

**ANDAMAN AND NICOBAR ISLANDS MEDICAL  
EDUCATION AND RESEARCH SOCIETY  
(ANIMERS)**

**Memorandum of Association**

## **MEMORANDUM OF ASSOCIATION**

### **1. NAME**

The name of the Society shall be “Andaman and Nicobar Islands Medical Education and Research Society (ANIMERS)” hereinafter called “the Society”.

### **2. REGISTERED OFFICE**

The office of the Society shall be situated at Directorate of Health Services, Port Blair, till such time it is shifted to the new building to be constructed.

### **3. OBJECTIVES**

The primary aim of the Society is to provide Medical Education, Medical Service and Medical Research in Andaman and Nicobar Islands. In order to attain these objectives, the Society would aim :

- a) to work as a service organization for running and maintenance of Medical College and providing of Medical Services in Andaman and Nicobar Islands;
- b) to impart medical education by the Andaman & Nicobar Administration and to define the scope of and carry out the medical research in the field of critical areas of medicines and clinical research;

- c) to construct and manage the Medical College and Research Institute including creation of posts, recruitment etc. as required for effective running of the Medical College;
- d) to extend support in the fields of Medical Research or in any other clinical fields, to impart medical education and training to the existing and prospective staff of the field; and
- e) to extend and accept all support to any existing organizations/bodies/institutes managed and controlled by the Andaman and Nicobar Administration/Central Government for providing medical services in the interest of the Society, at large;
- f) to promote medical tourism in A & N Islands;
- g) to enrich mental, spiritual, cultural and physical potentialities of the students;
- h) to enthuse a sense of values worthy of the Democratic norms of India.

#### **4. FUNCTIONS**

In order to attain the objectives as mentioned above the Society shall perform the following functions:

- a) to establish, construct, maintain and manage Medical College buildings, lecture halls, hostels, residential accommodations etc;

- b) to carry on the administration and management of the Medical College and such other centres for research, extension and instruction, functions of which shall be compatible to the objects of the Medical College;
- c) to create teaching, administrative, technical, ministerial and other posts under the Medical College and to make appointments thereto, in accordance with the Rules and Regulations of the Society and also in conformity with the guidelines of Medical Council of India;
- d) to frame Rules and Regulations and bye-laws for service conditions of all categories of its employees taking full cognizance of such provisions existing in A & N Administration wherever applicable;
- e) to prescribe Rules and Regulations for and to hold examinations and declare the results and award certificates for courses other than those for University Degree or Board Diploma;
- f) to institute and award fellowships, scholarships, prizes and medals in accordance with the 'Rules and Regulations' and bye-laws;
- g) to make all such arrangements as may be required to be done as per the statutes, ordinances and regulations of the University to which the college is affiliated;
- h) to fix, demand and receive such fees and other charges as may be laid down in the bye laws;
- i) to supervise and control the faculty, to regulate the discipline of students of the Medical College and to make arrangements for promoting their health, welfare and cultural and corporate life;

- j) to cooperate with medical and other institutions in any part of the world having objects wholly or partly similar to those of the Society by exchange of faculty, scholars and in such manner as may be conducive to their common objects;
- k) to explore the feasibility and pre-feasibility in unexplored and critical areas of medicine, related research and also to take steps for entering into joint venture/memorandum of understanding and/or any such agreement for running and maintenance of the Medical College and/or other institution(s)/unit(s) managed by the Society.
- l) to establish, construct, erect, maintain, run, manage, develop, own, acquire, purchase, undertake, improve, equip, promote, initiate, encourage and organize hospitals, dispensaries, clinics, diagnostic centres, polyclinics, pathology laboratories, research centres, operation theatres, chemist shops, blood banks, eye banks, nursing homes, physiotherapy centres, investigation centres and other similar establishments for providing treatment and medical relief in all its branches by all available means to public at large on suitable fees, concessional fees or on free of charge basis;
- m) to issue appeals for funds in furtherance of the objects of the Medical College and undertake management of any endowments, trusts, funds or donations not inconsistent with the objects of the Medical College.
- n) to accept grants of money, securities or property of any kind on such terms as may seem expedient;
- o) to acquire by gift, purchase, exchange, lease, hire or otherwise, howsoever, any moveable or immovable property which may be

necessary or convenient for the purpose of the Society and to build, construct, improve, alter, demolish, repair and maintain such buildings, works and constructions as may be necessary for carrying out the objects of the Society;

- p) to sell, lease, exchange, hire or otherwise transfer all or any portion of the moveable and immovable properties of the Society, provided that prior approval in writing of the Administration is obtained for the transfer or disposal of the same;
- q) to borrow and raise money with or without security or on the security of a mortgage, charge or hypothecation or pledge of all or any of the moveable or immovable properties belonging to the Medical College or in any other manner whatsoever provided that prior approval in writing of the Administration is obtained in that behalf;
- r) to invest and deal with any money and securities of the Society not immediately required for any of its activities in such a manner as may be provided in the Rules and Regulations of the Society, from time to time;
- s) to create any Reserve Fund, insurance Fund or any other Special Fund whether for depreciation or for repairs, improving, extending or maintaining any of the properties or rights of the Institute and/or for improvement/renovation of deteriorating assets and for any other purposes for which the Institute deems it expedient or proper to create or maintain such funds;

- t) to draw, make, accept, endorse and discount cheques, notes or other negotiable instruments;
- u) to make Rules and Regulations and bye-laws for the conduct of the affairs of the Medical College and to add, amend , or rescind them from time to time with the approval of the Administration/Govt.
- v) to do all such other acts and things either alone or in conjunction with other organisations or persons as the Medical College may consider necessary, incidental or conducive to the attainment of the aforesaid objectives;

## 5. FOUNDER MEMBERS

The names and addresses and occupations of the founder members of the Andaman and Nicobar Islands Medical Education and Research Society, who constitute the first General Body and to whom, by the Rules and Regulations of the institute, the management of its affairs is entrusted are as follows:-

	<b>Name</b>	<b>Address</b>	<b>Occupation</b>
1.	Mr. Anand Prakash, IAS	Secretariat, Port Blair	Chief Secretary, A & N Administration
2.	Smt. Rina Ray, IAS	Secretariat, Port Blair	Principal Secretary (Health), A & N Administration
3.	Mr. A.S. Dagar, IAS	Secretariat, Port Blair	Secretary (Health), A & N Administration
4.	Smt. Rashmi Krishnan, IAS	Secretariat, Port Blair	Secretary (Law), A & N Administration
5.	Mr. D.N. Singh, DANICS	Secretariat, Port Blair	Secretary (Finance), A & N Administration
6.	Mr. D.N. Singh, DANICS	Secretariat, Port Blair	Secretary (Planning), A & N Administration
7.	Dr. S.K. Paul	Directorate of Health Services, Port Blair	Director of Health Services A & N Administration

## **6. MISCELLANEOUS**

- a) Notwithstanding anything contained in this paragraph, the Founder members of the Society immediately before registration of the Society shall continue to function and shall function as the General Body of the Society, subject to the tenure of the individual members contained, there in.
- b) All properties of the Medical College, movable and immovable shall vest in the General Body.
- c) The income and property of the Society, howsoever derived shall be applied towards the promotion of the objects as set forth in this Memorandum of the Association; subject nevertheless in respect of the expenditure out of grants extended by the Government to such limitations as the Govt. may from time to time impose. No portion of the income and property of the Society shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever by way of profit to persons who at any time are or have been members of the Society, or to any one of them, or to any persons claiming through them or any of them, provided that nothing herein shall prevent the payment in good faith or remuneration to any members or another person in return for service rendered to the Society or for travelling allowance, halting allowance and other similar charges.
- d) If on the winding up or dissolution of the Society, there shall remain after the settlement of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the society or any one of them, but shall be vested in the Government.



## 7. DECLARATION BY THE FOUNDER MEMBERS

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 hereinto and form ourselves into the Society under the Societies Registration Act, 1860 (Act XXI of 1860) as applicable to the Union Territory of Andaman and Nicobar Islands, this day of        November, 2013.

	<b>Name, address and occupation of member</b>	<b>Signature</b>
1.	Mr. Anand Prakash, IAS Chief Secretary A & N Administration	
2.	Smti. Rina Ray, IAS Pr. Secretary (Health) A & N Administration	
3.	Mr. A.S. Dagar, IAS Secretary (Health), A & N Administration	
4.	Smti. Rashmi Krishnan, IAS Secretary (Law), A & N Administration	
5.	Mr. D.N. Singh, DANICS Secretary (Finance), A & N Administration	
6.	Mr. D.N. Singh, DANICS Secretary (Planning), A & N Administration	
7.	Dr. S.K. Paul Director of Health Services A & N Administration	

Signatures of the Founder Members are being hereby attested.

Name : Dr. A.K. Dubey

Address : OSD (Medical College)  
Directorate of Health Services  
Port Blair

Signature  
Date:  
Place: Port Blair

**ANDAMAN AND NICOBAR ISLANDS MEDICAL  
EDUCATION AND RESEARCH SOCIETY (ANIMERS)**

**RULES AND REGULATIONS**

## **RULES AND REGULATIONS**

### **1. SHORT TITLE**

a) These Rules and Regulations may be called “Rules and Regulations of Andaman and Nicobar Islands Medical Education and Research Society (ANIMERS)”.

### **b) DEFINITIONS**

i) Unless and until otherwise specified the term Administration shall mean the Administration of Andaman and Nicobar Islands.

ii) Central Government/Central Govt. means the Government of India.

iii) President, General Body shall mean the President the General Body of the Society.

iv) Vice-President, General Body shall mean the Vice-President of the General Body of the Society.

v) Chairman, Executive Council shall mean the Chairman of the Executive Council of the Society.

vi) Unless and until otherwise specified the “Act” shall mean the Societies Registration Act, 1860 (Act XXI1860) as in force in the Union Territory of A & N Islands.

vii) “Medical College” shall mean Medical College, Port Blair.

viii) General Body (GB) shall mean the General Body of the Society.

ix) Executive Council (EC) shall mean the Executive Council of the Society.

x) Academic Council (AC) shall mean the Academic Council of Society.

xi) Finance Committee (EC) shall mean the Finance Committee of the Society.

## 2. AUTHORITIES OF THE INSTITUTE

- i) The General Body (GB).
- ii) The Executive Council (EC).
- iii) The Academic Council (AC)
- iv) The Finance Committee (FC)
- v) Any other standing committee or committees or sub committees, which the President, General Body/General Body, Chairman, Executive Council/Executive Council, may set up for discharging any one or more of their functions.

In the following Rules and Regulations words indicating singular and masculine include plural and feminine gender respectively according to the context.

## 3. GENERAL BODY

- a) The General Body shall be the Supreme Authority of the Institute. It shall constitute the Society.
- b) The General Body shall consist of the following members.

	<b>Name</b>	<b>Address</b>	<b>Occupation</b>
1.	Lt. Gen. (Retd.) A.K. Singh, <i>President</i>	Raj Niwas, Port Blair	Lieutenant Governor, A & N Islands
2.	Mr. Anand Prakash, IAS, <i>Vice-President</i>	Secretariat, Port Blair	Chief Secretary, A & N Administration
3.	Smt. Rina Ray, IAS, <i>Member</i>	Secretariat, Port Blair	Principal Secretary (Health), A & N Administration
4.	Shri. Rashmi Krishnan, IAS, <i>Member</i>	Secretariat, Port Blair	Secretary (Law), A & N Administration
5.	Mr. D.N. Singh, DANICS <i>Member</i>	Secretariat, Port Blair	Secretary (Finance), A & N Administration
6.	Mr. D.N. Singh, DANICS <i>Member</i>	Secretariat, Port Blair	Secretary (Planning), A & N Administration
7.	Dr. S.K. Paul <i>Member</i>	Directorate of Health Services, Port Blair	Director of Health Services A & N Administration
8.	Mr. A.S. Dagar, IAS <i>Member Secretary</i>	Secretariat, Port Blair	Secretary (Health), A & N Administration

Provided that the Administration, may at any time appoint any other person or persons to be member or members of the General Body.

#### **4. ROLL OF MEMBERS**

The Society shall keep a roll of members of the General Body, giving their addresses and occupations and every member shall sign the same. If a member changes his address, he shall notify his new address to Member Secretary who shall thereupon, enter his new address. The address in the roll of member shall be deemed to be his address. No person shall be deemed to be a member unless he has signed the membership roll.

#### **5. TENURE, RESIGNATIONS, VACANCIES**

- i) When a person becomes a member of the General Body by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment.
- ii) A member nominated by the Administration or any other Organization shall continue to be a member at the pleasure of the nominating authority.
- iii) A member of the General Body shall cease to be a member if he dies, resigns, becomes of unsound mind, becomes insolvent or is convicted on a criminal offence involving moral turpitude or if he is removed by the Administration from the membership of the General Body or if he does not attend three consecutive meetings of the General Body without proper leave of the President.
- iv) A member of the General Body other than an ex-officio member, or a representative of the Govt. may resign his office by a letter addressed to the President, and such resignation shall take effect as soon as it has been delivered to the latter.
- v) Any vacancy in the General Body shall be filled either by appointment or nomination as the case may be, by the respective authority or association entitled to make such

appointment. Such a vacancy will be filled for the unexpired portion of the term of the member who has left.

- vi) The General Body shall function, notwithstanding any vacancy in its body and notwithstanding any defect in the nomination of any of its members, and no act or proceedings of the General Body shall be invalidated merely by reason of the existence of a vacancy or vacancies in the body or of any defect in the nomination or appointment of any of the member.

## **6. POWERS AND FUNCTIONS OF THE GENERAL BODY**

The General Body shall have the following powers and functions;

- i)
  - a) to consider and approve broad policies proposed by the Executive Council;
  - b) to consider and pass the resolutions on the annual reports and the annual accounts of the Medical College and audit reports in respect of such accounts;
  - c) to consider and approve rules and regulations, bye-laws and rules of procedure as proposed by the Executive Council;
  - d) to nominate a member on the Executive Council in accordance with Rule 8b(iii),
- ii) Subject to the provisions of the Societies Registration Act, 1860 (Act XXI of 1860) the General Body may alter, extend or abridge any of the purpose or purposes for which the Medical College has been established.
- iii) Subject to the provisions of the Society Registration Act, 1860, the General Body may alter the Rules and Regulations of the Society at any time by a resolution passed by a majority of three

fourths of the members present after voting at any meeting of the General Body which shall have been convened after giving notice of such resolutions to the members of the General Body. Any such alteration will be effective after the approval of the President of the General Body of the Society.

- iv) Subject to the provisions of these rules and regulation, the General Body may do such other acts as may be necessary for the maintenance and performance of the functions of the Medical College.

## **7. MEETINGS**

- i) The General Body shall ordinarily meet at least once in every calendar year.
- ii) The meeting of the General Body shall be called by the President of the General Body or in his absence by the Vice-President, General Body either on his own or at the request of not less than 4 members of the General Body.
- iii) For every meeting of the General Body, 15 days notice shall be given and the Chairman of the General Body or in his absence, the Vice-Chairman of the General Body shall preside over the meetings of the General Body. In case of absence of both, the Chairman for conducting that meeting shall be elected from amongst the members present.

- iv) One third of the members of the General Body shall form the quorum for any meeting of the General Body provided that if a meeting is adjourned for want of quorum, it shall be held on the same day in the next week, at the same time and place, or such other day and such other time and place as the Chairman may determine, and if in such a meeting, quorum is not present within half an hour from the time fixed for holding the meeting, the members present shall constitute the quorum.
- v) In case of difference of opinion among the members, the opinion of the majority shall prevail.
- vi) Each member shall have one vote and if there be equality of votes on any question to be determined by the General Body, the Chairman shall in addition have and exercise a casting vote.
- vii) Should any member of the General Body representing the Government be unable to attend the meeting of the General Body due to his absence on account of unavoidable reasons, he shall be at liberty to appoint and authorise a representative to take his place at the meeting of the General Body and such representative shall have all rights and privileges of a member of the General Body for that meeting.

## **8. EXECUTIVE COUNCIL**

- i) The general superintendence, direction and control of the affairs of the Society shall be vested in the Executive Council.



- ii) The Executive Council of the Institute for the purposes of the Societies Registration Act, 1860 (Act XXI of 1860) as applicable to the Union Territory of Andaman and Nicobar Islands on the date of registration of the Society, shall consist of the following members:

	<b>Name</b>	<b>Address</b>	<b>Occupation</b>
1.	Shri Anand Prakash, IAS <i>Chairman</i>	Secretariat, Port Blair	Chief Secretary, A & N Administration
2.	Smt. Rina Ray, IAS <i>Vice-Chairman</i>	Secretariat, Port Blair	Principal Secretary (Health), A & N Administration
3.	Dr. M.C. Mishra or his nominee <i>Member</i>	AIIMS, New Delhi	Director, AIIMS, New Delhi
4.	Mr. A.S. Dagar, IAS <i>Member</i>	Secretariat, Port Blair	Secretary (Health), A & N Administration
5.	Smti. Rashmi Krishnan, IAS, <i>Member</i>	Secretariat, Port Blair	Secretary (Law), A & N Administration
6.	Mr. D.N. Singh, DANICS <i>Member</i>	Secretariat, Port Blair	Secretary (Finance), A & N Administration
7.	Mr. S.P. Singh, IAS <i>Member</i>	Indira Bhawan, Port Blair	Secretary, Municipal Council
8.	Smt. N. Kala, IFS <i>Member</i>	Chatam Port Blair	Chief Conservator of Forests (CZ & FC)
9.	Mr. P.K. Singh <i>Member</i>	Nirman Bhawan, Port Blair	Chief Engineer, Andaman Public Works Department
10.	Dr. S.K. Paul <i>Member Secretary</i>	Directorate of Health Services, Port Blair	Director of Health Services A & N Administration

## **9. TENURE, RESIGNATIONS, VACANCIES**

- i) The term of the office of the Chairman, Executive Council shall be for a period of 3 years from the date of appointment. He shall be eligible for re-nomination.
- ii) When a member of the Executive Council becomes a member by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment.

- iii) A member nominated by Government or any other organization shall continue to be a member at the pleasure of the nominating authority.
- vii) A member of the Executive Council shall cease to be a member if he dies, resigns, becomes of unsound mind, becomes insolvent or is convicted on a criminal offence involving moral turpitude or if he is removed by the Government from the membership of the Executive Council or if he does not attend three consecutive meetings of the Executive Council without proper leave of the Chairman.
- viii) A member of the Executive Council other than an ex-officio member, or a representative of the Govt. may resign his office by a letter addressed to the Chairman, and such resignation shall take effect as soon as it has been delivered to the latter.
- ix) Any vacancy in the Executive Council shall be filled either by appointment or nomination as the case may be by the respective authority or association entitled to make such appointment/nomination such a vacancy will be filled for the unexpired portion at the term of the member who has left.
- x) The Executive Council shall function notwithstanding any vacancy in its body and notwithstanding any defect in the nomination of any of its members, and no act or proceedings of the Executive Council shall be invalidated merely by reason of the existence of a vacancy or vacancies in the body or of any defect in the nomination or appointment of any of the member.

**10. POWERS AND FUNCTIONS OF THE EXECUTIVE COUNCIL**

- A) The Executive Council shall have the following powers and functions;
- i) to exercise the executive authority of the Society subject to policy directives of the General Body and/or the Administration/Government and/or the University concerned;
  - ii) to be responsible for the supervision and control of the works of the Society and of its office;
  - iii) to consider and prepare new developmental programmes of the Society and specific projects for the consideration and approval of the General Body and/or Govt.;
  - iv) to consider and approve the annual budget of the Society on the recommendation of the Finance Committee;
  - v) to prepare the annual reports and accounts of the Society College for the consideration of the General Body and/or Govt.;
  - vi) to incur all expenditure subject to the provision of the approved budget and according to the rules prescribed from time to time and policy directives of the General Body and Administration;
  - vii) to create such posts as it may consider necessary for carrying on the work of the Society and Medical College and to prescribe the terms and conditions of service and appointment to these posts in accordance with the provisions of law relating to creation of such posts present in the University concerned, wherever applicable;

- viii) to make appointments to all posts in the Medical College;
- ix) to nominate a person or persons to represent the Society and/or Medical College in international conferences and organisations;
- x) to decide on the conferment of honorary awards or distinctions on the recommendations of the Academic Council;
- xi) to frame bye-laws which may provide inter-alia for all or any of the following matters, viz;
  - a) formation of Departments of teaching and Centres of studies and research;
  - b) framing of regulations on admission/enrolment of students, formulation/institution of Courses of Studies and Research Programmes, examinations to be held for the course of studies on the recommendations of the Academic Council. Such provisions wherever possible would be in conformity with the statutes and ordinances of the University to which the college is affiliated, instructions/directions issued by the A & N Administration, Medical Council of India.
  - c) fixing fees to be charged for courses of studies in the Medical College and for admission to the examinations for conferment of Degrees/Diplomas by the Medical College;
  - d) instituting fellowships, scholarships, exhibitions, prizes and medals;

- e) framing of regulations for the terms and emoluments for the appointment of visiting faculty members;
  - f) framing classification and method of appointment and determination of the terms and conditions of service in respect of all posts under the control of the Medical College;
  - g) constituting pension as applicable, provident fund and health care schemes for the benefit of the officers, faculty and other staff of the Institute;
  - h) establishing and maintaining of halls and hostels for the residence of students, houses for faculty and officials of the Medical College and framing terms and conditions for such residences including the levy of fees and other charges;
- xii) to elect one representative to the Finance Committee;
- B) The Executive Council may by resolution, constitute such standing committees or appoint such ad-hoc committees for such purposes and with such powers as the Executive Council may think fit for exercising any power or discharging any function of the Medical College or enquiring into, reporting or advising upon any matter of the Medical College.
- C) The Executive Council may co-opt such persons to standing committee or ad-hoc committee as it may consider necessary and may permit them to attend the meetings of the Executive Council.
- D) The Executive Council shall have the powers to make bye-laws for the regulation and the proceedings of the meetings of

Executive Council, the Academic Council, the Finance Committee and of the other committees which might be constituted in accordance with the rules.

- E) The Executive Council shall provide a seal and also provide its safe custody. The seal shall never be used except by the authority of the Executive Council previously given. Member Secretary of the Executive Council shall sign every instrument to which the seal is affixed.

Subject to the provisions, of these Rules and Regulations, to do any and all such other acts as may in its opinion be necessary for the proper management of the affairs of the Medical College or which may be assigned to it by the General Body and/or by the Administration/Government.

The matters covered by (x) and (xi) are to be decided in consultation with the Academic Council.

The Executive Council may, if it deems fit, return such matters to the, Academic Council for reconsideration and if the difference of view still persists, the matter shall be referred to the Chairman, General Body whose decision shall be final and binding.

The Executive Council shall be responsible to the General Body and Government.

## **11. MEETINGS**

- i) The Executive Council shall meet at least once in three months.
- ii) The meeting of the Executive Council shall be called by the Chairman, Executive Council or in his absence by the Vice-Chairman, Executive Council, either on his own or at the request of not less than 4 members of the General Body.

- iii) For every meeting of the Executive Council, 15 days notice shall be necessary. However, a notice of 3 days shall be sufficient for an emergent meeting to be called to discuss specific issue/issues of urgent nature. The Chairman of the Executive Council shall preside over the meeting. In the case of his absence, the Vice-Chairman of the Executive Council shall preside over the meetings.
- iv) One third of the members of the Executive Council shall form the quorum at any meeting of the Executive Council. Provided that if a meeting is adjourned for want of the quorum, it shall be held on the same day in the next week, at the same time and place or such other day and such other time and place as the Chairman/Presiding Officers may determine and if at such a meeting, the quorum is not present within half an hour from the time appointed for holding the meeting, the members present shall constitute the quorum.
- v) In case of difference of opinion among the members, the opinion of the majority shall prevail.
- vi) Each member shall have one vote and if there be equality of votes on any question to be determined by the Executive Council, the Chairman shall, in addition, have and exercise a casting vote.
- vii) The minutes of the proceedings of every meeting shall be drawn up by the Member Secretary and after obtaining the approval of the Chairman, the same may be circulated to all the members present in India for confirmation. However, action on the decision on any urgent issue may be taken after the approval of the minutes by the Chairman.

- viii) Any business which may be necessary for the Executive Council to perform except such as may be placed before its meetings, may be carried out by circulation among all its members and any resolution so circulated and approved by a majority of the members signing shall be as effectual and binding as if such a resolution has been passed at a meeting of the Executive Council provided that at least 4 members of the Executive Council have recorded their views on the resolution.
  
- viii) Should any member of the Executive Council representing the Administration/Government be unable to attend the meeting of the Executive Council due to his absence on account of unavoidable reasons, he shall be at liberty to appoint and authorise a representative to take his place at the meeting of the Executive Council and such representative shall have all rights and privileges of a member of the Executive Council for that meeting.

## **12. DELEGATION OF POWERS**

The Executive Council may, by a resolution, delegate to the Member Secretary or to a committee, such of its powers as it may deem fit subject to the condition that the action taken by the Member Secretary or the committee under the powers delegated to them by this rule shall be reported at the next meeting of the Executive Council.

## **13. THE ACADEMIC COUNCIL**

- i) The Academic Council shall be the academic body of the Medical College and shall, subject to the provisions of the Memorandum of Association and the Rules and Regulations, have control over and be responsible for the maintenance of standard, of education, interdepartmental coordination,



research, teaching and examination within the Medical College and shall exercise such other powers and perform such other duties as may be prescribed under the Rules and Regulations of the Medical College.

- ii) The Academic Council shall consist of the following:
- a. Director/Dean of the Medical College - Chairman
  - b. Director of Health Services, A & N Administration
  - c. All Heads of Departments
  - d. All Professors
  - e. Librarian
  - f. Two representatives of students (as per bye-laws)
  - g. Representatives to be coopted by the Academic Council on the recommendations of the Director/Dean, from amongst Educationists/Medical Professionals of repute.

The Registrar shall be the Member Secretary of the Academic Council.

#### **14. TENURE**

- a) The member co-opted/appointed under clause 13(ii) (g) shall hold office for a period of two years from the date of nomination/appointment.
- b) The student member under clause 13(ii) (f) shall hold the office, for a period of one year. However he shall cease to hold the office as a member of Academic Council as soon as he ceases to be a student of the Medical College.

**15. POWERS AND FUNCTION OF THE ACADEMIC COUNCIL**

- a) The Academic Council shall be the main academic body of the Medical College and subject to the provision of Memorandum of Association, and to any directives of General Body, the Executive Council and Administration/Government shall;
  - i) exercise general supervision over the academic policies of the institute and give directions regarding method of instruction amongst Departments and Centres, evaluation of research and improvements in academic standards;
  - ii) bring about inter disciplinary and inter-departmental coordination and establish or appoint Committees or Boards for taking up inter-disciplinary projects;
  - iii) consider matters of general academic interest either on its initiatives or on a reference by a department or centre or the Executive Council and take appropriate action thereon;
  - iv) frame such Rules and Regulations regarding the academic functioning of the Medical College (including discipline, residence, admission, award of fellowships and studentships, fee concessions, corporate life and the requirement of attendance in the courses as it may consider fit or necessary);
  - v) make recommendations to the Executive Council with regard to :
    - i. the creation of posts for the academic and supporting staff,

- ii. emoluments and duties as well as service conditions attached to such posts,
  - vi) make proposals for the establishment of Departments, institution of research and specialised studies, libraries, laboratories, museums and publications etc.;
- b) For the performance of the aforesaid functions, the Academic Council shall:
- i) Regulate the admission of students, the organization of instruction, the examination and appraisal of students, and the conditions for the award of degrees, diplomas and certificates of the Medical College. Such provisions wherever possible would be in conformity with the statutes and ordinances of the University with which the College is affiliated, instructions/directions issued by A & N Administration and Medical Council of India;
  - ii) frame and revise the curricula and syllabi for various courses of studies, and appoint Board of Studies (or Advisory Committees) for various departments or centres. For the purpose of making recommendations in the matter, the concerned Head of Department or Centre, as the case may be, will act as Convenor of the Board of Studies or Advisory Committees as the case may be;
  - iii) make all arrangements for conducting examinations and declaring results in the manner as is deemed fit.
  - iv) make recommendations to the Executive Council regarding conferment of degrees, diplomas, certificates and other academic distinctions or titles;

- v) have the power to appoint Committees or Sub-Committees from amongst members of the Academic Council, other faculty member of the Medical College and/or experts from outside, to advise on such specific academic matters as it may refer to them;
- vi) consider the recommendations of various boards, Committees or Sub-Committees appointed by it and take such action including making recommendations to the Executive Council as circumstances may require in each case;
- vii) decide about and review the constitution and powers of various Boards, Committees and Sub-Committees appointed by it;
- viii) make periodical review of the activities of the Library and the various departments and centres of the Medical College and take appropriate action including making recommendation to the Executive Council in the matter;
- ix) provide for the inspection of the Medical College, its classes and hostels in respect of the instructions and discipline therein and submit a report thereon to the Executive Council;
- x) make arrangements for award of stipends, scholarships, medals, prizes and other academic awards on such conditions as may be attached to respective awards by appointing a Scholarship and Awards Committee for the purpose;
- xi) in all matter having financial implications, the decisions of the Academic Council shall be recommendatory and subject to approval by the Executive Council;

**16. MEETINGS**

- i) The Academic Council shall meet as often as is necessary but not less than twice during a calendar year;
- ii) A meeting of the Academic Council shall, be convened by the Chairman of the Academic Council either on his own initiative or on a requisition signed by not less than one fourth the members of the Academic Council;
- iii) At least one week's notice shall be given for every meeting of the Academic Council. However, the Chairman may call an emergent meeting at a shorter notice to consider urgent special issue or issues;
- iv) One half of the total number of members of the Academic Council shall form the quorum for a meeting. Provided that if a meeting is adjourned for want of the quorum, it shall be held on the same day in the next week, at the same time and place, or such other day and such other time and place as the Chairman may determine and if at such a meeting, the quorum is not present within half an hour from the time appointed for holding the meeting, the members present shall constitute the quorum.
- v) Every meeting shall be presided over by the Chairman and in his absence, by the Director of Health Services, A & N Administration and in their absence by the senior most Head of Department.
- vi) In case of difference of opinion or opinions among the members, the opinion of the majority shall prevail.

- vii) Each members shall have one vote and if there shall be an equality of votes on any question to be determined by the Academic Council, the Chairman shall, in addition, have and exercise a casting vote.
- viii) The minutes of the proceedings of every meeting shall be drawn up by the Member secretary and after obtaining the approval of the Chairman, the same may be circulated to all the members of the Council present in India for confirmation. However, action on the decision on any urgent issue may be taken after the approval of the minutes by the Chairman.
- ix) After the minutes have been signed by the Chairman, they shall be open for inspection by members of the Academic Council, the Executive Council and General Body at all times during office hours.

## **17. THE FINANCE COMMITTEE**

The Finance Committee shall consist of the following members, namely;

- i) Chairman of the Executive Council or his nominee from amongst the members of the Executive Council who shall be the Chairman of the Committee
- ii) Secretary (Health), A & N Administration
- iii) Secretary (Finance), A & N Administration
- iv) Secretary (Planning), A & N Administration
- v) Director/Dean of the Medical College
- vi) Director of Health Services, A & N Administration

The Registrar shall be the Member Secretary of the Finance Committee.

**18. POWERS AND FUNCTIONS OF THE FINANCE COMMITTEE**

The Powers and functions of the Finance Committee shall be as follows:

- a) to examine and scrutinise the annual budget of the Institute and make recommendations to the Executive Council;
- b) to consider all proposals for new expenditure in connection with the running the day to day affairs of the college and for development/expansion thereof and to make recommendations to the Executive Council;
- c) to consider the periodical statements of accounts and to review the finances of the Institute from time to time and to consider reappropriation of the statements and audit reports and to make recommendations to the Executive Council; .
- d) to give its views and to make recommendations to the Executive Council on any financial matter affecting the Institute either on its own initiative or on reference from the Executive Council.

**19. MEETINGS**

- a) The Finance Committee shall meet at least twice year;
- b) The meeting of the Finance Committee shall he called by the Chairman of the Committee or in his absence, by the Secretary (Health), A & N Administration;
- c) For every meeting of the Finance Committee, 15 days notice shall be necessary and the Chairman, Finance Committee or in his absence the Secretary (Health), A & N Administration shall preside over the meetings of the Finance Committee.
- d) Four members of the Finance Committee shall form the quorum,

## 20. SELECTION COMMITTEES

The following Selection Committees will make their recommendations to the Chairman, Executive Council inclusive of promotion to the posts of :-

a) Director/Dean

The Chairman, Executive Council shall form the selection committee in consultation with the President of the General Body.

b) Professors/Assistant Professors/Readers/Lecturers or equivalents.

i) Chairman of the Executive Council or his nominee from amongst the members the Executive Council - Chairman

ii) Director/Dean

iii) Director of Health Services, A & N Administration

iv) One nominee of Govt of India

v) Three experts connected with the discipline from the panel of experts approved by the Executive Council

vi) One nominee of the Medical Council of India

vii) Head of the Department (if he is a Professor)

The Selection Committees for other posts shall be constituted by Executive Council. The Director/Dean shall be Chairman of the selection committees for all other posts upto Group B. The nominee of the Director/Dean shall be Chairman of the selection committees for Group C and B posts. The Director shall be the appointing authority for Group B and C posts.



**21. OTHER COMMITTEES**

Such Committees may be appointed by the President, General Body or the Executive Council as are necessary for discharging any or more of their functions in accordance with their term of reference,

**22. OFFICERS OF THE INSTITUTE:**

The following shall be the officers of the Institute, viz,

- a) President – General Body
  - b) Chairman - Executive Council
  - c) Director/Dean
  - d) Registrar
- 
- a) President – General Body
    - i) The President shall have the right to cause an inspection to be made by such person or persons as he may direct of the Institute, its buildings, laboratories and equipment and also of the examinations, teaching and other work conducted or done by the Institute and to cause an inquiry to be made in like manner in respect of any matter connected with the Institute.
    - ii) The President shall in every case give notice to the Medical College of his intention to cause an inspection or inquiry to be made, and the Medical College shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.
    - iii) The President may address the Chairman, Executive Council and/or Director/Dean with reference to the result of such inspection and inquiry, and Chairman, Executive Council and/or Director/Dean shall communicate to the Executive

Council the views of the President with such advice as the President may offer upon the action to be taken thereon.

- iv) The Executive Council shall communicate through the Chairman, Executive Council and/or Director/Dean to the President such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry.
  - v) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the President, the President may, after considering any explanation furnished or representation made by the Executive Council issue such directions as he may think fit and the Executive Council shall be bound to comply with such direction.
  - vi) Without prejudice to the foregoing provisions of this Section the President may by order in writing annul any proceeding of the Medical College which is not in conformity with Rules and Regulations of the Medical College.
  - vii) Provided that before making any such order he shall call upon the Medical College to show cause why such an order should not be made and, if any cause is shown within a reasonable time, shall consider the same and pass order accordingly.
- b) Chairman – Executive Council
- i) The Chairman shall have the power to send the member of staff for training or a course of instruction or seminar/conference in/outside India subject to such terms and conditions as may be laid down by the Executive Council from time to time.

- ii) In emergent cases, the Chairman may exercise all the powers of the Executive Council and inform the Executive Council of the action taken by him in this regard and seek approval in the next meeting.
- c) Director/Dean
- i) The Director shall be the principal academic and executive officer of the Medical College and shall be responsible for the proper administration of the Medical College and for imparting instruction and maintenance of discipline therein. All other staff of the Medical College shall be subordinate to him.
  - ii) It shall also be the duty of the Director/Dean :
    - a. to discuss expenditure in accordance with the delegation of powers subject to the overall supervision of the Executive Council to see that all money is spent for the purpose for which it is sanctioned or allotted.
    - b. to sign all contracts and assurances of property on behalf of the Medical College after the same have been approved by the Executive Council.
    - c. to exercise such other powers as maybe assigned to him by the Executive Council or the General Body.
  - iii) The Director shall have power to re-delegate his powers to any of his subordinates with the approval of the Executive Council or its Chairman as the case may be.
  - iv) In the event of the posts of the Director/Dean remaining vacant for any reason, it shall be open to the Executive

Committee to authorise a senior Professor in the service of the Medical College to exercise such powers, functions and duties of the Director/Dean as the Executive Council may deem fit.

- v) The Director/Dean shall have the Power of the Head of a Department for purposes of rules in the Accounts' code, the Fundamental and Supplementary Rules and other Rules of the Govt. in so far as they are applicable or may be made applicable to the conduct of the business of the Institute, subject to the additional power that may be delegated by the Executive Council from time to time.
- vi) Subject to the budget provisions made for the specific purpose, the Director/Dean shall have the power to incur expenditure in accordance with the procedures as may be laid down by the Executive Council from time to time, and in accordance with the Power of the Head of the Department as mentioned in Rule22(v) above.
- vii) The Director/Dean shall have the power to reappropriate funds with respect to different items constituting the recurring budget up to a limit of Rs.10,000 for each item provided that such reappropriation will not involve any liability in future years. Every such reappropriation shall, as soon as possible, be reported to the Executive Council.
- viii) The Director/Dean shall have the power to write off irrecoverable losses up to Rs.10,000 and of irrecoverable value of stores lost or rendered unserviceable due to fair wear and tear according to the powers of the Head of Department and subject to such stipulations as may be laid down by the Executive Committee from time to time.

- ix) The Director/Dean shall have the power to employ technicians and workmen paid from contingencies involving emoluments not exceeding the approved rates of the Govt. on the daily wage basis.
- x) The Director/Dean shall have the power to send members of the staff for training or for a course instruction inside India and pay the registration fee and sanction expenditure on journeys of all staff.
- xi) The Director/Dean shall have the power to sanction remission or reduction of rents for buildings rendered wholly or partially unsuitable.
- xii) The Director/Dean shall have the power to sanction temporary allocation of any building for any purpose other than that for which it was constructed.
- xiii) In exceptional cases, subject to availability of funds the Director shall have the power to create temporary posts of not more than two years duration on approved scales of pay under report to the Executive Council that no such post of which the Director/Dean is not the appointing authority, shall be so created. Further, continuance of the posts shall be subject to approval of Executive Council.
- xiv) The Director/Dean may, at his discretion, constitute such Committees as he may consider appropriate.
- xv) In emergent cases the Director/Dean may exercise all the powers of the Academic Council and inform the Academic Council of action taken for its approval in the next meeting.

- d) Registrar
- i) The Registrar shall be a whole time officer of the Medical College.
  - ii) The Registrar shall be appointed by the Executive Council on the recommendation of the Selection Committee comprising of the following members:
    - a. Director/Dean – Chairman
    - b. Director of Health Services, A & N Administration
    - c. One nominee of the Government of India
    - d. One Expert appointed by the Executive Council who is not an employee of the Medical College.
  - iii) The Registrar shall be the Member Secretary of the Academic Council and the Finance Committee. He may be required to be Member Secretary of any other Committee which may be set up by the President, General Body or the Chairman, Executive Council or the Director/Dean, but he shall not be deemed to be a member of any of those authorities.
  - iv) It shall be the duty of the Registrar :
    - a. to act as the custodian of record, the funds of the Medical College and such other property of the Medical College as the Executive Council may commit to his charge;
    - b. to conduct the official correspondence on behalf of the authorities of the Medical College;
    - c. to issue all notices for convening the meetings of different councils/committees/authorities of the Institute for which he is the Member Secretary and to keep the minutes of all such meetings.
    - d. to maintain accounts of the Institute;

- e. subject to the control of the Director/Dean to manage the property and investments of the institute and be responsible for the preparation of the annual estimates and statement of accounts and for their presentation to the General Body and the Executive Council;
- f. to register all deeds on behalf of the Institute before the appropriate registering authorities, to admit execution thereof and to do all other acts necessary for the due registration of any such deed;
- v) The receipt of the Registrar or the person duly authorised in this behalf by the Executive Council for any money paid to the Institute shall be sufficient discharge for the same.
- vi) The Registrar shall perform such other duties and exercise such other powers as may be assigned to him by the General Body/Executive Council or the Director/Dean.
- vii) In the event of the post of Registrar remaining vacant for any reason, it shall be open to the Director/Dean to authorise any officer in service of the Medical College to exercise such powers, functions and duties of the Registrar as the Director/Dean may deem fit.

### **23. MISCELLANEOUS**

- a) The Medical College shall prepare and maintain accounts and other relevant records and shall prepare annual statement of accounts including the balance sheet and income and expenditure account in such form and manner as may be prescribed by the Administration in consultation with the Audit Officer.
- b) The accounts of the Medical College including balance sheet and income and expenditure account shall be audited annually by

such person or persons as may be appointed/engaged by the Executive Council and all costs and expenses incurred in connection therewith, shall be payable by the Medical College.

- c) The Auditors shall have the right to demand the production of books, accounts, vouchers and other connected papers.
- d) The reports of audit shall be communicated by the Auditors to the Medical College which shall forward a certified true copy of the Audit Report along with the certified accounts and its observations, duly approved by the Executive Council to the Government.
- e) The Institute shall forward to the Government, the budget estimates, duly approved by the Executive Council for every financial year by such date as may be fixed by the Administration in this behalf.
- f) The Medical College shall maintain proper accounts and shall submit annually, within six months of the close of the previous financial year to the Administration, a report on the working of the Medical College in the year to which it relates together with an audited statement of accounts showing the receipts and expenditure.
- g) The Medical College shall be open to persons of either sex, and of whatever race, creed, caste or class, and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, students, faculty, workers or in any other connection whatsoever except for the guidelines of the Govt.
- h) For the purpose of section 6 of the Societies Registration Act, 1860 the person in whose name the Medical College may sue or be sued shall be the Registrar of the Medical College.



- i) The members of the General Body or any other Council/Committee duly constituted by the Medical College shall not be entitled to any remuneration from the Medical College, but non official members will be reimbursed by the Medical College, their travelling allowance and daily allowance in respect of the journeys undertaken to attend the meetings of the Committees or in connection with business of the Medical College, as may be provided in the bye-laws to be made in this behalf by the Executive Council as the case may be. For this purpose the employees of the Government undertakings shall be treated as non official members
- j) No benefaction shall be accepted by the Medical College, which in its opinion involves condition or obligations opposed to the objects of the Society.
- k) For smooth and proper conduct of the affairs of the Medical College and for ensuring that the GIA extended to the college by the Govt, is utilized for the prescribed purpose and in the prescribed manner, the may, from time to time, issue such directions/instructions as are necessary for achieving the said objectives. The directions/instructions issued in this regard by the Administration shall be binding on the society/the Medical College.
- l) The financial year of the Society shall be the same as adopted by the Government.
- m) The fund of the Society shall be on the basis of 100% deficit expenditure Grant by the Administration/Government of India.
- n) The Society shall maintain accounts in a nationalised bank as approved by the Executive Council. The account of the Society

shall be operated by the person/persons duly, authorised in this behalf by the Executive Council.

- o) Financial powers in respect of Capital Projects will be exercised in accordance with the Delegation Orders issued, from time to time in this regard, by the Administration.
- p) The Capital Projects costing Rs.4.00 crores and above shall be executed only after obtaining approval of SFC.

#### **24. TRANSITORY PROVISIONS**

Subject to the formulation of service conditions of all categories of employees of the Medical College the following transitory provisions shall apply :

- a) A person employed on a permanent basis shall be entitled to be in the service of the Medical College until he completes the age of Sixty.
- b) If the Executive Council is satisfied, it may re-employ any distinguished Dean/Professor/Faculty/Technical persons/any other staff, after he has attained the age of sixty years.
- c) In view of extreme difficulties in getting faculty/other staff due to remoteness of the islands, the Executive Council may employ retired Dean/Professor/Faculty/Technical persons/any other staff even beyond the age of sixty years in accordance with provisions of the Medical Council of India.
- d) Rest of the service conditions including provisions for LTC, HRA, WA, Medical facilities and other allowances etc. will be as per Government Rules till the Society frames its own rules.
- e) Till such time, the Society frames its own 'Rules' regarding the 'Service Conditions' of its employees with the approval of

Administration, the Service Rules applicable to Govt. servants will govern the 'Service Conditions' of employees of the Society.

## **25. APPLICABILITY OF THE ACT**

- i) In case the Society is dissolved for any reason whatsoever, the same would be as per provisions in Sections 13 and 14 of the Act (Society Registration Act 1860).
- ii) The tenure of individual members notwithstanding, the list of Executive Council shall be filed every year with the Registrar, Firms and Societies under Section 4 of the Act (Societies Registration Act 1860) by the Director/Dean of the Institute or any other person authorised by him in this behalf.
- iii) All the provisions under all sections of the Society Registration Act 1860 as applicable to the Union Territory of Andaman and Nicobar Islands shall apply to the Society.

Certified that this is the correct copy of Rules and Regulation of the Andaman and Nicobar Islands Medical Education and Research Society (ANIMERS)

Smti. Rina Ray Principal Secretary (Health) A & N Administration	Mr. A. S. Dagar Secretary (Health), A & N Administration	Dr. S.K. Paul Director of Health Services, A & N Administration