

**NATIONAL INSTITUTE OF SOWA RIGPA, (NISR), LEH**

**UNION TERRITORY OF LADAKH**

**MEMORANDUM OF ASSOCIATION/RULES & REGULATIONS**

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**NATIONAL INSTITUTE OF SOWA RIGPA (NISR)**

**MEMORANDUM OF ASSOCIATION**

1. **NAME OF SOCIETY:** The name of the Society shall be the National Institute of Sowa Rigpa (NISR), hereinafter referred to as the "Institute".
2. **OFFICE OF THE SOCIETY:** The Registered office of the Society shall be situated at Leh, Union Territory of Ladakh.
3. **OBJECTIVES OF THE SOCIETY:** The objectives of the Society shall be as follows:-
  - i) To provide quality education, research and health care in Sowa-Rigpa.
  - ii) To produce undergraduates, post graduates and Ph. D students in Sowa-Rigpa
  - iii) To be developed as Center of Excellence, focused on fundamental Research, Drug Safety evaluation, standardization, quality control and scientific validation of Sowa-Rigpa
  - iv) To impart reorientation training and continuing medical education to Sowa-Rigpa Physicians and Teachers.
  - v) To generate awareness about the potential and strength of Sowa-Rigpa and to promote growth and development of Sowa-Rigpa.
  - (vi) To pursue such other activities and programmes as necessary to promote Sowa Rigpa.
4. **FUNCTIONS OF THE SOCIETY:** The functions of the Society will be the following:
  - i) Development of the Institute as an apex human resource development center of Sowa Rigpa medicine knowledge with linkages to the current health care system;
  - ii) To generate public awareness about the potential of Sowa Rigpa medicine practices in disease, prevention and health promotion;
  - iii) To develop linkages with other academic and research institutions in different parts of India and abroad;











- iv) To publish journals, research papers, brochures, newsletters and text books and to have a documentation and resource centre and maintenance of libraries with latest information services;
- v) To conduct intra-mural and extra-mural research on all aspect of Sowa Rigpa and interdisciplinary research in medicine and sciences related to Sowa Rigpa;
- vi) To cooperate with national and international agencies engaged in research, capacity building, documentation, validation, preservation and practice of Sowa Rigpa;
- vii) To subscribe to, become a member of, co-operate with or work in coordination with any other association or society in India or abroad whose objectives are similar to those of the institute;
- viii) To develop a comprehensive database of knowledge regarding Sowa Rigpa system of medicine, Local health practices institutions and personalities involved in these fields;
- ix) To create administrative, technical, ministerial and other posts under the Institute and to make appointments thereto in accordance with the rules and regulations of the Institute;
- x) To accept grants, gifts, donations, securities and movable or immovable property of any kind either from the Central Government or State Government/Union Territory for the furtherance of the objectives of the Institute;
- xi) To issue appeals and apply for money and funds in the furtherance of the objectives of the Institute and to raise or collect funds by gifts, donations, subscriptions, securities and movable or immovable property and grant such rights and privileges to the donors, subscribers and other benefactors as the institute may consider fit;
- xii) To acquire, purchase, exchange, lease, hire or otherwise, however, any property, movable or immovable, which may be necessary or convenient for running the Institute and build, construct, improve, alter, demolish and repair such buildings, works and construction, as may be necessary for carrying out the objects of the Institute;
- xiii) To create an interface between traditional healers and research institutions to explore and validate their claims;









- xiv) To create a platform for the generation of economic opportunities growth through documentation, sustainable harvesting of natural resources, cultivation of medicinal plants, setting up drug manufacturing and community health faculties of traditional and Sowa Rigpa medicine;
- xv) To conduct such academic or other courses as may be required from time to time;
- xvi) To invest and deal with the funds of the institute;
- xvii) To prescribe courses and curricula;
- xviii) To train teachers in Sowa Rigpa System of Medicine;
- xix) To hold examination and grant degrees;
- xx) In order to promote the said objectives to perform such other function as necessary.

5. **INCOME & PROPERTIES:** All the incomes, earnings, movable and immovable properties of the Institute shall be solely utilized and applied towards the promotion of its objects and discharge of its functions as set forth in the Memorandum of Association. No profit or part thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits or in any other manner whatsoever to the present or past members of the Society or to any person claiming through any one or more of the present or past members. No member of the Society shall have any personal claim on any movable or immovable properties of the society or make any profits, whatsoever, by virtue of this membership.

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**6. FIRST MEMBERS OF THE SOCIETY:** The names, addresses, occupations and designations of the first members of the Executive Council to whom the management of the affairs of the Institute is to be entrusted till such time as the Governing Body is nominated according to the Rules and Regulations of the Society are as follows:

S.No.	Name	Occupation & Address	Designation
1	Vaidya Rajesh Kotecha	Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi - 23.	Chairperson
2.	Dr. Dharmendra Singh Gangwar	AS&FA, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi - 11.	Member
3.	Shri Pramod Kumar Pathak	Additional Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi - 23.	Member
4.	Dr. Manoj Nesari	Advisor (Ayurveda), Ministry of AYUSH, AYUSH Bhawan, New Delhi - 23.	Member
5.	Professor K.S. Dhiman	Director General, CCRAS, New Delhi	Member
6.	Shri Yash Veer Singh	Deputy Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi - 23.	Member
7.	Shri Padma Gurmeet	Officer (i/c), NRISR, Leh	Member Secretary

6.1 A copy of the Rules of the Society certified to be a correct copy by the seven members of the Society is filed with the Registrar of Societies, Leh along with its Memorandum of Association.

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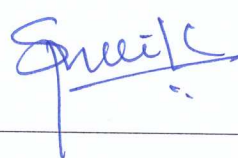
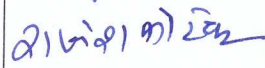

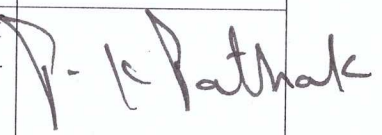

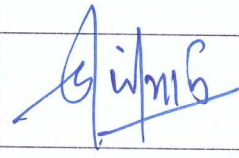

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## 7. SIGNATORIES TO THE MEMORANDUM OF ASSOCIATION

We, the undersigned whose names, addresses and occupations are given below are desirous of being formed into a 'Society' named the National Institute of Sowa Rigpa, Leh under the Societies Registration Act in pursuance of this Memorandum of Association:

S.No.	Name	Occupation & Address	Signature
1.	Shripad Naik	Hon'ble MoS (I/C), Ministry of AYUSH, AYUSH Bhawan, New Delhi -110023. Tel. No.-011-24651955,24651935 Email:- minister-ayush@nic.in	
2.	Vaidya Rajesh Kotecha	Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi -110023. Tel. No.-011-24651950 Email:- secy-ayush@nic.in	
3.	Dr. Dharmendra Singh Gangwar	AS&FA, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi-110011. Tel. No.-011-23062985 Email:- asfa-mhfw@nic.in	
4.	Shri Pramod Kumar Pathak	Additional Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi -110023. Tel. No.-011-24651939 Email:- as-ayush@gov.in	
5.	Dr. Manoj Nesari	Advisor (Ayurveda), Ministry of AYUSH, AYUSH Bhawan, New Delhi -110023. Tel. No.-011-24651972 Email:- manoj.nesari@nic.in	
6.	Prof. K.S. Dhiman	Director General, CCRAS, New Delhi -110058 Tel. No.-011-28524457 Email:- dg-ccras@nic.in	
7.	Shri Yash Veer Singh	Deputy Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi -110023 Tel. No.-011-24651644 Email:- yv.singh@nic.in	

I certify the aforesaid signatures.

  
(A.J.J. Kennedy)  
Under Secretary to Government of India

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## RULES AND REGULATIONS

### **1. TITLE :**

These Rules and Regulations may be called the Rules of National Institute of Sowa Rigpa.

### **2. DEFINITIONS :**

In these rules, unless there is anything repugnant in the subject or context :

- a) "Institute" means the National Institute of Sowa Rigpa (NISR);
- b) "Governing Body" means the Governing Body of the National Institute of Sowa Rigpa;
- c) "Executive Council" means the Executing Council of the National Institute of Sowa Rigpa;
- d) "President" means the President of the National Institute of Sowa Rigpa;
- e) "Vice President" means the Vice-President of the National Institute of Sowa Rigpa;
- f) "Chairperson" means the Chairperson of the Executive Council of National Institute of Sowa Rigpa;
- g) "Director" means the Director of the National Institute of Sowa Rigpa;
- h) "Secretary" means the Member-Secretary of Governing Body, Executive Council, Finance Committee and Academic & Scientific Advisory Committee of the National Institute of Sowa Rigpa;
- i) "Society" means the National Institute of Sowa Rigpa;
- j) "Accounts Officer/ Finance Officer" means the Officer responsible for maintaining accounts and financial management of the National Institute of Sowa Rigpa; and
- k) "Drawing and Disbursing Officer" means an officer responsible to draw bills and make payments on the behalf of the National Institute of Sowa Rigpa.

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### 3. AUTHORITIES AND OFFICERS OF THE INSTITUTE :

The following shall be authorities and officers of the institute:-

- a) The President
- b) The Governing Body
- c) The Executive Council
- d) Finance Committee
- e) Academic & Scientific Advisory Committee
- f) The Director
- g) Such other committees, sub-committees, authorities and officers as may be appointed by the Executive Council.

### 4. PRESIDENT :

The Union Minister of AYUSH, Government of India shall be the President of the Society.

### 5. GOVERNING BODY:

#### a). COMPOSITION :

1.	Hon'ble MoS (I/C), Ministry of AYUSH	President
2.	Secretary, Ministry of AYUSH	Vice - President
3.	AS&FA, Ministry of Health & Family Welfare,	Ex-officio Member
4.	Additional Secretary/Joint Secretary, Ministry of AYUSH,	Ex-officio Member
5.	Director General, CCRAS	Ex-officio Member
6.	Advisor (Ayurveda), Ministry of AYUSH,	Ex-officio Member
7.	Secretary (Health), Union Territory of Ladakh	Ex-officio Member
8.	Secretary (Finance), Union Territory of Ladakh	Ex-officio Member
9-10	Vice Chancellor of CIBS, Leh and CIHTS, Sarnath	Ex-officio Members
11-13.	Non- Official Experts in the field of Sowa Rigpa nominated by the President of the Society.	Members
14.	Director, NISR	Member Secretary

#### b) POWER & FUNCTION OF THE GOVERNING BODY:

- i. To guide, supervise and oversee the overall functioning of the Institute.
- ii. To approve Annual Report and the yearly accounts of the Institute.

**c) PROCEEDINGS OF THE GOVERNING BODY:**

- i. The Governing Body shall ordinarily meet once a year. The President may also convene a special meeting of the Governing Body as provided for in these Rules and Regulations.
- ii. Annual Meeting of the Governing Body shall be held at such time, date and place as may be determined by the President. At such an Annual Governing Meeting, the Annual Report and the Audited Accounts of the Institute together with the Auditor's Report thereon shall be submitted along with the observations, if any, of the Executive Council.
- iii. A Special Meeting of the Governing Body shall be convened by the President on a written requisition made by not less than half of the total members of the Governing Body.
- iv. Any requisition for a Special Meeting made by the members of the Governing Body shall express the object of the meeting proposed to be called and shall be delivered to the Member Secretary.
- v. One-half of the Governing Body shall constitute a quorum at any meeting of the Governing Body. In case a meeting is adjourned for want of quorum, there shall be no quorum for the re-convened meeting.
- vi. The President shall have the right to adjourn any meeting from time to time.
- vii. A decision given by the President on a point of order raised by a member shall be final.
- viii. At all Special Meetings of the Governing Body, no subject other than those stated in the notice of requisition shall be discussed except when specifically authorized by the President.
- ix. Excepting as otherwise provided in these Rules, all meetings of the Governing Body shall be called by notice under the signature of the Member Secretary.
- x. Every notice calling a meeting of the society shall state date, time and place at which such meetings shall be held and shall be served upon every member of the society to the extent that this is practicable not less than 15 days before the day appointed for a Governing Body meeting and 10 days before the day appointed for a special meeting.
- xi. The non-receipt of notice of holding a meeting by any member shall not invalidate such meeting.







- xii. The President, and in his absence, the Vice president shall preside at every Governing Body meeting.

**6. EXECUTIVE COUNCIL :**

**a). COMPOSITION :**

1	Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi – 23.	Chairperson
2.	AS&FA, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi – 11.	Member
3.	Additional/Joint Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi – 23.	Member
4.	Advisor (Ayurveda), Ministry of AYUSH, AYUSH Bhawan, New Delhi – 23.	Member
5&6.	Non- Official Experts in the field of Sowa Rigpa (nominated by the Chairman of the EC).	Members
7&8	Expert nominated by CIBS, Leh and CIHTS, Sarnath (One Each)	Members
9.	Director, NISR	Member-Secretary

**b) POWERS OF THE EXECUTIVE COUNCIL:**

- i. The Executive Council shall have general control and supervision of the affairs of the Institute and shall have authority to exercise and perform all necessary acts and deeds for the planning, establishment and running of the Institute consistent with the aims and objects of the Institute as set forth in the Memorandum of Association.
- ii. The Executive Council shall have full powers to make such bye laws as they shall think essential for the regulation of the business of the Institute and in particular with reference to (i) the keeping of accounts; (ii) the preparation and sanction of budget estimates; (iii) the sanctioning of expenditure; (iv) entering into contracts; (v) the appointment of staff and determination of their conditions of service; (vi) creation and abolition of posts; (vii) amending Bye Laws; (viii) delegation of financial and administrative powers (ix) matters concerning academic standards (x) any other purpose that may be necessary.

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- iii. The Executive Council may amalgamate, coordinate, take over or accept the management and administration of any endowment or trust fund or any subscription, donation or gifts, provided the same are not accompanied by any condition inconsistent or in conflict with the objects for which the Institute is established.
- iv. The Executive Council shall have full powers to nominate, conduct, defend, compound, compromise matters relating to the affairs of the Institute.
- v. The Executive Council may appoint Committees or Sub-committees for such purposes and with such powers as may be specified by it.
- vi. Notwithstanding anything contained in these rules where the Chairperson is satisfied that it is not reasonably practicable to convene a special meeting of the Executive Council to consider a matter by it and a decision in such matter cannot be postponed on account of urgency, the Chairperson may himself take a decision on behalf of the Executive Council. Providing that the Member Secretary shall report such decision together with the reasons for urgency in the next meeting of the Council of its ratification.

**c). PROCEEDINGS OF THE EXECUTIVE COUNCIL:**

- i. The Executive Council shall meet at least twice a year and as often as may be considered necessary by the Chairperson for the transaction of the business of the Institute.
- ii. The Chairperson shall decide the date, time and place of every meeting of the Executive Council and the agenda of the business for discussion at such meeting.
- iii. An extraordinary meeting of the Executive Council may be held at any time during the year as the Chairperson may decide.
- iv. An extraordinary meeting of the Executive Council may be called on a written requisition indicating the purpose of the meeting by the least six members of the Executive Council and on receipt of such a requisition, the Member Secretary shall call such a meeting at such time and place as the Chairperson may decide. At such a meeting, no subject other than those stated in this requisition shall be discussed except when specifically authorized by the Chairperson.
- v. Every notice calling a meeting of the Executive Council will be served by the Member Secretary and shall state the date, time and place at which such meeting will be held and shall be served as far may be practicable upon every member of the Executive Council not less than 14 clear days

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in case of an ordinary meeting and not less than 7 clear days in the case of extraordinary meeting before the date of the meeting by Registered Post, E-mail, courier or fax. The agenda shall also be sent along with the notice of the meeting and where this is not possible, the agenda shall be sent at least 7 days before an ordinary meeting and 5 days before an extraordinary meeting by Registered Post, E-mail, courier or fax. The non-receipt of the notice or agenda by any member shall, however, not invalidate the proceedings of the meeting.

- vi. The Chairperson shall preside over the meetings of the Executive Council, and in the absence of the Chairperson, the members shall choose one from amongst themselves to preside over the meeting.
- vii. One-half of the members of the Executive Council shall constitute a quorum at any meeting of the Executive Council. In case a meeting is adjourned for want of quorum, there shall be no quorum for the re-convened meeting.
- viii. The Executive Council will consider and decide by general consensus all items included in the Agenda proposed by the Member Secretary or directed to be so included in the Agenda by the Chairperson.
- ix. The Chairperson shall have the right to adjourn any meeting from time to time.
- x. A decision given by the Chairperson of the meeting on a point of order raised by a member shall be final.
- xi. All proceedings of the meeting of the Executive Council shall be entered in a Minute Book to be maintained by the Secretary for the purpose and the Chairperson at the next meeting shall sign the minutes after the same are duly confirmed.

## **7. FINANCE COMMITTEE:**

### **a). COMPOSITION:**

1	Additional Secretary/Joint Secretary, Ministry of AYUSH, AYUSH Bhawan, New Delhi - 23.	Chairperson
2.	AS&FA or his representative Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi - 11.	Member
3.	Advisor(Ayurveda), Ministry of AYUSH, AYUSH Bhawan, New Delhi - 23.	Member
4.	An outside expert in Account/Finance Serving officer in Govt./Autonomous Institute.	Member



5.	One Expert on Sowa Rigpa (from the Governing Body).	Member
6	Director, NISR	Member-Secretary

\*4&5 will be nominated by the Chairperson of the Executive Council

**b). POWERS OF THE FINANCE COMMITTEE:**

The Finance Committee shall be the recommending body with regard to the following matters:

- (i) Scrutiny of Annual account and Audit Report thereon.
- (ii) Approval of Budget and Revised Estimates
- (iii) Approval of re-appropriation exceeding the limit delegated by the Committee to the Director.
- (iv) Approval of purchases and Award of works exceeding 50 lakhs.
- (v) Proposals for creation of posts and initiation for outsourcing of contracts.
- (vi) Examination of Audit Reports as response thereon of the Institute.
- (vii) Examination for comments of proposals with financial implications requiring approval of the Executive Council.

**8. ACADEMIC AND SCIENTIFIC ADVISORY COMMITTEE:**

**i. COMPOSITION**

1	Director, National Institute of Sowa Rigpa	Chairperson
2, 3 & 4.	Three Eminent Expert and Academician of Sowa Rigpa to be nominated by Chairperson, Executive Council. .	Member
5 & 6.	Experts nominated by CIBS, Leh and CIHTS, Sarnath (One Each)	Member
7 & 8.	Two Senior Professor of NISR	Member
9.	Joint Director, NISR	Member-Secretary

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- ii. The Academic and Scientific Advisory Committee shall consider the matters with respect to Academic and Scientific Research matters specified in clauses (i) to (xx) of section 4 of the Memorandum of Association and recommended to the Executive Council.

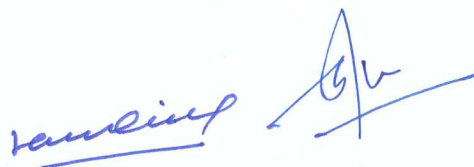
**9. CHANGE IN ADDRESS:**

If a member of the Governing Body/Executive Council/Committee changes his address, he may notify to the Secretary his new address, but if he fails to notify such address, his address as recorded on the rolls of the members shall be deemed to be his address.

**10. MEMBERSHIP OF GOVERNING BODY/ EXECUTIVE COUNCIL/ OTHER COMMITTEES:**

- i. Where a member of the Governing Body/Executive Council/Committee becomes such member by reason of the office he holds, his membership shall be deemed to be terminated when he ceases to hold that office.
- ii. A member of the Governing Body/Executive Council/Committee representing the Central or the State Government shall continue to be such member during the pleasure of the concerned Government.
- iii. Every other member of the Governing Body/Executive Council nominated by the Chairman shall cease to be such member on the expiry of three years from the date of his appointment/nomination but shall be eligible for re-appointment or re-nomination, as the case may be.
- iv. The term of office of the nominated members of the Finance Committee, the Academic and Scientific Advisory Committee shall be co-terminus with the term of the Executive Council but shall not exceed three years.
- v. If any member representing the Central or the State Government is unable to attend a meeting of the Governing Body/Executive Council/Committee, he may appoint or authorize a representative to take his place at that meeting of the Governing Body/Executive Council/Committee and such representative shall have the rights and privileges of a member of the Governing Body/Executive Council/Committee for that meeting.
- vi. A member of the Governing Body/Executive Council/Committee shall cease to be such a member if he (a) dies or (b) resigns his membership, or (c) becomes of unsound mind, or (d) becomes insolvent, or (e) is

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- convicted of a criminal offence involving moral turpitude or (f) if he is removed by the Central Government from the membership of the Society or (g) if, except in the case of the Heads of the Institute, he accepts a full-time appointment in the Institute, or (h) acts or behave in a manner not conducive to the purpose and objective of the Society or (i) if he fails to attend three consecutive meetings of the Governing Body/Executive Council/Committee without the leave of the President/Chairman.
- vii. No proceeding of the Finance Committee shall be invalid merely on account of vacancies in the Committee. This applies to all Committees of the Institute.

**11. RESIGNATION FROM GOVERNING BODY/ EXECUTIVE COUNCIL/ OTHER COMMITTEES:**

A member of the Governing Body/Executive Council/Committee (other than ex-officio member representing the Central Government) may resign by a letter addressed to the President/Chairperson and such resignation shall take effect from the date it is accepted by the President/Chairman.

**12. VACANCIES:**

Any casual vacancy in the Governing Body/Executive Council/Committee through death/resignation or otherwise shall be filled by the appointment or nomination of a member by the appropriate authority entitled to make such appointment or nomination and the member appointed or nominated to fill such casual vacancy shall hold office for the remainder of the term of any of the member in whose place he has been appointed.

**13 VACANCY NOT TO AFFECT PROCEEDINGS:**

The Governing Body/Executive Council/Committee shall function, notwithstanding any vacancy in the membership therein and notwithstanding any defect in the appointment or nomination or election of any of its member and no act or proceedings of the Governing Body shall be invalid merely by reasons of the existence of and vacancy therein or of any defect in the appointment of nomination or election of any of its members.

**14. POWERS OF THE PRESIDENT:**

- i. It shall be the duty of the President to see that the decisions taken by the Governing Body are implemented.
- ii. The President shall exercise such other powers as are or may be delegated to him by the Governing Body or under these Rules.





## **15. POWERS OF THE VICE-PRESIDENT:**

- i. The Vice-President shall, in the absence of the President for whatever reason, exercise all the functions and powers of the Chairman.
- ii. The Vice-Chairman shall also carry out such functions and powers, as may be delegated by the President of the Governing Body from time to time.

## **16. POWERS OF THE DIRECTOR:**

- i. The Director shall be the Chief Executive officer of the Society. He/ She shall be responsible for the proper administration of the affairs of the Society under the direction and control of the Executive Council.
- ii. The Director shall in all matters have the powers and duties assigned to him in these Rules and Regulations and the Bye laws framed in this respect separately.
- iii. The Director shall prescribe and supervise the duties of all officers and staff of the society and shall exercise such administrative and disciplinary power as may be necessary subject to the rules and regulations and service conditions of Government of India.
- iv. The Director shall be the custodian of the funds and securities of the Society.
- v. The Director shall subject to the direction and control of the Executive Council, manage the properties and investments of the Society and shall be responsible for the presentation of the Annual Estimates and the Annual statement of Accounts.
- vi. The Director shall realise and receive all grants or other money due to the Society from the Government and designated persons, Bodies and Authorities.
- vii. Subject to the direction and control of the Executive Council, the Director shall have the power to buy, sell, endorse and otherwise negotiate or transfer all Government securities, Stocks, Shares and other Instruments of similar character on behalf of the Institute and realise interests, dividends, bonuses or profits due thereon.
- viii. The Director in order to keep the members of the Governing Body informed of the progress of the expenditure of the Institute shall submit yearly statement of income and expenditure of the Institute to the Governing Body for information according to the budget heads.



- ix. The Director shall have power to incur expenditure within the limits of the budget approved by the Finance Committee subject to such conditions and limits as may be prescribed by the Executive Council.

In any emergency in which, in the opinion of the Director immediate action is required, the Director shall take the action subject to these Rules as he thinks necessary and shall report the action taken by him to the Chairperson of the Executive Council immediately and the Executive Council at its next meeting for approval and confirmation.

**17. POWERS OF THE SECRETARY:**

- i. The Director shall be the Member-Secretary of the Governing Body /Executive Council /Finance Committee.
- ii. The Secretary shall keep a record of the proceedings of the Governing Body /Executive Council/Committees and shall perform the duties herein after directed to be performed by Secretary and not otherwise provided for by these Rules.
- iii. The Secretary shall present progress report to the Governing Body /Executive Council/ Finance Committee.
- iv. The Secretary shall be the sanctioning and controlling Officer. The cheques and account books will be signed jointly by the Secretary and the Accounts Officer OR as per the delegation of powers by the Executive Council.

**18. POWERS OF THE ACCOUNTS OFFICER:**

- i. The Accounts Officer shall help the Director in maintenance of accounts and in day to day financial and others affairs of the institute.
- ii. The Accounts Officer shall be the Drawing and Disbursing Officer.
- iii. The Accounts Officer shall prepare budget estimates, maintain Cash book, ledger, voucher files, etc.

**19. BYE LAWS:**

The Executive Council shall have powers to make and frame bye-laws not inconsistent with the Memorandum of Association and Rules and Regulations of the Society and to alter, amend and rescind the same from time to time for the administration and management of the affairs of the Society for all or any of the following matters, namely;

- i. The Authorities and Bodies of the Society;





- ii. The Officers of the Society;
- iii. The constitution, powers and functions of the authorities and other bodies of the Society, as may be constituted from time to time;
- iv. The election and continuance in office of the members of the said authorities and bodies, the filling up of vacancies of members, and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide;
- v. The manner of appointment of the employees of the Society, terms and conditions of services, their powers and duties;
- vi. The principles governing the seniority of service of the employees of the Society;
- vii. The manner of co-operation and collaboration with other Societies in India or abroad;
- viii. The setting up of machinery for redressal of grievances of employees.
- ix. All other matters which by the Rules may be provided for by the Bye-laws.

## **20. FUNDS, ACCOUNTS AND AUDIT:**

(a) **FUNDS:** The funds of the Society shall consist of the following:

- i. all moneys provided by the Central Government;
- ii. all fees and other charges received by the Society;
- iii. all moneys received by the Governing Body by way of grants, gifts, donations benefactions, bequests or transfers; and
- iv. all money received by the Governing Body in any other manner or from any other source.

### **(b) ACCOUNTS:**

- i. An account or accounts in the name of the Society shall be opened with a Nationalized bank or banks only as the Governing Body may think fit and the funds of the Society deposited with such bank(s).
- ii. The fund of the Society shall be utilised solely for the purpose of the Society.
- iii. The accounts of the Society shall be maintained in the name of the Society. The accounts of the Society shall be kept in such forms as may be laid down by the Governing Body and shall conform to the rules prescribed by the Government of India.

- iv. All funds belonging to the Society or under the control of the Governing Body shall be shown separately in the account of the Society.
- v. All expenditure will be incurred in accordance with the Rules to be framed for the purpose. There shall be suitable imprest cash for the Director to meet the day to day contingent expenses.

**(c) AUDIT:**

In accordance with General Financial Rule 211 of the Government of India, the Accounts of the Society shall be audited by Comptroller and Auditor General of India.

**21. ANNUAL REPORT & ACCOUNTS:**

The Executive Council within six months after the close of financial year shall submit a Report in English and Hindi both on the working of the Society annually to the Government of India. A draft of the Annual Report and the yearly accounts of the Society shall be placed before the Governing Body at its annual general meeting for its consideration and approval. Such Report shall contain particulars regarding the work of the Society during the previous year and shall be accompanied by a balance sheet duly audited showing the income and expenditure of the Society during the said year. Copies of the Annual Report and Yearly Accounts as finally approved by the Society shall be submitted to Ministry of AYUSH, Govt. of India, for the purpose of being laid on the Table of each House of the Parliament within nine months of closure of the accounting year.

**22. THE INVESTMENT OF FUNDS:**

The investment of funds belonging to the Society shall be made in property and securities authorized by law for the investment of the trust funds or such other classes of security as per the pattern of investment prescribed, from time to time, by Ministry of Finance, Government of India.

**23. PROVIDENT FUND, PENSION:**

- i. The Executive Council shall establish and maintain a Provident Fund for the benefit of the staff of the Society in accordance with the Rules of Government of India, as applicable to autonomous organizations;

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- ii. The Executive Council may introduce a Pension Scheme for the benefit of the staff of the Society in accordance with the New Pension Scheme of Ministry of Finance, Government of India, as applicable to autonomous organizations.

**24. COMMON SEAL:**

The Society shall have a common seal of such make and design as the Governing Body may determine.

**25. CONTRACTS:**

Subject as herein before, provided all contracts for and on behalf of the Society shall be in the name of the Society and shall be signed by the Director.

**26. AMENDMENT OF MEMORANDUM OF ASSOCIATION AND RULES & REGULATIONS:**

- i. In case it is deemed expedient to alter, extend or abridge the purpose for which the Society is established or to amalgamate wholly or partly with any other Society or change any other clause of the Memorandum, the same shall be done in accordance with the procedure laid down in the Societies Registration Act XXI, 1860 and with prior approval of the Government of India;
- ii. The Governing Body at any time may amend the Rules of the Society but no such amendment shall be made which is not in conformity with the directions of the Government of India.

**27. LEGAL PROCEEDINGS:**

The Society may, sue or be sued in the name of the Director of the Society as per the provision of Section 6 of the Societies Registration Act, 1860.

**28. REMUNERATION TO MEMBERS:**

- i. The Non-Official Members of the Governing Body, Executive Council, Finance Committee and Academic & Scientific Advisory Committee shall be paid by the Society such travelling and daily allowance as may be provided for in the bye-laws to be made in this behalf in respect of any journey undertaken by them for attending the meetings in connection with any other business of the Governing Body, Executive Council or the Committee as the case may be.

- ii. All the Non-Official members including special invitees shall be paid sitting charges as decided by the Executive Council.

**29. SPECIAL INVITEES FOR GOVERNING BODY/ EXECUTIVE COUNCIL /FINANCE COMMITTEE/ACADEMIC & SCIENTIFIC ADVISORY COMMITTEE MEETINGS:**

The respective Chairperson will have the power to invite any person or persons not being Members to attend the meetings of the Governing Body/Executive Council/Finance Committee/ Academic & Scientific Advisory Committee, but such Invitees shall not be entitled to vote at the meeting.

**30. PROPERTIES AND FUNDS VESTED IN THE SOCIETY:**

The properties and funds of the Society shall vest in the Society and shall consist of:

- i. Grants made by the Government of India through the Ministry of AYUSH;
- ii. Any other grants made by the Government of India/State Government;
- iii. Grant-in-aid from Multi Global/Bilateral International agencies subject to compliance of Government rules and regulations;
- iv. All buildings, lands, machinery, plant, equipment and instruments (whether laboratory workshop, prototype shop or otherwise) books and journals, furniture, furnishings and fixtures belonging to the Society.
- v. Gifts and donations of cash and securities and of any properties, either movable or immovable; and
- vi. Remuneration received through consultancy, training, fee, contracts, etc.

**31. REVIEW OF THE FUNCTIONING OF THE SOCIETY:**

- i. The Central Government may at any time appoint one or more persons to review the work and progress of the Society and to hold any inquiry into the affairs thereof and to report thereon in such manner as the Central Government may stipulate, upon receipt of any such report, the Central Government may take such action and issue such directions as it may consider necessary in respect of any of the matters dealt within the report regarding the Society as the case may be and the Society shall be bound to comply with such directions.





- ii. In case, the Central Government is satisfied that the Society is not functioning in accordance with its approved mandate, the Central Government shall have the power to take over the administration and the assets of the Society for a period not exceeding three years and relinquish the management of the Society in the manner stated hereinafter.
- iii. On the takeover of the management by the Government the Governing Body, Executive Council, the Finance Committee, Academic & Scientific Advisory Committee and any other ad-hoc committees that may be in existence at such time shall stand superseded and all of their powers, functions and responsibilities shall vest in a person/committee appointed by the Central Government as the Administrator, from the date of the takeover. The said Administrator shall carry on the management of the society for and on behalf of the Central Government, subject to the directions of that Government.

Handing back of the management of the Society by Government :

- i. In the event of the take over of the management of the Society by the Central Government as referred to in the preceding clause, on the expiry of the said three years or even earlier, if it appears to the Central Government that the purpose of taking over of management of the Society has been fulfilled or that for any other reason it is not necessary that the management of the Society should remain vested in the Government, the Government may by order relinquish the management of the Society with effect from such date as may be specified in the order. On and from the date so specified, the management of the Society shall vest in the Governing Body as reconstituted under the Memorandum of Association and the rules and regulations.
- ii. The order to relinquish the management of the Society shall specifically mention the dates with effect from which the tenures of the reconstituted Governing Body, Executive Council, the Finance Committee, Academic & Scientific Advisory Committee etc. shall begin.

### **32. ROLE OF THE CENTRAL GOVERNMENT:**

- i. The Society shall, in discharge of its functions, be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time.
- ii. The decision of the Central Government as to whether a question is one of Policy or not shall be final.

**33. APPLICATION OF THE ACT:**

All the provisions under all the sections of the Societies Registration Act of 1860 shall apply to this Society.

**34. DISSOLUTION OF THE SOCIETY:**

- i. The society may be dissolved in accordance with the provisions of Sections 13 & 14 of the Societies Registration Act 1860 (Act XXI of 1860).
- ii. In the event of dissolution after satisfaction of all its liabilities, all the assets, including movable and immovable properties whatsoever remains shall vest absolutely in the Central Government, who would be empowered to decide the future use of them.





