductive and Child Health Project, Letter No.2719/RCHP/P/2005-1, dated 8.12.2005.
4. G.O.Ms.No.309, Health and Family Welfare (EAP.II.2) Department, dated 16.12.2005.

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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 that a State Health Mission may be constituted 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 Ministry of Health and Family Welfare, Government of India, "State Health Mission-Tamil Nadu" and "State Health Society-Tamil Nadu", have been constituted in Government Order 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 State Health Society 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 State

Health Society and the Rules and Regulations of the Society. Accordingly, the Government approve the Memorandum of Association and Bye-Laws of the "State Health Society-Tamil Nadu" as annexed to this Order.

5. The Project Director, Reproductive and Child Health Project, is requested to take necessary action to register the "State Health Society-Tamil Nadu" 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.
 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.
 The Director of Social Welfare, Chennai.
 The Chief Engineer, (Buildings), Public Works Department, Chennai 5.
 The Director of Public Health and Preventive Medicine, Chennai-6.
 The Director of Medical Education, Chennai-10.
 The Director of Medical & Rural Health Services, Chennai-6.
- | | | |
|--|---|--|
| The Voluntary Health Services, Adyar, Chennai. | } | |
| The Gandhigram Trust, Dindigul. | } | |
| The Christian Medical College Hospital, Vellore. | } | |
| The Guild of Service, Chennai. | } | |
| The Indian Red Cross Society, Chennai. | } | |
- Thro' Project Director, Reproductive and Child Health Project
- Tmt. Mythili Thirunavukkrasu, M.L.A., No.99, Chekkupettai Naduthuru, Kancheerapuram District - 631 501.
 Tmt. R. Thamizhmozhi Rajadathan, M.L.A., 69-B, Eyyal Village and Post Office, Chenji Taluk, Villupuram District - 604 204.
 Tmt. S.Sundarambal, M.L.A., No.16, S.T.O. Quarters, Mettur Dam, Salem District.
 Thiru P.R.Sundaram, M.L.A., T.Pachuthaiampalayam, Rasipuram, Namakkal District.
 Thiru S.S.Ramaneedharan, M.L.A., 56, Nadu Yeethi, Savandapur Post, Gopichettipalayam Taluk, Erode Distt.

**MEMORANDUM OF ASSOCIATION
OF
STATE HEALTH SOCIETY- TAMIL NADU**

1. **Name of the Society:** The Name of the Society shall be "State Health Society, TAMIL NADU" hereinafter referred to as the "Society".
2. **Area of operation:** The area of operation of the Society shall be whole of the State of Tamil Nadu
3. **Location:** The Society shall have its office at the Directorate of Reproductive and Child Health, 5th Floor, DMS Complex, Chennai in the State of Tamil Nadu with liberty to establish one or more subordinate offices or outlets elsewhere in the State, if so required.
4. **Objectives:** The Society shall serve in an additional managerial and technical capacity to the Department of Health & Family Welfare, Government of Tamil Nadu for the implementation of National Rural Health Mission (NRHM) in the State.
5. **Scope of functions:** To achieve the above objectives, the Society shall direct its resources towards performance of the following key tasks:
 - Receive, manage (including disbursement to implementing agencies e.g. Directorate, District Societies, NGOs etc.) and account for the funds received from the Ministry of Health & Family Welfare, Government of India.
 - Manage the NGO / PPP (public-private partnership) components of the NRHM in the State, including execution of contracts, disbursement of funds and monitoring of performance.
 - Function as a Resource Centre for the Department of Health & Family Welfare in policy / situational analysis and policy development (including development of operational guidelines and preparation of policy change proposals for the consideration of Government).
 - Strengthen the technical / management capacity of the State Directorate as well as of the District Societies by various means including through recruitment of individual / institutional experts from the open market (with total programme management costs for the State as a whole not exceeding 6% of the total programme costs).
 - Mobilize financial / non-financial resources for complementing / supplementing the NRHM activities in the State.
 - Organize training, meetings, conferences, policy review studies / surveys, workshops and inter-State exchange visits etc. for deriving inputs for improving the implementation of NRHM in the State.

All Joint Director of Medical, Rural Health Services and Family Welfare through the Director of Medical & Rural Health Services, Chennai-6.

All Deputy Director of Health Services through Director of Public Health and Preventive Medicine, Chennai-6

The Joint Director, O/o the Director of Medical & Rural Health Services, Chennai-6.

The Deputy Director, O/o the Director of Medical & Rural Health Services, Chennai-6.

The Additional Director(TB), O/o the Director of Medical & Rural Health Services, Chennai-6.

The Deputy Director(Leprosy), O/o the Director of Medical & Rural Health Services, Chennai-6

The Project Director, Tamil Nadu State Blindness Control Society, Chennai-8

The Project Director, Tamil Nadu State AIDS Control Society, Chennai-8.

The Deputy Director of Medical Education, Chennai-10.

Copy to:

The Secretary to Government,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi-110 011.

Chief Minister's Office, Chennai-9.

The Senior P.A. to Hon'ble Minister for Health, Chennai-9.

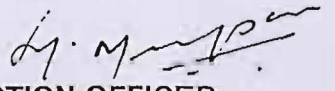
The P.S. to Chief Secretary to Government, Chennai-9.

The P.S. to Secretary to Government, Health and Family Welfare Department, Chennai-9.

The P.A. to Addl. Secretary to Government, Chennai-9.

Sf./Sc.

//FORWARDED/BY ORDER//


SECTION OFFICER

- Undertake such other activities for strengthening NRHM in the State as may be identified from time to time, including mechanisms for intra and inter-sectoral convergence of inputs and structures.

For performing the above tasks, the Society shall:

- Establish and carry out the administration and management of the Society's Secretariat, which will serve as the implementation arm of the Society.
- Create administrative, technical and other posts in the Secretariat of the Society as deemed necessary.
- Establish its own compensation package and employ, retain or dismiss personnel as required.
- Establish its own procurement procedures and employ the same for procurement of goods and services.
- Make rules and bye-laws for the conduct of the activities of the Society and its Secretariat and add, rescind or vary them from time to time, as deemed necessary.

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	Hon'ble Minister for Health	Chair-person
2	Chief Secretary to Government of Tamil Nadu	Vice-Chairperson
3	Project Director, RCH project and Mission Director of the State Health Mission	Convenor
4.	Secretary to Government, Health & Family Welfare Department, Chennai	Member
5.	Secretary to Government, Finance Department, Chennai.	Member
6.	Secretary to Government, Social Welfare and Noon Meal Programme Department, Chennai.	Member
7.	Secretary to Government, Municipal Administration and Water Supplies Department, Chennai	Member
8	Secretary to Government, Rural Development Department, Chennai.	Member
9	Secretary to Government, Adi Dravidar and Tribal Welfare Department, Chennai.	Member
10.	Secretary to Government, Planning Development and Special Initiative Department, Chennai.	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.					
8.					
9.					
10.					

Dated: _____

STATE HEALTH SOCIETY, TAMIL NADU

THE RULES AND REGULATIONS

1. **SHORT TITLE:** (1) These Rules and Regulations shall be called "The Rules and Regulations of the State Health Society, Tamil Nadu, 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) "TNSHS" means the State Health Society, Tamil Nadu;
 - (iii) "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;
 - (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:** (1) Registered office of the Society shall be situated in the premises of the Directorate of Reproductive and Child Health Project, located at No.359, Anna Salai, Chennai-600 006.

(2) The Society may set up its branch offices in the State.
4. **MEMBERSHIP:** (1) The following shall be the members of the Society;

Sl. No.	Name / Designation	Status in Governing Body
1	Hon'ble Minister for Health	Chair-person
2	Chief Secretary to Government of Tamil Nadu	Vice-Chairperson
3	Project Director, RCH Project and Mission Director of the State Health Mission, Chennai.	Convenor
4.	Secretary to Government, Health & Family Welfare Department, Chennai	Member
5.	Secretary to Government, Finance Department, Chennai.	Member

6.	Secretary to Government, Social Welfare and Noon Meal Programme Department, Chennai.	Member
7.	Secretary to Government, Municipal Administration and Water Supplies Department, Chennai.	Member
8.	Secretary to Government, Rural Development Department, Chennai.	Member
9.	Secretary to Government, Adi Dravidar and Tribal Welfare Department, Chennai.	Member
10.	Secretary to Government, Planning, Development and Special Initiative Department, Chennai.	Member
11.	Regional Director, Ministry of Health and Family Welfare, Government of India, Chennai.	Member, Ex-Officio
12.	Managing Director, TNMSC, Chennai	Member, Ex-Officio
13.	Director of Public Health and Preventive Medicine, Chennai and Joint Mission Director.	Member, Ex-Officio
14.	Director of Medical and Rural Health Services, Chennai.	Member, Ex-Officio
15.	Director of Medical Education, Chennai.	Member, Ex-Officio
16.	Commissioner of Indian Medicine and Homeopathy, Chennai.	Member, Ex-Officio
17.	Director of Social Welfare, Chennai.	Member, Ex-Officio
18.	Chief Engineer (Buildings), Public Works Department, Chennai.	Member, Ex-Officio
19.	State Representative, UNICEF, Tamil Nadu.	Member, Ex-Officio
20.	Nominated Non-Official Members a) Voluntary Health Services, Adyar, Chennai. b) Gandhigram Trust, Dindigul. c) Christian Medical College Hospital, Vellore. d) Guild of Service, Chennai. e) Indian Red Cross Society, Chennai.	Non-Official Members

- Executive Secretary of the Society, to be appointed under these Rules.
- Representatives of professionals' associations (e.g. IMA, FOGSI, IAP etc.).
- 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 other members of 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 occupation 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 STATE HEALTH SOCIETY:** (1) The following shall be the bodies and authorities of the Society:
- Governing Body
 - Executive Committee
 - Programme Committees and such other bodies as may be prescribed by the Governing Body.
- (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 in the Governing Body.

- (3) Proceedings Of The Governing Body: (a) The meetings of the *Governing Body* shall be held at least once in every 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) At the annual meeting of the Governing Body, the following business shall be brought forward and disposed of:
- Income and expenditure account and the balance sheet for the past year.
 - Annual report of the Society.
 - Budget for the next year
 - Annual Action Plan and research work for the next year.
 - Appointments for the Executive Committee and the various Committees.
 - Any other business brought forward with the permission 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 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 absence, the Vice-Chairperson will chair the meeting, failing which 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 any equality of votes, 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 such as may be placed before its Annual meeting 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 had 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.
 - consider the annual budget and the annual action plan, its subsequent alternations 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, to the Chairperson, Chief Executive Officer, Executive Secretary or other authorities of the Society as may deem fit.
 - 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.
 - develop and adopt its own rules and regulations for recruitment and appointment of experts and administrative or technical staff and set its own compensation package for such experts / staff to be recruited from the open market or deputation basis.
 - develop and adopt its own procurement procedures for procurement of goods and services.
 - 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.

- 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 objects 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:** (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	Secretary, Health and Family Welfare Department, Chennai.	Chairperson, Executive Committee
2	Project Director, Reproductive and Child Health Project and the Mission Director of the State Health Mission	Convenor/Executive Secretary
3	Director, Public Health and Preventive Medicine, Chennai and the Joint Mission Director of the State Health Mission.	Member
4.	Secretary to Government, Social Welfare and Noon Meal Programme Department, Chennai.	Member
5.	Secretary to Government, Rural Development Department, Chennai.	Member

6.	Secretary to Government, Adi-draavidar and Tribal Welfare Department, Chennai.	Member
7.	Secretary to Government, Finance Department, Chennai.	Member
8.	Secretary to Government, Planning, Development and Special Initiative Department, Chennai.	Member
9.	Secretary to Government, Municipal Administration and Water Supplies Department, Chennai.	Member
10.	Regional Director, Ministry of Health and Family Welfare, Government of India, Chennai	Member
11.	Managing Director, Tamil Nadu Medical Services Corporation, Chennai.	Member
12.	Commissioner of Indian Medicine and, Homeopathy, Chennai.	Member
13.	Director of Social Welfare, Chennai.	Member
14.	Chief Engineer, (Buildings), Public Works Department, Chennai.	Member
15.	Director of Medical Education, Chennai.	Member
16.	Director of Medical and Rural Health Services, Chennai.	Member
17.	State Representative, UNICEF, Tamil Nadu.	Member
18.	Project Director, Tamil Nadu State Blindness Control Society, Chennai.	Member
19.	Additional Director of Public Health and Preventive Medicine, Chennai.	Member
20.	Deputy Director of Medical Education, O/o the Director of Medical Education, National Cancer Control Programme, Chennai.	Member

- (c) The Executive Committee may co-opt additional members or invite subject experts to its meetings from time to time.
- (d) 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.
- (e) Meetings of the Executive Committee shall be held at least once a month or more frequently if necessary.
- (f) The minutes of the Executive Committee meetings will be placed before the Governing Body at its next meeting.
- (g) The various Committees constituted by the Governing Body shall submit their reports to the Executive Committee who shall be empowered to take decisions on their recommendations.

6. SOCIETY SECRETARIAT AND MISSION DIRECTOR / EXECUTIVE SECRETARY:

- (1) A Senior Officer of the State Government of the rank of Special Secretary / Additional Secretary (an IAS Officer of JAG / Selection Grade) shall be nominated as the Mission Director. The Governing Body, with the assistance of the Joint Secretary and officials such as Director / DG Health Services / Executive Director, will establish a Secretariat of the Society consisting of technical, financial and management professionals to serve as the implementation arm of the Society.
- (2) The Secretariat shall consist of all such technical / management units put together and as may be determined by the Governing Body with due regard to the scope of functions as set out in Clause 5 of the Memorandum of Association.
- (3) The Executive Committee of the Society will have overall responsibility for planning and executing the work of the Secretariat, for supervising the work of the technical / management units of the Secretariat, directing and overseeing implementation through the Secretariat.
- (4) **Powers And Functions Of The Secretariat:**
 - (a) The Secretariat of the Society shall consist of the Mission Director /Joint Mission Director and Staff of the Society, including experts and consultants.
 - (b) As the implementation arm of the Society, 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) As a support structure for assisting Department of Health & FW of the State Government, the Secretariat shall:
 - cause its experts and staff to be subjected to such operational arrangements with the Directorate(including seating and reporting arrangement) as to generate synergies,
 - host external experts within its premises, and
 - provide such logistic support to the officers and staff of the Directorate and Department of Health & FW of the State Government as may be determined by the Governing Body.

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

- Cash assistance received from the Government of India.
 - Grants-in-Aid from the State Government
 - 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 State Programme Management Support Unit (SPMSU) will ensure one integrated audit of the State 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 Chairperson of the Society and representative(s) of the Government of India of the Governing Body.

9. **BANK ACCOUNT** (1) The account of the Society shall be opened in ICICI bank. 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 Director (Mission Director) to operate the accounts of the Society in conjunction 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 Chairperson of the Governing Body and Government of India representatives of the Governing Body.

11. **SUITS AND PROCEEDINGS** - (1) The Society may sue or be sued in the name of Society through its Mission Director.
- (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 to 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 alter or extend the purpose for which it is established, the Rules of the Society.
- (2) The proposition for any alteration or extension of the objectives of the Society or the Rules must be circulated to all members of the Governing Body and must be included in the written agenda of the ensuing meeting of the Governing Body or a special meeting of the Governing Body.
- (3) No amendments shall be effective unless the proposals in this regard have been endorsed by 3/5th of the members of the Governing Body provided that such proposals have been endorsed in writing by the Government of India 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.
- (2) 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 relative or firm in which such member or his 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 Ministry of Health & Family Welfare, Government of India, as the principal donor to the Society, 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 State Health Society, Tamil Nadu certify that the above is a correct copy of the Rules and Regulations of the said Society.

Sl.No.	Name and address	Signature
1	Secretary to Government, Health and Family Welfare Department, Chennai.	
2	Project Director, RCH Project (Mission Director), Chennai.	
3	Director of Public Health and Preventive Medicine (Joint Mission Director), Chennai.	

Dated: _____

Bye-laws of the State Health Society TAMIL NADU

A. Procurement Policy and Procedures

Procurement of goods and services to be financed from funds received from Government of India shall be done as per the procedures recommended by the Government of India.

In all other cases, including where the Government of India allows the State a choice, following order of preference shall be applied for procurement of goods and services:

Procurement of Goods:

- A. Tamil Nadu Medical Services Corporation would do the procurement
- B. Rate contracts of the DGS&D
- C. Rate contracts of other Government of India agencies
- D. Tender procedure of Government of Tamil Nadu

Procurement of services: Procedure as recommended by the Government of India.

B. Procedure for release of funds and Financial Powers of the Office Bearers of the Governing / Executive Committee

I. 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. Approval of District / City plans	Governing Body / Executive Committee	Full powers
B. Release of funds for implementation of plans / allocations which have been approved by Governing Body / Executive Committee	Mission Director / DPH & PM*	Full powers.
C: Expenditure proposals <u>not covered under categories A and / or B</u>		
C-1: Procurement of goods	Chairperson, Executive Committee	More than Rs.5.00 lakh and upto Rs.10.00 lakh per case
C-2: Repairs and minor civil works	Mission Director	Upto Rs.5.00 lakh per case.
C-3: Procurement of services for specific tasks including outsourcing of support services for the Directorate	-do-	-do-

C-4: Hiring of contractual staff, including sanction of compensation package	Chairperson, Executive Committee	Full powers, provided that the contracts shall be for a period not exceeding 11 months at a time
	Mission Director	Full powers in respect of Clerical / Class-IV equivalent positions, subject to compensation package approved by the Governing / Executive Committee, provided that the contracts shall be for a period not exceeding 11 months at a time
Miscellaneous items not mentioned above such as hiring of taxis, hiring of auditors, payments relating to documentation and other day-to-day services, meetings and workshops, training, purchase of training material / books and magazines, payment of TA/DA and honoraria to resource persons and guest speakers invited to meetings / workshops, and payment of TA/DA allowances for contractual staff and / or non-official invitees to Governing Body / Executive Committee meetings and / or Government / Society staff deputed to meetings outside the State	Chairperson, Executive Committee	Upto Rs.5.00 lakh at a time subject to a maximum of Rs.50 lakh per annum.
	Mission Director	Upto Rs.2.00 lakh at a time, subject to a maximum of Rs.25.00 lakh per annum

* as authorized by the State Government.

II Procedure for release of funds

The Society funds shall be drawn through cheques and / or bank drafts and / or through e-banking instruments as and when the same is introduced.

All cheques shall be signed by two authorised signatories of the Society Secretariat on the basis of a written authorisation from Executive Committee of the Society in this behalf.

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.

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 in this behalf.

III 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.

C. Human Resources Policy and Procedures

Recruitment and Appointment

Appointments for the Society shall be made only against vacant posts prescribed for the Society in accordance with the conditions in this regard prescribed by the Govt. of India from time to time, (such as the overall programme management costs not to exceed 6% of the total programme costs).

Recruitment would be through either of the following three 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 of its officers / staff.
- Individuals recruited and paid for by an outside agency (e.g. Government of India and / or Development Partners) but posted to work within the Society Secretariat; all such persons shall be governed by the terms of employment of the organisation agency concerned. However, they shall be required to report to the Director / Executive Secretary as may be decided by the Chairperson, Executive Committee.

All appointments would be temporary and would be made for the contract / deputation period as determined by the Executive Committee.

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 appointment and shall not have any preferential right to claim for permanent absorption either in the Society or in Government.

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 full time 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 would have to be endorsed by the Chairperson, Executive Committee.

Training and capability development:

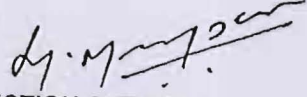
Full time consultants and staff of the Society (including staff on deputation) would be encouraged to take up skill development courses and even correspondence courses which further their employment prospects, enhance their skills, and build up Society capabilities.

Travelling / Daily Allowance (TA/DA) Rules

Travel of Society staff (including those who are employed by the Society on deputation basis) shall be governed by the Tamil Nadu TA/DA Rules.

Deduction of Tax at Source: Tax will be deducted at source as per income tax rules and the Society shall register itself with the relevant authorities in this regard.

//TRUE COPY//


SECTION OFFICER

