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GOVERNMENT OF ARUNACHAL PRADESH
DIRECTORATE OF MEDICAL EDUCATION TRAINING & RESEARCH
NAHARLAGUN

No. DME, T&R/ESTT-23/2016.

The 1st September, 2016

MEMORANDUM OF ASSOCIATION OF THE TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES

(Registered on the)

1. Name of the Society :

The name of the Society shall be "TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY".

2. Registered Office & Commencement :

- (i) The registered office of the Society shall be at B-Sector, Naharlagun, Papumpare District.
- (ii) The Society shall come into existence from the date of its registration by the Registrar of Societies, Arunachal Pradesh.

3. Objectives of the Society :

- (i) To establish Medical College and other Institutes under the society for undertaking Medical Education, Training & Research such as,
 - (a) Medical Colleges (Under Graduate & Post Graduate).
 - (b) Colleges of Nursing (BSc./MSc) and GNM schools and for training of Auxiliary Staff of all level.
 - (c) Colleges/Institutes for various paramedical courses.
 - (d) Any other course of medical education viz; Dental College, College of Homoeopathy/ AYUSH etc.
- (ii) To establish/include hospitals to provide advanced and specialized medical facilities and for teaching Under Graduates and Post Graduate medical education and paramedical courses.
- (iii) To encourage medical research and training
- (iv) To Guide and assist the State Government in Planning and Implementation of Primary, Secondary and Tertiary Health Care in the State.
- (v) To receive grants from Government and gifts, donations, benefactions, loans and subscriptions whether in cash or securities or any property either movable or immovable in furtherance of the objectives of the Institute.

4. Management of the Society :

There shall be two bodies for smooth functioning of the society, namely Governing Council and Executive Committee.

(i) The Governing Council (GC) shall consist of the following members namely -

- (a) Chairman — Hon'ble Chief Minister, Arunachal Pradesh.
- (b) Vice-Chairman — Hon'ble Minister, Health & Family Welfare, AP.
- (c) Member Secretary — Director, TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY.
- (d) Member — Secretary/Commissioner Health & Family Welfare, AP.
- (e) Member — Secretary/Commissioner, Finance, AP.
- (f) Member — Secretary/Commissioner Planning, AP.
- (g) Member — Secretary/Commissioner (Education) AP.
- (h) Member — Vice-Chancellor of Rajiv Gandhi University, Doimukh or his representative.
- (i) Member — Director NEIGRIHMS, Shillong or his representative.
- (j) Member — Principal/Dean Tezpur Govt. Medical College, Tezpur, Assam or his representative.

- (k) Member — One Eminent Medical Professional to be nominated by the State Government on the advice of the Member Secretary.
- (l) Member — One Academician/Eminent person to be nominated by the State Government on the advice of the Member Secretary.
- (ii) **The Executive Committee (EC)** shall consist of the following members namely :
- (a) Chairman — Secretary/Commissioner, Health & Family Welfare, Arunachal Pradesh.
- (b) Member Secretary — Director of TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY.
- (c) Member — Director of Medical Education, Training & Research.
- (d) Member — Director of Health Services.
- (e) Member — Director of Family Welfare.
- (f) Member — Dean of Medical College.
- (g) Member — Chief Medical Superintendent.
- (h) Members — Dean/Principals of Paramedical and other Institutes under the Society.

5. Framing and modification of Rules and Bye-laws :

The Governing Council shall be competent to frame and to amend and vary rules and bye-laws of the institute.

INSTITUTE'S BYE-LAWS

BYE-LAWS OF THE "TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY" 2016

1. Short title, commencement and address :

- (i) These bye-laws shall be called the "TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY Bye-laws 2016".
- (ii) They shall take effect from the date of its Registration.
- (iii) The Registered office of the society shall be located in B-Sector, Naharlagun, Papumpare District, Arunachal Pradesh.

2. Definitions :

In these Bye-laws, unless the context otherwise requires:

- (i) "Institute" means the "TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY".
- (ii) "Governing Council" means the body which according to Rule following hereafter, shall exercise full powers on behalf of the Institute.
- (iii) "Chairman, (GC)" means Chairman of the Governing Council of the Institute.
- (iv) "Chairman, (EC)" means Chairman of Executive Committee of the institute.
- (v) "Member, (GC)" means a member of the Governing Council of the Institute.
- (vi) "Member, (EC)" means a member of the Executive Council of the Institute.
- (vii) "Director" means the Chief Executive Officer of the Institute.
- (viii) "Attached Hospital/s and Institutions" means the Tomo Riba State Hospital, Naharlagun and other Hospitals and institutions which may come under the administrative control of the TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY".
- (ix) The words and expressions used in the rules and not defined in these bye-laws shall have the meaning assigned to them in the rules.

3. Objectives of the Society :

- (i) To establish Medical College and other Institutes under the society for Medical Education, Training and Research such as;
- (a) Medical College (Under Graduate & Post Graduate).
- (b) College of Nursing (BSc./MSc.) and GNM school and for training of Auxiliary Staff of all level.
- (c) College/Institute for various paramedical courses.
- (d) Any other courses of medical education viz; Dental College, College of Homoeopathy/ AYUSH etc.
- (ii) To establish/include hospitals to provide advanced and specialized medical facilities and for teaching Under Graduates and Post Graduate medical & paramedical courses.
- (iii) To encourage medical research and training.
- (iv) To guide and assist the State Government in Planning and Implementation of Primary, Secondary and Tertiary Health Care in the State.
- (v) To receive grants from Govt. and gifts, fees, donations, benefactions, loans and subscriptions whether in cash or securities or any property either movable or immovable in furtherance of the objects of the Institute;
- (vi) Any other activity/undertaking for furtherance of the objectives of the Society.

4. Members of the Management Bodies of the Institute :

There shall be two bodies for smooth functioning of the society, namely Governing Council and Executive Committee.

(i) The **Governing Council (GC)** shall consist of the following members namely -

- (1) Chairman — Hon'ble Chief Minister, Arunachal Pradesh
- (2) Vice-Chairman — Hon'ble Minister, Health & Family Welfare, AP
- (3) Member Secretary — Director, TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) ARUNACHAL PRADESH.
- (4) Member — Secretary/Commissioner Health & Family Welfare, AP
- (5) Member — Secretary/Commissioner, Finance, AP
- (6) Member — Secretary/Commissioner Planning, AP
- (7) Member — Secretary/Commissioner (Education) AP
- (8) Member — Vice-Chancellor Rajiv Gandhi University, Doimukh or his representative.
- (9) Member — Director NEIGRIHMS, Shillong or his representative.
- (10) Member — Principal/Dean Tezpur Govt. Medical College, Tezpur, Assam or his representative.
- (11) Member — One Eminent Medical Professional to be nominated by the State Government on the advice of the Member Secretary.
- (12) Member — One Academician/Eminent person to be nominated by the State Government on the advice of the Member Secretary.

(ii) The **Executive Committee (EC)** shall consist of the following members namely :

- (a) Chairman — Secretary/Commissioner, Health & Family Welfare, Arunachal Pradesh.
- (b) Member Secretary — Director of TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, ARUNACHAL PRADESH.
- (c) Member — Director of Medical Education, Training & Research.
- (d) Member — Director of Health Services, Arunachal Pradesh
- (e) Member — Director of Family Welfare, Arunachal Pradesh
- (f) Member — Dean of Medical College, AP
- (g) Member — Chief Medical Superintendent of Tomo Riba State Hospital.
- (h) Members — Dean/Principals of Paramedical and other Institutes under the Society.

5. Terms of office of the Members of the Management Bodies (Governing Council & Executive Committee) :

- (i) The Terms of the office of the Ex-officio Members shall continue so long as he/she holds the office by virtue of which he/she is such a member.
- (ii) For other Members (other than ex-officio members) , save as otherwise provided in the bye-law, the term of office of the Member shall be three (3) years from the date of nomination.
- (iii) An outgoing member shall, unless the State Government otherwise directs, continue in office until another person joins in his/her place.
- (iv) Each member of the society shall have one vote and in the event of equality of vote on any question to be decided by the Society the Chairman or the member presiding over the meeting shall in addition to his votes as member shall have a casting vote.
- (v) Cessation of Membership

A member of the society shall cease to be a member of the society for any one of the following reasons as provided herein below:-

- (a) On death
- (b) If found to be lunatic or of unsound mind
- (c) Become insolvent
- (d) On conviction of criminal offence involving moral turpitude
- (e) On resignation
- (f) If he accepts office of profit under the society
(This will not be applicable to the Member Secretary of the society)
- (g) If he acts in a manner detrimental to the interest of the society or against the objects of the society, if so determined by the majority of members.
- (h) If a member fails to attend three consecutive meetings of the society without the prior permission of the Chairman.

6.3. Power and function of the Governing Council :

The Governing Council shall be the principal authority of the Society. All Administrative, Executive and Financial powers including to make, alter and revise the rules and bye-laws are vested upon the Governing Council to take all measures necessary for the attainment of the objectives of the society.

7.4. Procedure of the Governing Council Meeting :

- (i) The meeting of the Governing Council shall be held at least twice a year.
- (ii) The member Secretary may call the meeting on written requisition by not less than one third of the total members of the society.
- (iii) The Member Secretary shall call the meeting of the Society when so directed by the Chairman of the Society.
- (iv) The meeting of the Society shall be held at its registered office unless otherwise directed by the Chairman.
- (v) At least 15 clear days notice shall be given for its meeting, provided that if the Chairman directed that a meeting shall be convened to discuss and transact any urgent business, a short notice of less than three days shall be given. The notice shall be accompanied by an agenda and a brief note of the item of discussion.
- (vi) All the meetings of the Governing Council shall be presided over by the Chairman of GC and in his absence by the Vice-Chairman and in the absence of both, the members present shall elect one among them to function as Chairman of the meeting.

8.5. Quorum of the Governing Council Meeting :

- (i) In the meetings of the Governing Council, the presence of not less than one third members shall form a quorum.
- (ii) If the Quorum does not form it shall be adjourned for the next convenient day, not before completion of 24 hours from the time of the adjournment to take up the same agenda.
- (iii) For holding an adjourned meeting, no quorum shall be necessary.
- (iv) In case of difference of opinion amongst the members present and voting, the opinion of the majority shall prevail.
- (v) Any business which may be necessary for the council to transact may if the chairman so directs be dealt by circulation of papers among the members and any resolution so circulated and approved by majority of all the members signing shall be as effectual and binding as if the resolution had been passed at the meeting of the council.

9.6. Power and Functions of Executive Committee (EC) :

- (i) To supervise the overall administration and management of the Institute.
- (ii) To consider and approve the budget estimates including revised and supplementary expenditure and recommend the same for adaption by the Governing Council.
- (iii) To consider and approve the annual reports of the Institutes,
- (iv) To review the progress of the work of the Institutes,
- (v) To consider and recommend the academic, scientific and technical programmes of the Institute for approval of the Governing Council.
- (vi) To constitute other committees and sub committees as may be required for smooth functioning of the Institute from time to time.
- (vii) To review the functioning of the various committee and give directions to such Committees.
- (viii) To consider amendment of Bye-Laws and procedures for conduct of the affairs of the Institute for approval of the Governing Council.
- (ix) To enter into an agreement for co-operation with any other educational institutions having objects wholly or partly similar to those of the Institute in such a manner as considered expedient.
- (x) To exercise such powers and discharge such duties as the Governing Council may confer upon or entrust to from time to time.
- (xi) To create and abolish posts as may be necessary and to make appointments in accordance with the rules and regulations of the society.
- (xii) Without prejudice to the generality of the foregoing provisions such bye-laws and regulations may provide for the following matters;
 - (a) The method of recruitment and conditions of the service of the officers and the staff of the society and the medical college in accordance with MCI Rules.
 - (b) The preparation and sanction of the budget estimates and the sanctioning of expenditure, making and execution of contracts. The investment of the funds of the society on the sale or alteration of such investment.
 - (c) The terms and tenure of appointment, emoluments, allowances etc and the rules of discipline and other conditions of services of the officers and staff under the society and
 - (d) Such other matters as may be necessary for the furtherance of the objectives and proper administration of the affairs of the society.

107. Procedure of the Executive Committee Meeting :

- (i) The meeting of the Executive Council shall be held atleast once in every two months during the year
- (ii) The Secretary may also call a meeting of the Executive Council on the written requisition by not less than one third of the total members of the Executive Council.
- (iii) The Secretary shall call a meeting of the Executive Council when so directed by the Chairman.
- (iv) All meeting of the Executive Committee shall be presided by the Chairman of the EC and in his absence the members present shall elect one among them to function as Chairman of the meeting.
- (v) Any business which may be necessary for the EC to transact may if the chairman so directs be dealt by circulation of papers among the members and any resolution so circulated and approved by majority of all the members signing shall be as effectful and binding as if the resolution had been passed at the meeting of the Committee.

118. Quorum of the Executive Committee Meeting :

- (i) In the sittings of the Executive Committee constituted by the Governing Council, the presence of not less than 1/3 (one third) members shall form a Quorum.
- (ii) If the Quorum does not form, then it will be adjourned for the next convenient day, not before completion of 24 hours from the time of the adjournment to take up the same agenda.
- (iii) For holding an adjourned meeting no Quorum shall be necessary.
- (iv) In case of difference of opinion amongst the members present and voting, the opinion of the majority shall prevail.

12. Fund (Source , Control & Audit) :

(i) **Source of fund**

- (a) Government grants (State & Centre)
- (b) Voluntary Subscription, donation etc.
- (c) Collection as guided by the rules,
- (d) Interest accruing from bank deposits
- (e) All fees and other charges received by the Institute
- (f) Other sources

(ii) **Control of fund**

- (a) General account and other necessary accounts of the Society shall be opened in any Nationalized Bank as decided by the Executive Council.
- (b) Bank account shall be operated by the Director TRIHMS Naharlagun as Member Secretary of the Governing Council (GC) & Executive Committee (EC).

(iii) **Audit :**

The Accounts of the Society/Institute shall be audited by Registered Chartered Accountant and the Annual Statements including the Balance sheet will be laid down before the Government.

13. Administrative Structure of Institute :

DIRECTOR
Deputy Director (Admin)
Administrative Officer
Supporting Staff

Accounts	Academic	Hospital			Other Establishments	
F&AO	Dean (Medical College)	CMS			Dean/ Incharge	
Cashier Assistant UDC LDC Gr-D staff	Registrar/Prof Incharge Examination / HoD	MS/DMS			HoDs	
	Professor Adl Professor Ass. Professor Asstt. Professor Tutor/ Sr. Residents Other supporting staff	Supporting staff	MOs / SMOs (Non Teaching)	Nursing	Supporting Staff	Faculty/ Manpower as per requirement
		Supdt. Asstt. UDC LDC Peon Others	EMO RMO	Nursing Supdt Asstt. Nursing Supdts.Att Ward Sisters Staff Nurses Nursing Assistants	Technicians Drivers endants Security Staff House keeping Others	

Engineering & Maintenance Division :	
Engineering & General Maintenance	Biomedical Engineering
Assistant Engineer Junior Engineer (Civil) Junior Engineer (Electrical) Technical Supporting Staff	Biomedical Engineer Technical Supporting Staff

14 44. Extent of Administrative and Financial Powers :
As per bye-laws.

15 42. Appointing/Disciplinary/Appellate Authority for various posts :
As per bye-laws.

16 43. GENERAL :

(i) **Provision for declaration of TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY as Central Institution of national importance :**

On the advice of the Governing Council of the Society if deem fit the State Government shall approach the Central Government for Conversion of " TOMO RIBA INSTITUTE OF HEALTH & MEDICAL SCIENCES, (TRIHMS) SOCIETY" to a Central Institute of national importance.

(ii) **Legal Procedure and Jurisdiction :**

According to the Provision laid down in the Section-6 of the Societies Registration Act- XXI , 1860, the Society may sue or may be sued in the name of the Member Secretary of the Society. The litigations and legal matters for all purposes pertaining to the Society shall be within the jurisdiction of Itanagar permanent Bench of Guwahati High Court.

(iii) **Alteration of Purposes :**

The Governing Council may at any time extend or abridge the purpose of Society with prior approval of the State Government as per the provision of Societies Registration Act, 1860,

17 44. Director of Institute :

(i) There shall be a Chief Executive Officer and head of all the academic, scientific and administrative activities of the Institute who shall be designated as the Director of the Institute and shall be appointed by the Council with the prior approval of the Government of Arunachal Pradesh. Provided that the first Director of the Institute shall be appointed by the Government of Arunachal Pradesh.

(ii) The Director shall act as the Member Secretary to the Council as well as the Executive Committee.

(iii) The Director shall exercise such powers and discharge such functions as may be prescribed under the Rules and Regulations or as may be delegated to him by the Society.

(iv) The Director and other officers, and employees of the Institute shall be entitled to such salary and allowances and shall be governed by such conditions of service in respect of leave, pension provident fund and other matters as may be prescribed by Regulations in this behalf.

18 45. Other employee of the Institute :

The Governing Council shall from time to time create necessary post for the proper functioning of the Institute. The employees shall be whole-time employee and may be employed in any manner required by the proper authority of the Institute without claim for additional remuneration.

19 46. Qualifications and other conditions of Service :

Pay and allowances shall be as per the provision of the society, and other service rules, orders, decisions and notifications issued by the State Government from time to time shall apply, mutatis mutandis, to the employees unless otherwise specified in the society rules.

20 47. Appointment of Teaching Faculty :

Appointment of the Teaching Faculty shall be as per the rules framed by the Council in consonance with the guidelines of the Medical Council of India and other statutory councils as the case may be.

21 48. Deputation and Absorption of Faculty and other employees :

The council shall frame guidelines for deputation and absorption of Teaching & Non Teaching staff from Government & other organizations in consonance and mutatis mutandis with relevant State Government/CCS Rules.

22 49. Power to Make Bye-laws :

The Governing Council shall make bye-laws consistent with this rules and the rules made there under to carry out the purpose of this rules which shall be approved by the State Government.

23 20. Power to remove Difficulties :

If any difficulty arises in giving effect to the provisions of this Rule, the State Government on the advice of the Council may, by order , make such provisions not inconsistent with the provisions of this Rule , as may appear to be necessary for removing the difficulty.

Hage Kojeen, IAS
Commissioner (Health & FW),
Government of Arunachal Pradesh,
Naharlagun.