

NAME OF THE INSTITUTE:

PLACE:

MEMORANDUM OF ASSOCIATION

1. Name of the Society.- The name of the society shall be (Name of the Institution) -----

2. Registered office.- The registered office of the society shall be (Name of the Institution)-----

3. Objects of the Society.- The objects shall be as follows, namely:-

- (a) to impart teaching to undergraduate, postgraduate, super-specialty courses / fellowships and allied branches of medical science;
- (b) to conduct continuing medical education programmes;
- (c) to take up research programmes in all the disciplines of medical science;
- (d) to support, organize and encourage clinical and basic research programmes relating to diagnosis and treatment of diseases;
- (e) to organize training programmes in diagnosis, treatment, rehabilitation and research in diseases with a stress on preventive aspects in the community;
- (f) to support, organize and encourage scientific meetings, seminars, symposia and workshops;
- (g) to institute prizes, awards, scholarships, travel grants, research grants and stipend in furtherance of the objects of the Institute;

- (h) to provide for publications on journals, research papers, educational leaflets, brochures, hand books and textbooks on various aspects of diseases;
- (i) to educate the public on all the aspects relating to the control and prevention of diseases;
- (j) to organize and / or to promote exhibition of diseases and control and preventive measures to be adopted in urban and rural areas;
- (k) to invite representatives of Governments, Universities and other Organizations in India and from Foreign countries involved in Medical activities to fulfill the objects;
- (l) to develop inter-relationship with Institutions and Agencies within India having similar objects;
- (m) to initiate and develop communication of personnel skills, material and data from National and International Institutions and Agencies and its accreditation programmes;
- (n) to develop cooperative efforts and enter into MOU with National and International institutions or Agencies engaged in similar work with the concurrence of the Government and establish lines of communication for exchange of expertise, personnel, material and data;
- (o) to issue appeals and apply for grants from the Government or from any other private or public agencies for funds in furtherance of the objects of the Institute and to raise or collect funds by gifts, donations, subscriptions in cash or kind including securities and any property either movable or immovable;
- (p) to do all such lawful acts and things either alone or in conjunction with other organizations or persons as the institute may consider necessary, incidental or conducive to meet the above-mentioned objects;
- (q) to create public private partnerships with public and private organization / alumni of the respective organization with prior approval of the State Government.

4. Income of the Association.- The income of the Association shall comprise of the grants / grants –in-aid released from time to time from the State Government, Central Government any Local Authority any Individual or Body, from Users fund, collection of fees from the undergraduate and postgraduate students, super specialty students and from students of Paramedical courses. Donations and subscriptions from public and Non Resident Indians (NRIs).

5. Utilization of income.- The income of the Institute so derived shall be utilized for achieving the aims and objects of the Institute including the attached hospitals.

6. The management of the institute.- The management of the Institute shall be vested with the Governing Council of the Institute.

GOVERNING COUNCIL

1.	Minister for Medical Education	Chairman
2.	The Secretary to Government, Health and Family Welfare Department (Medical Education)	Vice-Chairman
3.	Vice-Chancellor, Rajiv Gandhi University of Health Sciences or his nominee	Member
4.	The Principal Secretary to Government, Finance Department or his nominee not below the rank of Secretary.	Member
5.	The Principal Secretary to Government, Health and Family Welfare Services or his nominee not below the rank of Deputy secretary.	Member
6.	Director of Medical Education	Member
7.	An eminent person in the field of Medical Education – nominated by Govt.	Member
8.	An eminent social worker nominated by Government	Member

9.	An eminent woman from a recognized Non government organization (NGO) nominated by Government.	Member
10.	Director cum Dean	Member Secretary

7. Disqualification for office of membership.-

(1) A person shall be disqualified for being appointed as and for being a member, if he,-

(a) has been convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude; or

(b) is of unsound mind and stands so declared by a competent court; or

(c) is an undischarged insolvent; or

(d) has been removed or dismissed from service of the Central Government or a State Government or a body or corporation owned or controlled by the Central Government or a State Government; or

(e) has directly or indirectly by himself or his partner any share or interest in any work done by the order of the Institute or in any contract or employment with or under or by or on behalf of the Institute;

(f) is employed as a paid legal practitioner on behalf of the Institute or accepts employment of legal practitioner against the Institute.

(2). A person shall not be disqualified under sub-clause (e) of clause (1) or be deemed to have any share or interest in any contract or employment within the meaning of the said clause by reason only of his having a share or interest in any newspaper in which any advertisement relating to the affairs of the instituted is inserted.

8. Removal of member.- (1) The State Government shall remove the member if,-

(a) he becomes subject to any of the disqualifications mentioned in clause (7);

Provided that no member shall be removed on the ground that he has become subject to the qualification mentioned in sub-clause (e) of clause (l) of that clause, unless he has been given an opportunity of making his representation against the proposal; or

- (b) he refuses to act or becomes incapable of acting; or
- (c) he without obtaining leave of absence from the Institute, absents from three consecutive meetings of the Institute; or
- (d) in the opinion of the State Government he has so abused his position as to render his continuance in office detrimental to the public interest:

Provided that no member shall be removed under this clause unless he has been given an opportunity of making his representation against the proposal.

9. Alteration of Memorandum of Association.- No amendments or alterations of Memorandum of Association shall be made except with prior approval of the State Government in accordance with section 9 of the Karnataka Societies Registration Act, 1960.

10. Framing and modification of Rules and Regulations and bye laws.- The Governing Council shall be competent to frame and to amend or vary the Rules and Regulations and bye laws of the Institute subject to such directions if any issued by the State Government in accordance with the Karnataka Societies Registration Act, 1960.

11. Amalgamation, Dissolution/winding of the Society.- The Board shall be empowered to invest the funds of the Institute in movable or immovable properties, in such manner as they deem fit for the purpose of the objects of the Institute provided that such investments shall be in accordance with the provision of Section 13(1) read with Section 11(5) of the Income Tax Act, 1961 as well as of any other law for the time being in force as are applicable to charitable Institute with in such

manner as the State Government may determine in such manner as the State Government may determine. Any amalgamation or dissolution/winding of the Society shall be ordered of the following sections 21 & 22 of the Karnataka Societies Registration Act 1960.

12. Subscribers to the Memorandum of Association.-

Sl. No	Designation	Address	Name	Signature
1	Hon'ble Minister, Medical Education	Room No.406, 407, Vikasa Soudha, Bangalore-560 001.	Sri.	
2	Secretary to Govt. (Medical Education)	Health and Family Welfare Department, Vidhana Soudha, Bangalore-560 001.	Sri/Smt.	
3	Additional Chief Secretary/ Principal Secretary to Government	Finance Department, Vidhana Soudha, Bangalore-560 001.	Sri.	
4	Principal Secretary to Government,	Social Welfare. M.S.Building, Bangalore-560 001.	Sri.	
5	Director of Medical Education	Directorate of Medical Education, Ananda Rao Circle, Bangalore-560 009.	Dr	
6	Deputy Commissioner	Bangalore District, Bangalore		
7	Director cum Dean	Institution		

Correspondent: The Dean & Director of the Institute shall be the correspondent in all matters with the Registrar of societies.

Witness:-

- 1.
- 2.
- 3.

MEDICAL COLLEGE & RESEARCH INSTITUTE,

RULES AND REGULATIONS - 2013

1. Short title, extent and commencement.-

- (1) These rules and regulations shall be called the (Name of the Institute) ----- Rules and Regulations, 2013.
- (2) They apply to (Name of the Institute) _____
- (3) They shall come into force from the date on which the Government issues a notification to that effect.

2. Definitions.- (1) In these rules and regulations, unless the context otherwise requires,-

- (a) "Act and Rules" means the Karnataka Societies Registration Act, 1960 and Rules made there under.
- (b) "Academic staff" means members of the staff who are wholly engaged in teaching or research programme.
- (c) "Appointing Authority" means
- (1) Karnataka Government in respect of the first Dean/Director, Chief Administrative Officer, Chief Accounts Officer cum Financial Advisor/Accounts officer and other Gazetted officers.
- (2) Governing Council in respect of the subsequent Dean/Director, Principal, Medical Superintendents, Group A & B posts and other equivalent posts.
- (3) Dean and Director of the Institute for all Group 'C' and 'D' posts.
- (d) "Attached Hospitals" means the hospitals & Institutions coming under the control of the Institute.
- (e) "Bye-Laws", means the Byelaws of the Institute, framed under the Rules and Regulations, 2013 of the institute.
- (f) "Chairman" means the Chairman of the Governing Council, the standing Committees and sub committees as the case may be.

- (g) “Chief Administrative Officer” means the Chief Administrative Officer of the Institute and “Administrative Officer” means Administrative Officer of the hospital /other institution attached to the Institute, who shall be in charge of the administration.
- (h) “Chief Accounts Officer” means the Chief Accounts Officer of the Institute and “Financial Advisor” to the Dean and Director of the Institute who shall be in-charge of the Finances.
- (i) “Director” means the Dean and Director of the Institute.
- (j) “Employee” means a person in the employment of the Institute
- (k) “Governing Council” means the Governing Council of the Institute.
- (l) “Head of the Department” means the Heads of various Departments of the Institute.
- (m) “Institute” means (Name of the Institute) -----

- (n) “Medical Superintendents” means one of the professors of the Medical College working in the attached hospitals of the Institute having in charge of administration.
- (o) “Meeting” means a meeting of the Governing Council, of the committees and sub committees of the Institute.
- (p) “Member” means the member of the Governing Council, of the committees and other sub committees of the Institute.
- (q) “Pay” includes “Personal pay” and such allowances specifically included in the term “pay” by the Governing Council but shall not include honorarium.
- (r) "Principal" means the Principal of Institutions.
- (s) “Selection committee” means the selection committee for selection of candidates for appointment.
- (t) “State Government” means the Government of Karnataka.
- (u) “Year” means the calendar year commencing from the first of January to 31st December of particular year and the "Financial year" means the year commencing from 1st April of any year and ending on the 31st March of the succeeding year.

- (2) Other terms not specifically defined herein but are defined in the Karnataka Civil services (General Recruitment) Rules 1977, Karnataka Civil Services Rules and Karnataka Financial Code, 1958 and other rules applicable to State Government employees shall have the same meaning in these rules and regulations.
- (3) Arbitration and Legal Jurisdiction of the Institute shall be at the Head quarters of the (Name of the Institute) -----

3. Committees of the Institute.-

- (1) The Governing Council may constitute as many number of standing committees and as many number of sub-committees as it thinks fit for exercising any power or discharging any functions or responsibilities or for inquiring into or reporting or advising upon any matters specifically referred to them.
- (2) A Standing Committee shall be constituted comprising members of the Institute, but a sub-committee may include non-members also but not exceeding one-third of the total members in the particular committee.
- (3) The Non-Official members of the Governing Council, the Standing Committees or Sub-Committees shall receive such allowances or Sitting Fees, as may be specified under the regulations. A member so nominated to the Governing Council shall cease to hold the post on his resignation or on becoming of unsound mind or on becoming an insolvent or is convicted of any criminal offence amounting to moral turpitude. The tenure of the nominated members shall be for maximum period of 3 years or until further order of Government whichever is earlier.

4. Management of the Institute.- The overall administration and academic work of the Institute shall vest with the Dean and Director of the Institute subject to the direction of the Governing Council. The Principal shall assist the Dean and Director and look after the functions of the Institute during his absence or leave period in addition to his designated duties and responsibilities.

5. Other staff of the Institute.-

(1) The Chief Administrative Officer, Chief Accounts Officer-cum-Financial Advisor, Heads of the Departments, Professors, Associate Professors, Assistant Professors, Lecturers, Tutors, Junior Residents, Senior Residents, Assistant Surgeon/Casualty Medical Officers and other members of medical faculty, Law Officer/Legal Officers, Assistant Administrative Officers, Estate Officers, Public Relation Officers and other non teaching staff.

6. Meeting of the Governing Council.-

- (1) The meeting of the Governing Council shall be held at least once in a quarter or as often as possible as deemed necessary by the Chairman.
- (2) The annual general body meeting shall be held once in a year.
- (3) Proceedings of all the meetings of the Governing Council shall be recorded in the minutes book. The Member Secretary shall arrange to record the discussions and decisions and the Chairman shall approve the same after due scrutiny. No decision of the Governing Council which is against the policy of the State Government shall be implemented without the prior approval of the State Government. Any matter with financial implication shall be implemented only after obtaining the approval of the Government.
- (4) There shall be a special meetings, whenever the same are necessary and is decided by the chairman, or the same is requisitioned by not less than six members.
- (5) The quorum of the meeting shall be not less than 50 percent of the total members.

- (6) The notice of the Annual General meeting shall be issued 21 days prior to the date of meeting.
- (7) In the case of ordinary meetings, the notice of the meeting may be issued 8 days prior to the date of the meeting.
- (8) In the case of a special meeting, the notice may be issued three days prior to the date of the meeting.
- (9) Every meeting shall be presided over by the Chairman present and in his absence, the Vice Chairman shall preside over the meeting and in the absence of both, the members present shall elect one among them to function as Chairman.
- (10) If there is no quorum within half an hour from the time scheduled for holding the meeting, the meeting shall be adjourned by one hour on the same day or to any other day as decided by the person presiding over the meeting. All adjourned meetings need not have the required quorum. In case of special meetings, if within half an hour from the time scheduled for holding the meeting, if there is no quorum the meeting shall stand adjourned. The notice of the meeting shall be sent to all members to the addresses of the members as entered in the concerned register.
- (11) Non-receipt of notice need not be a reason for invalidation of the proceedings of the meeting.
- (12) Every member, including the Chairman shall have the option to cast one vote. The matter shall be decided on the majority of votes. In case of a tie, the Chairman or the presiding person shall have the option to cast a second vote. The decisions relating to service rules, amendments to rules and bye-laws or cases of financial matters shall not be considered in the absence of State Government representatives and shall not be given effect to without the prior approval of the Government.
- (13) The proceedings of the Governing Council shall not be invalid on the ground of any vacancy in the Governing Council or absence of any member.

(14) The Chairman of the Governing Council can take decision in urgent matters subject to ratification in the ensuing Governing Council Meeting.

(15) In the annual general meeting the report of the management of the society for the previous year together with an audited copy of the balance sheet, income and expenditure account and the auditor's report shall be submitted for approval.

The First annual general meeting shall be held by the Institution within eighteen months of its registration. The next annual general meeting of the Institution shall be held within nine months after the expiry of the year in which the first annual general meeting was held and thereafter an annual general meeting shall be held within nine months after the expiry of each year.

7. Powers and functions of the Governing Council.-

- (1) The Governing Council shall have full powers to manage the Institute so as to serve the purpose for which it is formed.
- (2) The Governing Council shall perform the following functions, subject to provisions of Rule 6 (3) namely:-
 - (a) Framing of rules, regulations, byelaws, cadre and recruitment rules, policies and procedures for effective implementation of the purpose to carry out the day-to-day functioning of the Institute.
 - (b) To consider and approve the budget estimates and expenditure in consonance with the bye-laws.
 - (c) To invest funds in Nationalized Banks.
 - (d) To borrow money on such terms and conditions as are deemed feasible and reasonable.
 - (e) To create posts and to take action for filling up of the posts in accordance with the relevant rules.

- (f) To enter into agreement or contract with any Government or local authority, so as to obtain any right, privilege or concession for the fulfillment of the objectives of the Institute.
- (g) To draw, accept, endorse, discount, execute, assign and otherwise deal with cheques, hundis, drafts, certificate receipts, Government securities, promissory notes, bills of exchange or other negotiable instruments of the Institute.
- (h) To pay the costs and expenditure for promotion, establishment and to carry out work of the Institute.
- (i) To take steps for making the Institute self reliant in matters of finance.
- (j) To prescribe course of study at the Institute and to take action for adding, omitting of any courses thereto or more, award degrees and diploma certificates.
- (k) To take steps for providing facilities and care to the in-patients and out patients.
- (l) To take measures for conduct of business in the meetings of Governing Council.
- (m) To ensure proper maintenance of records pertaining to finance and accounts of the Institute.
- (n) To take steps, regarding fees, charges and to allocate the work and functions to the Director, other officers and employees.
- (o) To frame rules or byelaws for getting the officials on deputation with proper delegation of powers and for imposition of penalties, duly taking action.
- (p) To take steps and decisions regarding admission under different quota, training and research.
- (q) To take action regarding mode of payment of pension, gratuity, provident fund, and other service benefits to its employees and in maintaining other funds or other matter necessary for carrying out the business of the Institute.

- (r) To accord approval for appointment of retired faculty members on contract basis, if required in the absence of eligible candidates for promotion for the purpose of teaching.

8. Power to issue directions.-The State Government may issue *suo-moto* such directions as may be necessary or expedient in the matter of both Academic and Administrative functioning of the Institute in order to ensure standards of excellence in both Administration and Academic matters and to protect the property and finance of the Institute. It shall be obligatory on the part of the Institute to comply with such directions.

9. Powers and functions of the Dean and Director.- The Dean cum Director shall be the Executive Head of the Institute and Supervising Authority of the Institute in respect of Administration, Financial Functions, etc. of the Institute and the attached hospitals. The Dean shall also be the Chairman of the Arogya Raksha Samithi of the attached hospitals. The Administrative and Financial Powers of Dean and Director are as specified in Annexure-I.

10. Powers and functions of the Director of Medical Education.-

The Director of Medical Education shall be the coordinating officer between the Government and the respective institute. He shall exercise supervisory powers over the respective autonomous institutions in respect of administrative, academic and financial matters. All the complaints against the staff pertaining to administration, academic, financial matters of the respective Autonomous institute may be *suo motto* investigated/enquired by the Director of Medical Education and report thereon shall be submitted to Government for consideration of the Governing Council.

11. Creation of Arogya Rakshana Samithi.-

- (1) The Dean & Director of the institute shall be the Chairman of the Arogya Raksha Samithi and the Chief Administrative Officer shall be the Member Secretary of the Samithi. The Principal, Medical Superintendent, Chief Account Officer cum Financial Advisor, Resident Medical officer & Nursing Superintendent Gr-I of the respective Hospital shall be the Members of the Samithi.
- (2) The income arising out of treatment charges from the patients clinical charges, Donations/subscriptions etc. received from the public by the Hospital shall be deposited in a Nationalized Bank in the name of the Hospital and jointly be operated by Medical Superintendent and Chief Accounts Officer cum Financial Advisor. The funds of Arogya Raksha Samithi shall be utilized for the overall development of that Hospital. The committee shall prepare action plan for the Financial Year and submit the proposal for approval to the Governing Council. All the expenditures after approval of the action plan by the Governing Council shall be done as per the Guide lines of Karnataka Transparency in Public Procurement Act and shall be audited by chartered accountant and the same shall be submitted to the Governing Council for approval.
- (3) The Superintendents of the attached hospitals shall exercise the administrative and financial powers in respect of their hospitals as assigned by the Governing Council and as specified in Annexure-II.

12. Transfer of the Teaching / technical staff:- Generally, there shall be no transfers of teaching and non-teaching staff recruited or absorbed by the institute from one autonomous institute to another autonomous institute. However, under extra-ordinary circumstances and for the reasons to be recorded in writing, the Government shall have the powers to transfer any teaching or technical staff from one autonomous institute to another autonomous institute. The teaching or technical staff so transferred shall be shown last in the seniority list of that category, to which he has been transferred to,

irrespective of this seniority in the parent institute. No such transfer can be considered without a resolution of the respective governing council to spare / accept a person.

13. Proceedings of the meeting.- All resolutions passed during the course of a meeting shall be circulated amongst members.

14. Allowances to the members of the Governing Council.-Every member shall be paid travelling and daily allowance for attending the meetings, as per the approval of the Governing Council at the rates fixed by adopting the relevant rules in the Karnataka Civil Services Rules.

15. Legal Proceedings.- The Dean cum Director of the Institute shall sue and be sued and represent in all legal proceedings whether civil, criminal or of any kind and sign and defend on behalf of the Institute.

16. Development and maintenance of the Institute & its attached Hospitals and other Institutions.- The following shall be the objects of the Institute, namely:-

- (a) Completion of ongoing schemes.
- (b) To provide amenities as per Medical Council of India Regulations.
- (c) To provide other amenities in running the Institute in a satisfactory manner.
- (d) Maintenance, repairs, supply of electricity, water and sanitation.
- (e) Improvement, maintenance regarding gardens of the Institute

17. Absorption of Staff.- Absorption of the regular teaching and non teaching staff on deputation from Government and shall be regulated as per the rules framed by the Government.

18. Appointment of Dean and Director.- (1) The Government shall appoint the First Dean cum Director, after getting satisfied as to his / her qualifications and eligibility specified in clause (3) below for a maximum period of 4 years or superannuation which ever is earlier.

- (2) Consequent on superannuation, resignation, removal, death or cessation of the term of Dean cum Director, appointment can be made temporarily for a period not exceeding six months to the said post by the Governing Council till regular appointment is made by the Governing Council.
- (3) The Governing Council shall appoint the Dean cum Director through a selection process. Such appointments shall be on the recommendations of the selection committee in accordance with the provisions of the byelaws. The term of the Dean cum Director so appointed shall be for a period of 4 years. There shall be no extension of the term.
- (4) The Dean cum Director to be appointed must have 10 years of teaching experience as Professor or Associate Professor out of which at least five years as Professor in the particular department. Preference shall be given to Professors who have worked as Head of the Department. He shall possess minimum of 5 years of Administrative Experience.
- (5) The Dean and Director shall not be removed from his office except by an order of the Governing Council passed on the ground of willful omission or refusal to carryout the provisions of the Bylaws or abuse of powers vested in him and in consideration of the report of an enquiry ordered by it under clause (6).
- (6) For the purpose of holding an enquiry under this clause, the Governing Council shall appoint a person not below the rank of District Judge. The enquiry authority shall hold the enquiry after giving an opportunity to make representation by the Dean and Director and shall submit a report to Governing Council and the Governing Council shall consider the report within three months and pass suitable orders including imposition of any suitable penalty.

Provided that where on such enquiry it is proved that Dean and Director has misused any of powers, the State Government may also withdraw any or all of the powers that are exercised by the Director cum Dean and may confer the same on an officer of Medical Education Department not below the rank of Joint Secretary to Government till final orders are passed on such enquiry.

19. Delegation of powers.- (1) The Governing Council may delegate its financial, administrative and other powers to Dean cum Director and other officers of the Institute like Principal, Superintendent of the Hospitals, Chief Administrative Officer, Chief Accounts Officer-cum-Financial Advisor, Heads of the Department and to any other officers of the Institute with a view to meet functional, academic and administrative requirements with a overall intention to improve the functioning of the Institute.

(2) The Dean cum Director may exercise the powers specified in the Annexure to these rules.

20. Appointment of Medical, Para Medical and Administrative staff.- (1) All appointments to the Institute shall be done on the basis of provisions of C&R Rules and subject to reservation policy of the State Government.

(2) The appointment of the Dean and Director, Medical Superintendents, Professors, Associate Professors, Assistant Professors, Sr. Residents, shall be done by the Vice-chairman of the Governing Council on the recommendation of the selection committee constituted for this purpose in accordance with the rules of recruitment which shall be based on MCI regulations.

The Senior most Professor of the institute shall be appointed as Principal to assist the Dean and Director and shall be placed in-charge of the duties by the Dean and Director during his leave period or absence from the duty on official assignment in addition to his designated duties and responsibilities. He shall assist the Director in the Academic activities of the college.

- (3) The appointment of Junior Residents and Tutors shall be done by the Dean-cum-Director on the recommendation of the selection Committee constituted for this purpose in accordance with the rules of the recruitment which shall be based on MCI regulations.
- (4) The appointment of Chief Administrative officer and Chief Accounts Officer cum Financial Advisor shall be done by the State Government on deputation basis.
- (5) The Assistant Administrative Officer shall be appointed on deputation from Health and Family Welfare Department.
- (6) The Assistant Accounts Officer shall be appointed on deputation from the State Accounts Department.
- (7) The appointment of Ministerial, Nursing and Para Medical Staff shall be done by the Director on the recommendation of a selection committee and with the approval of Governing Council in accordance with the rules of recruitment.
- (8) The appointment of Para Medical Staff and other staff required for the institute as per norms of the Medical Council of India shall be made by the Dean and Director of the institute subject to the prior approval by the Governing Council.
- (9) All the appointments shall be made only against the sanctioned posts. Creation of new posts or additional posts shall be made only with the approval of the Government.
- (10) Appointment of consultants/advisors if required shall be made with the prior approval of the Governing Council for such period on such terms as decided by the Governing Council.
- (11) Subject to the prior approval of the Governing council, the retired faculty member may be appointed temporally on contract basis till eligible candidate is available. The maximum period of contract appointment shall not exceed five years.

21. Provisions regarding service conditions.- The service conditions including fixation of salary, age of superannuation, conduct of disciplinary proceedings and other issues shall be governed by the rules and regulations framed by the Governing Council and till such rules and regulations are framed and given effect to, the provisions of the Karnataka State Civil Services Act, 1978 and rules framed thereunder shall apply.

22. Assets of the Institute.- The Institute shall be the absolute owner of all movable and immovable properties including land and buildings standing in the name of the Institute and other Institutions attached to the Institute.

23. Properties belonging the Institute shall be insured.-No immovable properties of the Institute shall be sold or disposed of by the Governing Council without the prior approval of the State Government.

24. Funds of the Institute.-

The Funds of the Institute shall consist of,-

- (a) The Income derived from lands, buildings, movable and immovable properties standing in the name and possession of the Institute and transferred to the name of Institute including the attached hospitals and other Institutions on its constitution.
- (b) The grants/grant-in-aid released from time to time from the State Government, Central Government or a local authority or any individual or body from users fund, Collection of fees from the undergraduate and postgraduate students, super specialty students and from students of Paramedical courses of the respective Institute. User charges and clinical fees received from other colleges and Institutes, donations and subscriptions from public.

- (c) The Governing Council shall be the custodian of the properties and funds of the institute including the attached Hospital and other institutions.
- (d) All money received for and on behalf of the Institute shall be paid into the account opened in the name of the Institute in any Nationalized Bank duly authorised by the Governing Council. All payments exceeding Rs.500/- shall be made by Cheques.

25. Application of the Income of Property.- The Income and property of the Institute shall be utilized solely towards the promotion of the objects of the Institute as specified in the Memorandum of Association and any such expenditure incurred shall also be subject to the restrictions of the Central Government or the State Government, which may release grants and donations. Important properties/equipments of the Institute as decided by the Dean and Director shall be insured.

26. Budget and Accounts.- (1) The Chief Accounts officer cum financial advisor under the guidance of the Dean and Director shall prepare annual budget estimates each year for the ensuing year in two parts that is Recurring and Non Recurring expenditure. The budget estimates shall be prepared well in advance, so that it can be examined by the Finance Committee and approved by the Governing Council on time, but not later than 1st October of that year, after which it shall be forwarded to the Government by 15th of October of that year. The preparation of budget estimates shall be as per the financial norms of the Government. The budget estimates have to be prepared separately in respect of Plan and Non Plan duly taking into account the following:-

- (a) The estimates of the preceding year;
- (b) The approved grants for the current year; and
- (c) The estimates for the next year;
- (d) Training and Research;
- (e) Contingency fund;
- (f) Provisions for Pension.

(2) The money received by the Institute shall be invested in the Nationalized banks and also invested in the modes specified under the provisions of section (1) (d) read with section 11 (15) of the Income Tax Act, 1961 as amended from time to time with the approval of the Governing Council. The Cheques for withdrawal of amount only be issued by the Joint Signature of the Dean cum Director and Chief Accounts Officer.

27. Audit.- The accounts of the Institute shall be audited regularly by a Chartered Accountant or accountants as defined in the Chartered Accountants Act, 1949 (XXXVIII of 1949) appointed by the Governing Council. The State Government shall direct the accounts to be audited either by the State Accounts department or by the Accountant General. The Accounts of the Institute shall be subject to regular Internal Audit. The Governing Council shall comply with the observation of the Audit Report and the Report in this regard along with the Audit Report shall be sent to the State Government.

28. Annual Reports.- The Dean/Director shall present the annual report to the Governing Council before the 30th of June of the succeeding year on the working of the Institute/Hospital along with the audited balance sheet and statements of accounts showing the income and expenditure of the Institute. The Audited report of the Institution shall be sent to the Government for laying the same before the legislature.

29. Formation of Committees.- The Governing Council may constitute committees for any purpose and on such terms and conditions as it may specify by an order in addition to the following committees.

I. FINANCE COMMITTEE: There shall be a Finance Committee consisting of the following members which shall meet on a regular interval of three months or as often as required whichever is earlier.

1	Secretary to Government, Health and Family Welfare Department Incharge of Medical Education	Chairman
2	Secretary to Government, Finance Department, or his nominee not below the rank of Deputy Secretary	Member
3	Secretary to Government, Planning Department or his nominee not below the rank of Deputy Secretary	Member
4	Director of Medical Education, or his nominee not below the rank of Joint Director	Member
5	Dean cum Director of the Institute	Member
6	Chief Administrative Officer of the Institute	Member
7	Principal of the Institute	Member
8	Medical Superintendents of Attached Hospitals	Members
9	Chief Accounts Officer cum F.A of the Institute	Member Secretary

The quorum for meeting of the Finance Committee shall be not less than five members. The proceedings of the Finance Committee shall be placed before the ensuing Governing Council meeting.

II. ACADEMIC COUNCIL: There shall be a Academic Council consisting of the following members which shall meet on a regular interval of two months or as and when required for taking necessary decisions regarding academic activities.

1	Dean cum Director of the Institute	Chairman
2	Principal of the Institute	Convener
3	Medical Superintendents of attached Hospitals	Members
4	Registrar, Rajiv Gandhi University of Health Sciences or his nominee not below the rank of Deputy Registrar	Member
5	All Heads of the Departments of the Institute	Members

III. POST GRADUATE COMMITTEE: The Post Graduate Committee shall consist of the following members, namely:-

1	Dean cum Director of the Institute	Chairman
2	Principal of the Institute	Convener
3	Medical Superintendents of attached Hospitals	Members
4	Registrar, Rajiv Gandhi University of Health Sciences or his nominee not below the rank of Deputy Registrar	Member
5	All Heads of the Departments of the Institute	Members

Post Graduate Committee shall meet once in six months and discuss and decide upon academic activities related to P.G.Courses in various disciplines.

IV. ETHICAL COMMITTEE: The Ethical Committee shall be constituted as per Indian Council for Medical Research Guidelines (ICMR) to approve the synopsis of the dissertation, research activities and clinical trials that are being taken up in the Institute.

30. Functions of the Finance Committee.- The functions of the Finance Committee shall be as follows, namely:-

- (a) To consider and recommend for approval of the Governing Council, the Annual Budget Estimates of the Institute after fully taking into consideration inter alia the Financial Status and commitments.
- (b) To consider and recommend for approval, the annual audited accounts of the Institution.
- (c) To consider and recommend for approval, any new financial proposals which may arise during the course of the year whether already provided for or not in the budget and to approve the re-appropriations of the major heads.
- (d) To consider the quarterly reports of receipt and expenditure submitted by the Dean cum Director and to examine from time to time the adequacy of resources, general financial position of the Institute and to make appropriate recommendations to the Governing Council ;and
- (e) To consider all proposals for creation of new posts.
- (f) Regular review of Internal Audit.
- (g) To examine the proposals with regard to training and research programme.

31. Allotment of funds.- The Dean cum Director shall regulate and operate the budget and allocate funds as approved by the Governing Council.

32. Cheques.- All cheques on banks shall be signed on behalf of the Institute jointly by the Dean cum Director and the Chief Accounts Officer. All cheques, bills, notes and other negotiable instruments payable to the Institute may be endorsed on behalf of the Institute by the Dean and Director.

- 33. Contracts.-** The Dean cum Director or the Chief Administrative Officer if so, authorized by the Dean and Director shall sign and execute on behalf of the Institute all agreements/MOUS, contracts etc., which are necessary for the appropriate conduct of business.
- 34. Disbursement of funds.-** All bills shall be scrutinized and passed for payments. The bill of the Institute for pay and allowances of the employees may be signed by the Chief Accounts Officer, who shall be the drawing and disbursing officer. All the bills including pay and allowances contingent, T.A. bills etc. shall be countersigned by the Dean cum Director before they are passed for payment.
- 35. Custody of cash and valuable documents.-** The Chief Accounts Officer shall be responsible for the custody of cash and valuable documents such as cheque books, security deposits, agreements, contracts, deeds, fixed deposit receipts, Government securities, cash book and other books of accounts.
- 36. Accounts:** The Institute shall prepare annual statements of the accounts including the balance sheet. The Chief Accounts Officer of the Institute shall advise and assist the Dean & Director on all matters concerning audit and accounts. He/she shall be responsible to the Dean & Director for the accuracy and completeness of the accounts of the Institute in accordance with the Bye-laws of the Institute. Separate annual Statements of accounts shall be prepared in respect of funds received from sources other than the Government.
- 37. Form of Accounts and Other Financial Rules:** The Governing Council shall have power to prescribe the form in which the accounts shall be kept and to frame Rules regulating all financial matters. The Dean & Director is authorized to present the budget keeping in view the requirements of the Institute and its future pattern of development and research.

38. Purchase Committee.- (1) The Purchase Committee shall consist of the following members, namely:-

- | | |
|---|------------------|
| (1) Secretary to Government,
Medical Education | Chairman |
| (2) Dean cum Director | Vice Chairman |
| (3) Representative of the Director of Medical
Education not below the rank of Deputy Director
(Medical Education) | Member |
| (4) Medical Superintendent of respective Hospital | Member |
| (5) Head of the concerned Department of the Institute | Member |
| (6) Chief Administrative Officer of the Institute | Member |
| (7) Finance officer cum Chief Accounts Officer | Member-Secretary |

(2) In cases where the value of the purchases does not exceed Rs.5 lakhs, approval may be obtained by Vice Chairman through Circulation.

(3) Quorum: Three members present at the meeting shall constitute the Quorum.

39. Functions of the Purchase Committee.- All purchases other than the rate contract shall be made after duly following the provisions of the Karnataka Transparency in Public Procurement Act, (KTPP Act) 1999 and Rules, 2000 thereon, subject to the approval of the Governing Council.

40. Civil Works Committee.- (1) There shall be a Civil Works Committee consisting of the following members, namely:-

- | | |
|---|------------------|
| (1) Secretary to Government,
Medical Education | Chairman |
| (2) Dean cum Director of the Institute | Vice Chairman |
| (3) Medical Superintendents of attached Hospitals | Members |
| (4) Executive Engineer of the respective division | Member |
| (5) Chief Accounts Officer of the Institute | Member |
| (6) Chief Administrative Officer of the Institute | Member Secretary |

(2) In the cases where the value of individual works does not exceed Rs.10 lakhs, approval may be obtained by Vice Chairman through Circulation.

(3) All works shall be carried by duly following the provisions of the Karnataka Transparency in Public Procurement Act, 1999 and Rules, 2000 there under, subject to the approval of the Governing Council.

41. Functions of the Civil Works Committee.- (1) To maintain construction activities in time of qualitative, quantitative and physical progress.

(2) To scrutinise specifications of works plan and estimates and rates of deviated works against the sanctioned estimates and duly recommend to the Governing Council.

42. Amendment of rules: No amendment to the name of Institute or rules of the Institute shall be made except in accordance with section 10 of the Karnataka Societies Registration Act, 1960 and its Rules, 1961.

ANNEXURE-I**[see rule 9]****Delegation of Administration and Financial Powers of the Dean and Director**

1. To declare stores as obsolete, surplus or unservice- able	To declare stores as obsolete, surplus or unserviceable when the stores have become obsolete, surplus or unserviceable in the normal course and where responsibility could not be fixed for shortage/loss of linen, furniture, utensils & equipments that are older than 8 years.	Full powers
2. Sanctioning Loans	(1) To sanction House building and Advances for House purchase/House repair to the staff of the institute (except deputations) to the extent of admissibility prescribed by the State Government from time to time or until the Governing Council prescribes the scale of admissibility.	Full powers
	(2) To sanction motorcycle/car advance (to the extent prescribed the State Government from time to time to both Gazetted and non Gazetted employees (except persons on deputation)	Full powers
	(3) To sanction 80% of advance on LTC or HTC to the employees.	Full powers
	(4) To sanction temporary advances for withdrawal from the GPF for special reasons (vide schedule V of GPF Rules)	Full powers
3. To purchase	(1) Library books, reference books & journals after duly following the provisions of Karnataka Transparency in Public Procurement Act, 1999 and Rules, 2000 thereunder.	Full powers
	(2) To purchase Government of India publications & copies of the Administrative reports (if not supplied Free) if necessary	Full powers
	(3) To purchase articles of office equipment after observing Rules of purchase in case of exigency	Rs.1,00,000 in each case
	(4) To purchase linen, bedding and clothing after observing Rules of purchase in case of exigency	up to Rs.1,00,000

	(5) To purchase diet articles Utensils - & Crockery after observing Rules of purchase in case of exigency.	up to Rs.1,00,000
	(6) Photographic materials and models -Glassware, Stationary articles after Observing Rules of purchase in case of exigencies.	up to Rs.1,00,000
	(7) To purchase medicine, chemicals drugs, instruments, equipments, after calling for tenders/quotations other than the rate contract of state and central Government duly following the provisions of Karnataka Transparency in Public Procurement Act 1999 and Rules 2000 there under or procurement form the logistic society in case of exigencies.	up to Rs.1,00,000
4. Repair & Maintenance	Order for replacement of parts, servicing, repairs & maintenance: (1) X-Ray & laboratory equipments or any other medical equipments	Full powers
	(2) Monitors, defibrillators, pacemakers and ECG machine	Full powers
	(3) Sterilizers, Microscopes & other equipments	Full powers
	(4) Catheters, transducers, connectors Oxygenators, Heart valves	Full powers
	(5) Furniture & Refrigerators	Full powers
	(6) Building-Annual maintenance and repairs	Full powers
	(7) To accord Administrative approval for expenditure towards maintenance of building and petty works by following Karnataka Transparency in Public Procurement Act 1999 and Rules 2000 there under	Full powers
5.Reappropriation of budget	Re-appropriation of budget from one major head to another in the Institute's approved budget. However such re-appropriations does not apply to the following:	Full powers
	(1) Diversion of provision from plan to non-plan	
	(2) Expenditure on "New Service"	
6.Payment of Arrears & Claims	1) To sanction payment of arrears of claims on account of contingent charges (including supplies & services	Five years from the date of claim

	2) To sanction payment of arrears of salaries & staff	Full powers
7. Release of Official advertise-ment	To incur expenditure on <u>towards</u> official advertisements in news papers & Gazette after following the existing rules of the Government.	Full Powers
8. Security of Institute's Cash.	To fix quantum of security deposits to be paid by the persons handling cash, stores and other such items	Full Powers
9. Charges For Insurance of Goods	To sanction insurance charges on special goods such as delicate Instruments, glassware or other fragile articles when such insurance is a condition of transport or when it is felt necessary.	Full powers
10. Hiring of Private Buildings	To hire private buildings, including land for use of the Institute in consultation with the Executive Engineer of the division OR Revenue authorities as the case may be.	Full powers
11. Providing new Telephones or Shifting	To provide or acquire telephones to the Institute staff to whom it is considered necessary in the interest of administration & shifting of telephones from one place to another in case of necessity.	Full powers
12. Expenditure on Scientific Conferences	To meet contingent expenditure on Scientific Conferences in the institute or to meet the delegates fee from the Institute.	Upto Rs.50,000/- each time
13.Expenditure on the meetings of Governing Council & such other committee meetings <u>conferred</u> by the Director	To incur expenditure for refreshments	Upto Rs.10,000/- for each meeting
14.Participation in Exhibitions	To incur expenditure for participating in any exhibition within the State.	Rs.15,000/- each time
15.Hiring of Transport	To engage transport facilities to conduct camps	Rs.5,000/- each time

16. Remuneration for Examiners work	Accept remuneration as an examiner or to sanction remuneration to the other examiners or to permit the other staff to receive remuneration as examiners in accordance with the scales fixed by the concerned university or by the Governing Council.	Full powers
17.Delayed Claims	To sanction refund or excess credits of hospital charges or investigation charges provided such claims are supported by documents of original credits with non-payment certificate & provided the claim is preferred within 3 years of the original credit and when it is clearly established that the claim & claimant is bonafide & genuine.	Full powers
18.Retirement Benefits	To sanction retirement benefits to the staff as per the service conditions of the Institute	Full powers
19.In charge arrangements	To make in charge arrangement to posts which are vacant on leave or absence and to authorize payment of charge allowance admissible as per the (Karnataka Civil Services Rules)	Full powers
20.Sanction of leave	1. To sanction maternity leave/paternity leave to the employees attached to the Institute as prescribed in the Karnataka Civil Services Rules.	Full powers
	2. To sanction any kind of leave to the staff other than special disability leave up to 3 months as prescribed in the Karnataka Civil Services Rules.	Full powers
21.Journey performed by staff	To permit the subordinate staff to perform journey between places connected by Rail and to claim road mileage for to & fro journey when such journeys are required to be performed in the interest of public service.	Full powers
22.Sanction of DA	To sanction daily allowance for halts of Officer/Official deputed on duty at admissible rates as per Karnataka Civil Services Rules.	Full powers
23.Appointment of Part time Teachers & fix their remuneration	To appoint part time Teacher in any speciality & to fix their remuneration (against sanctioned posts)	Full powers
24.Appointment of Warden	To appoint Warden & Assistant Wardens of hostels	Full powers

25.Allotment of residential quarters	To allot quarters to the staff as per Karnataka Civil Services Rules.	Full powers
26.Vacation of Quarters	To get the quarters of any staff vacated in the interest of the Institute or in view of any misconduct of the occupants or due to disciplinary proceedings.	Full powers
27. Penal Rent to Quarters	To fix and recover penal rent from the staff in the case of failure to vacate the quarters within the prescribed time limit as prescribed in Karnataka Civil Services Rules or by the Governing Council	Full powers
28.Guest Lectures	To incur expenditure on guest lectures	Upto Rs.10,000 each case
29.Funeral Expenses	To incur funeral expenses as per the scales laid down by the State Government or by the Governing Council	Full powers
30.Demurrage & Shortage Charges	To sanction expenditure on demurrage & wharfage, provided they are not attributed to negligence of any staff members	Full powers
31.Gifts to Institute	To accept gifts or donation from public or Institution in the name of the Institute	Full powers subject to <u>the</u> ratification of the Governing Council.
32.Expenditure under poor fund	To incur expenditure for poor patients from poor fund to meet the costs of Medicine, Transport, blood charges, providing crutches, instruments <u>etc.</u>	Full powers
33. Condemnation of Time-barred Drugs	To condemn & order for the disposal of time-barred drugs under reasonable circumstances with reasons	Full powers
34.Uniform to staff	To supply uniforms to the staff as per the scale fixed by the State Government	Full powers
35.Repair of Motor Vehicle	To repair, replacement of parts, services overhauling including major parts.	Full powers
36.Periodical Increments	To grant periodical increments to the subordinate staff in the time scale as per Karnataka Civil Services Rules.	Full powers

37. Suspension of Staff	To order for suspension of staff in cases where the Director is the appointing authority.	Full powers
38. Filling up of Vacancies	1. Temporary & Adhoc appointments to Class "C" & "D" posts	Full powers upto 6 months or as per the delegation of powers by the Governing Council
	2. To fill up all Class "C" & "D" posts	Full powers
39. Grant of Travelling allowances	To grant Travelling allowance to non-official members attending the commission of enquiry.	Full powers
40. Accepting of Tender	To invite and accept tenders for stores, drugs, buildings, civil works, diet articles, hospital necessities, etc., and place the same before the purchase committee/ civil works committee after following the relevant rules.	Full powers
41. Visiting Professors for Special Lectures	To invite Visiting Professors for special lectures to the students of the Institute & to meet expenses towards DA/TA including the Air travel fare of such Professors	Full powers to arrange for not more than 10 lectures & to pay Honorarium to visiting Professors at rates between Rs.200/- to 1000/ depending on the status
42. Grant of casual leave	To grant casual leave including special casual leave to staff	Full powers
43. Accepting resignation	To accept resignation in respect of the official/officers wherever Director is the appointing authority	Full powers
44. Retirement on invalid grounds	To order for retirement of staff who are bodily, mentally or permanently incapacitated for public services wherever the Director is the appointing authority.	Full powers
45. Posting of Staff	Posting of staff, House Surgeons & Residents to the different departments of the Institute	Full powers

46. Purchase of Blood	To arrange for blood from approved blood banks to the poor patients out of the funds of the Institute in case of non availability of donors.	Full powers
47. Delegation of powers to subordinate staff	The Director may delegate any of his powers to the extent to be specified by him to Chief Administrative Officer, Financial Advisor, Principal and Medical Superintendents.	Full powers
48. Casual Labour of Contingent establishment	To appoint or engage casual labour on daily wages or to appoint on monthly Salary (fixed salary) basis for Class "D" & such other categories in emergencies	Full powers for a period not exceeding 3 months at a time
49. Promotion of Staff	To promote Class "C" & "D" posts and as per the existing C & R Rules.	Full powers

Annexure-II
[See rule 11 (3)]

**Delegation of Administration and Financial Powers of the
Medical Superintendent**

1. To purchase	(1) To purchase articles of office equipment after observing Rules of purchase in case of exigency-----	Rs.25,000 in each case
	(2) To purchase linen, bedding and clothing after observing Rules of purchase in case of exigency	up to 25,000
	(3) To purchase diet articles Utensils - & Crockery after observing Rules of purchase in case of exigency.	up to 25,000
	(4) To purchase medicine, chemicals drugs, instruments, equipments, after calling for tenders/quotations other than the rate contract of state and central Government duly following the provisions of Karnataka Transparency in Public Procurement Act 1999 and Rules 2000 there under or procurement form the logistic society in case of exigencies.	up to 40,000
2. Hiring of Transport	To engage transport facilities to conduct camps	Rs.10,000/ - each time
3. Expenditure under poor fund	To incur expenditure for poor patients from poor fund to meet the costs of Medicine, Transport, blood charges, providing crutches, instruments etc.	upto Rs. 10,000/-
4. Grant of casual leave	To grant casual leave including special casual leave to staff	Full powers
5. Posting of Staff	Posting of Group-C and D staff of the Hospital	Full powers
6. Purchase of Blood	To arrange for blood from approved blood banks to the poor patients out of the funds of the Institute in case of non availability of donors.	Full powers

BYE-LAWS OF THE (Name of the Institute)

1. Short title, extent and commencement.- These bye-laws are called
the (Name of the Institute)

- (2) They apply to the INSTITUTE and other Institutions attached to it.
(3) These bye-laws shall come into force from such date on which the Government by notification directs.

2. Definitions.- In these Bye-laws unless the context otherwise requires,-

- (a) “Academic Staff” means any member of the Teaching Staff who is wholly engaged in the Teaching, Clinical work and Research Programme or other teaching related assigned duties.
- (b) “Appointing Authority” means (1) Karnataka Government in respect of the first Dean/Director, Chief Administrative Officer, Chief Accounts Officer cum Financial Advisor/Accounts officer and other Gazetted officers.
(2) Vice-Chairman of the Governing Council in respect of the subsequent Dean/Director, Vice Dean, Medical Superintendents, Group A & B posts and other equivalent posts.
(3) Dean and Director of the Institute for all Group ‘C’ and ‘D’ posts.
- (c) “Chairman” means the Chairman of the Governing Council, the Standing Committees and Sub-Committees as the case may be in the Institute.
- (d) “Controlling authority” means the Authority as defined under the Rules and Regulations of the Institute.

Note: The Controlling authority in respect of sanctioning allowances like travelling allowance, daily allowance, medical claims, etc., shall be the Director.

- (e) "Director" means the Dean & Director of the Institute.
- (f) "Employee" means any person in the service of the Institute working in any cadre or any post.
- (g) "Governing Council" means the Governing Council of the Institute.
- (h) Group 'A', Group 'B', Group 'C' and Group 'D' posts in the Institute shall correspond to the classification of the posts vide rule 5 of Karnataka Civil Services Rules (Classification, Control and Appeal) Rules, 1957.
- (i) "Head of the Department" means the Heads of various Departments of the Institute.
- (j) "Institute" means the **(Name of the Institution)** -----

"Rules" means the Rules and Regulations of the Institute.
- (k) "Calendar Year" means the year commencing from 1st January to 31st of December of the particular year and "Financial Year" means the year from 1st April of the year and ending on 31st March of the succeeding year.

3. Employees to be whole time employees:- Unless otherwise provided, an employee of the Institute shall be treated as a whole time employee of the Institute, and has been appointed on regular basis in accordance with the rules/byelaws of appointment to attend regular whole time duties as assigned to him and for additional duties entrusted by the authority concerned.

4. Scale of pay for teaching staff.- Scales of pay of teaching staff and any other special allowances shall be those, as sanctioned by the State Government from time to time.

5. Scale of pay for non-teaching staff .- Pay and allowances shall be on par with the pay and allowances of employees in the equivalent

cadre in the Department of Health and Family Welfare, Government of Karnataka.

6. Probation.- (1) Every employee appointed by the Institute by direct recruitment shall be on probation for two years. This condition shall not be applicable to the officials who have undergone probation while in Government service in an equivalent post and such probation has been declared to have been satisfactorily completed.

(2) During the period of Probation the employee shall be required to put in satisfactory service failing which his/her services shall be liable for discharge at any time without any prior notice by the Appointing Authority.

(3) The period of Probation may for reasons to be recorded in writing, be extended by the Appointing Authority.

(4) Provided that in respect of matters not covered under this rule, the provisions contained in the Karnataka Civil Services (Probation) Rules, 1977 shall be applied *mutatis mutandis*.

7. Disciplinary Action:- Disciplinary Action against any employee may be taken at any time after duly following the procedures laid down in the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

8. Retirement:- The provisions of Karnataka Civil Service Rules (KCSR) relating to retirement including compulsory retirement, voluntary retirement, superannuation and on invalid grounds shall apply.

9. Duties.- Every employee shall perform his duties to the best of his ability and carry out the duties assigned to him by the Dean and Director or any other concerned authority. The Medical personnel working in the Institute shall follow professional ethics maintain dignity and decorum in the Institute and render devoted service to the patients besides their teaching responsibilities. The provisions of

the Karnataka Civil Services (Conduct) Rules, 1966 shall *muttatis muttandies* apply to the employees of the Institute.

10. Permanent and temporary posts.-

- (1) The permanent or temporary posts created by the Governing Council in accordance with rules and regulations of the Institute with prior approval of the Government, may be continued from time to time.
- (2) Renewal of temporary posts may be determined by the Governing Council from time to time on the recommendations of the Director in consultation with State Government.

11. Method of recruitment and minimum qualifications for appointment.-

- (1) The categories of posts, their scale of pay, their number, method of recruitment and minimum qualifications for appointment to all the posts shall be as specified in the cadre & recruitment rules
- (2) The age limit and other conditions of appointment in the larger interests of the Institute shall be subject to the terms and conditions of the Medical Council of India, and as per Minimum Qualification for teachers in Medical Institutions Regulations, 1998 and subsequent amendments thereof subject to the rules/orders of the State Government.
- (3) Under no circumstances, for any posts the minimum qualification prescribed shall be relaxed.
- (4) While making recruitments/promotion to any posts, the rules of reservation for persons belonging to the Scheduled Castes or Scheduled Tribes and Other Backward Classes as made from time to time by the State Government shall be followed.
- (5) No person who does not possess the Medical qualification shall be appointed to the posts of Dean and Director, Principal, Medical Superintendent and Professor and Head of the Department. Professors, Associate Professors, Assistant Professors, Senior/Junior residents and Tutors shall be appointed as per the minimum qualification prescribed in the C & R Rules. Till C & R rules are framed, MCI guidelines shall be followed.

12. Constitution of selection committees for recruitments.- The

Selection Committees for the various posts are as follows, namely:-

NAME OF THE POST	MEMBERS OF THE SELECTION COMMITTEE	
(1) Dean and Director	1. Minister in-charge of Medical Education	Chairman
	2. Secretary to Government, Health and Family Welfare Department in-charge of Medical Education	Member
	3. Vice Chancellor, Rajiv Gandhi University of Health Sciences	Member
	4. Director of Medical Education	Member
	5. Chief Administrative Officer of the Institute	Member Secretary
(2) Principal and Medical Superintendents	1. Secretary to Government, Health & Family Welfare Department in-charge of Medical Education.	Chairman
	2. Director of Medical Education	Member
	3. Registrar, Rajiv Gandhi University of Health Sciences	Member
	4. Dean and Director of the Institute	Member
	5. Chief Administrative Officer of the Institute	Member Secretary
(3) Professors / Associate Professors / Assistant Professors / Sr. Residents	1. Principal Secretary / Secretary In-charge of Medical Education, Government of Karnataka.	Chairman
	2. Dean and Director	Vice- Chairman
	3. Representative from Health and Family Welfare Department In-charge of Medical Education not below the rank of Deputy Secretary to Government	Member
	4. Director of Medical Education or his representative not below the rank Joint Director	Member
	5. Registrar of Rajiv Gandhi University of Health Science	Member

	6. Principal of the Institute	Member
	7. Head of the Department of the subject.	Member
	8. Chief Administrative Office	Member Secretary
(4)Jr. Residents / Tutors	1. Dean and Director of Institute	Chairman
	2. Representative from Health and Family Welfare Department In-charge of Medical Education not below Rank of Deputy Secretary.	Member
	3. Director of Medical Education or his representative not below the rank of Deputy Director.	Member
	4. Registrar of Rajiv Gandhi University of Health Sciences	Member
	5. Principal of the Institute	Member
	6. Head of the Department of the subject.	Member
	7. Chief Administrative Officer of the Institute	Member Secretary
(5) All other posts Gazetted/Technical/Group 'C' and 'D'	1. Dean and Director of Institute	Chairman
	2. Representative from Health and Family Welfare Department In-charge of Medical Education, not below the rank of Deputy Secretary to Government	Member
	3. Director of Medical Education or his representative not below the rank of Deputy Director of Medical Education	Member
	4. Registrar of Rajiv Gandhi University of Health Sciences OR his representative not below the rank of Deputy Registrar.	Member
	5. Principal of the Institute	Member
	6. Head of the Department of the subject.(wherever applicable)	Member
	7. Chief Administrative Officer of the Institute	Member Secretary

13. Method of Recruitment.- Method of recruitment is either by Promotion or by Direct recruitment or by deputation as per C & R Rules/ Bye- Laws of the Institute.

14. Procedure for direct recruitment.-

(1) The Institute shall take necessary steps to invite application from all eligible candidates by advertising the vacancies in the institutional website specifying the conditions of eligibility, method of selection applicable, provisional number of vacancies to be filled and their classification according to reservation policy of the state.

(2) An abstract of such advertisement shall also be published in more than one widely circulated newspaper in the regional language and such other media of publication as it may deem fit.

(3) The Selection Committee shall verify the credentials of all the persons to be considered for the appointment.

(4) The Selection Committee shall prepare a panel of names and recommend the names for selection in the order of merit subject to the reservation policy of the State.

(5) The Selection Committee may also prepare an additional list of eligible candidates not exceeding 10% of the vacancies notified but the candidates in the additional list shall be appointed only to the extent of the vacancies that occur if the candidates in the main list do, not join duty within the stipulated time.

(6) In respect of posts to be filled by promotion, shall be filled by seniority cum merit, only after complying with Medical Council of India (MCI) norms.

15. Method of selection.-

The method of selection shall be on the basis of merit. The merit is assessed on the basis of the performance of the candidates and the marks obtained in the interview, as detailed below.

(1) For Director's Post:

- (a) Administrative experience- Each year $\frac{1}{2}$ mark subject to a maximum of **2 marks**.
- (b) Publication of articles in the National/International Journals- $\frac{1}{2}$ mark for each paper subject to a maximum of **2 marks**.
- (c) Higher experience as Professor than the minimum required for the post - $\frac{1}{2}$ mark for each year subject to a maximum of **2 marks**.
- (d) Extracurricular activity in Sports/cultural activity-Medals obtained at University/State/National level -**1 mark**.
- (e) Experience having worked as Principal/Superintendent of Teaching Hospital/ Joint Director of Medical Education (JDME) / Deputy Director of Medical Education (DDME) **- 2 marks**.
- (f) Leadership quality and other outstanding qualifications assessed during the Interview- **6 marks**.

(2) For teaching faculties (Professor/Associate Professor/ Assistant Professor):

- (a) Number of Publications in National/Indexed Journal above the stipulated number specified for the post by the MCI - $\frac{1}{2}$ mark for each paper subject to a maximum of **2 marks**.
- (b) Number of Publications in International Journals- 1 mark for each paper subject to a maximum of **2 marks**.
- (c) WHO Fellowship in the same subject / University Gold Medal – **1 mark**.
- (d) Higher experience than required for that post- $\frac{1}{2}$ mark for each year to maximum of **2 marks**.
- (e) Presentation of papers/ lectures in State/National/ International Conferences- $\frac{1}{2}$ mark for each paper subject to a maximum of **2 marks**.
- (f) Personality/Presentation in the Interview- **6 marks**.

(3) For Senior Residents, Junior Residents and Tutors

The method of Recruitment shall be on the basis of merit. The merit list shall be prepared by adding 85% of the aggregate marks obtained in the Qualifying Examination and the marks obtained in the Interview conducted by the selection committee. The Maximum marks in the Interview shall be fifteen (15) and shall be distributed as follows:

- (a) Post Graduate Degree/Diploma in the concerned subject - **5 marks.**
- (b) Number of Publications in International /National/Indexed Journal above the stipulated number specified for the post by the MCI - ½ mark for each paper subject to a maximum of **2 marks.**
- (c) Presentation of papers/lectures in State/National/ International Conferences- ½ mark for each paper subject to a maximum of **2 marks.**
- (d) Personality/Presentation in the Interview- **6 marks.**

(4) For Group 'C' and 'D' Ministerial Staff (Non-Teaching Staff):

The method of selection for Group 'C' and 'D' Ministerial posts shall be as per the provisions of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Recruitment of Group-A, Group-B, Group-C and Group-D posts) by Competitive Examination and Selection (General) Rules, 2006 subject to the modification that the selection committee specified in these rules shall perform the duties of the Karnataka Public Service Commission:

Provided that if any candidates secure equal marks, then preference to the candidates shall be given in the following order, namely:- (a) Who has higher qualification than required. (b) Who has more experience than required. (c) The person older in age being placed higher in the merit.

(5) Method of recruitment for Technical Staff.-

The method of recruitment for the post of technical staff shall be as follows:

85% of the Marks from the competitive examination and 15% of the Marks from viva-voce.

Viva –voce marks shall be as follows:

- 1) Qualification more than the minimum required - **2 Marks**
- 2) Experience in the same job in a medical college / 500 bedded Hospital 1 mark per year Maximum **3 Marks**
- 3) Extracurricular activity in sports / cultural medals obtained in District / state/National levels – **2 marks**
- 4) NCC/NSS certificate – **2 Marks**
- 5) Personality/Presentation and subject in the Interview – **6 Marks**

16. Promotion to higher post.- (1) Subject to the provisions of the recruitment rules of the Institute and in case where the C & R Rules of the Institute provide for promotion to a post, such post shall be filled by promotion on the basis of seniority cum merit from among the qualified members of the staff. The Appointing Authority shall consider the names of members of the staff recommended for promotion by a review committee.

(2) The Review Committee shall consist of the following members, namely: -

- | | |
|--|---------------------|
| (a) Secretary to Government
In-charge of Medical Education | Chairman |
| (b) Dean and Director | Vice Chairman |
| (c) Representative of the Government not below the rank of Deputy Secretary to Government, Health & Family Welfare Department
(Medical Education) | Member |
| (d) Director of Medical Education or representative not below the rank of Joint Director | Member |
| (e) Principal | Member |
| (f) Chief Administrative Officer | Member
Secretary |

17. Special provisions:

(1) Notwithstanding anything contained in the rules or regulations or in the bye-laws or in the Cadre and Recruitment Rules of the Institute, the Governing Council may on the recommendation of the selection committee invite a person of high academic distinction and professional attainment to accept a suitable sanctioned post on same terms and conditions applicable to the post. The selection committee for the concerned post shall obtain the opinion of a subject expert who shall be identified by the Governing Council.

(2) The Governing Council may appoint a person of high academic distinction or professional attainment of any other University or Institute or Organization in India or abroad for undertaking a joint project.

(3) The Governing Council, as it deems fit, may take the services of honorary consultant in the interest of delivery of satisfactory patient services or in teaching as the case may be.

18. Deputation and permission to visit, work and study outside the Institute.- The Director may depute members of the academic staff and other staff to any place outside the Institute but within India for the work of the Institute or for any other specified purpose. If the period of deputation exceeds 3 months and if it is to any place outside the country, approval of the Governing Council shall be obtained.

19. Provident Fund, Pension and Gratuity benefits.- The Governing Council with the approval of the State Government shall frame separate rules to govern the service conditions and other related Rules like, introduction of Contributory Provident Fund in lieu of pension and other retirement benefits on par with the State Government Employees.

20. Disciplinary proceedings.- (1) The provisions of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 shall apply subject to modification specified in Schedule-I to conduct disciplinary proceedings against the employees, till such time separate rules are framed by the Governing Council.

(2) The State Government officials on deputation to the Institute shall be governed by the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

21. Seniority.- The Director cum Dean of the Institute shall prepare and maintain a gradation list in respect of each of the categories of employees and publish the same on the 1st of January every year.

(2) The seniority of the employees in each category shall be determined by order of merit in which they were selected for appointment to the cadre in question. It shall be subject wise in respect of teaching cadres. In respect of non-teaching staff, cadre wise seniority list shall be prepared and published.

(3) Where two persons are appointed on the same date, the seniority between them shall be determined as follows, namely:-

(i) A member appointed by promotion shall be senior to a member appointed by direct recruitment.

(ii) In case of members appointed by promotion, seniority shall be determined according to the seniority of such members in the cadres from which they were promoted.

(iii) In case of Members appointed by promotion from different cadres, then the member who is on a higher scale of pay shall be senior to those in lower scales.

(4) In case of any dispute regarding the seniority, the decision of the appellate authority in respect of concerned cadre shall be final.

22. Superannuation.- The age of superannuation in respect of all the permanent employees of the Institute is 60 years. A Dean and Director appointed for a term shall retire / be relieved at the end of the term or on the attainment of 60 years, whichever is earlier. The age of superannuation shall be as per the order issued by the Government of Karnataka from time to time.

23. Interpretation.- In case of any doubt or difficulty in understanding the clauses of the bye-laws, the Governing Council shall be competent to interpret and decide. The decision of the Governing Council shall be final and binding on the employees.

24. Application of other provisions.- (1) The provisions of the following rules shall mutatis mutandis apply to the employees of the Institution:

- (1) The Karnataka Civil Services (Probation) Rules 1977.
- (2) The Karnataka Civil Services (Conduct) Rules 1966.
- (3) The Karnataka Civil Services (Performance Reports) Rules, 2000.
- (4) Karnataka Civil Services Rules.
- (2) All other rules regulating the conditions of service of employees in so far as they are not inconsistent with the provisions of these rules shall mutatis mutandis apply.

25. REPEAL AND SAVINGS :

The Bye-laws of BANGALORE INSTITUE OF MEDICAL SCIENCES, BANGALORE, Byelaw 2006 are hereby repealed. Provided that any order issued, any appointment made, anything done or any action taken under the provisions of any of the repealed byelaws shall be deemed to have been issued, made, done or taken under the provisions of these byelaws and shall, until altered or cancelled, continue to be in force. How ever this bye laws shall prevail over the repealed bye laws in all matters of dispute.

SCHEDULE I
(see Bye Law 19)

Sl. No.	Class of posts	Authority empowered to appoint	Authority empowered to impose penalties and penalties which he may impose		Appellate authority
			Authority	Penalties	
1	2	3	4	5	6
1.	Dean Principal, Professor	Vice-chairman of the Governing Council	Vice-chairman of the Governing Council	Rule 8 clauses (ii), (iii), (iv) to (viii)	Governing Council
2.	Associate Professor, Assistant Professor, Senior Residents.	Vice-chairman of the Governing Council	Vice-chairman of the Governing Council	Rule 8 clauses (ii), (iii), (iiia), (iv) to (viii)	Governing Council
3.	Tutors, Junior Residents	Director	Director	Rule 8 clauses (ii) to (viii)	Vice-Chairman of the Governing Council
4.	Group employees 'C'	Director	Director	Rule 8 clauses (ii), (iii), (iv) to (viii)	Vice-Chairman of the Governing Council
5.	Group employees 'D'	Director	Director	Rule 8 clauses (i), (ii), (iv), (v) to (viii)	Vice-Chairman of the Governing Council