

प्रतिष्ठान-पत्र
एवं
नियम-विनियम

MEMORANDUM
OF
ASSOCIATION
AND RULES AND
REGULATIONS



आरोग्यम् सुखसम्पदम्

राष्ट्रीय स्वास्थ्य एवं परिवार कल्याण संस्थान
NATIONAL INSTITUTE OF HEALTH AND FAMILY WELFARE,
NEW DELHI

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NATIONAL INSTITUTE OF HEALTH AND FAMILY WELFARE,
NEW DELHI

MEMORANDUM OF ASSOCIATION

1. The name of the Institute is 'The National Institute of Health and Family Welfare', New Delhi, hereinafter referred to as 'The Institute'.

2. The registered office of the Institute shall be situated in the Union Territory of Delhi, and at premises of the Institute's campus near Jawaharlal Nehru University, Munirka, New Delhi-110067.

3. OBJECTS

The object of The National Institute of Health and Family Welfare is to act as an apex technical Institute for promoting Health and Family Welfare Planning Programmes in the country through education, training, services, research and evaluation.

4. FUNCTIONS

For the achievement of the above object, the management may carry out the following functions:

4.1 *Education and Training*

4.1.1 To conduct post-graduate diploma, degree and certificate courses in various aspects of Health and Family Welfare Planning such as administration, bio-medical sciences, demography and statistics, social sciences, communication, health economics, population sciences, population education and management sciences, etc. etc.

4.1.2 To conduct advance in-service education and training programmes for senior Health and Family Welfare Planning personnel through organisation of courses such as staff colleges, hospital administration, comprehensive health planning, research methodologies and courses for teachers in medical colleges and key-trainers, etc. etc.

4.1.3 To develop methods and materials for training in the field of Health and Family Welfare Planning.

4.1.4 To monitor and evaluate education and training programme in Health and Family Welfare Planning.

4.1.5 To establish, develop and maintain Field Practice and Demonstration Areas (Rural and Urban) for the purpose of education, training and research programmes.

4.1.6 To conduct other orientation and/or training courses in various aspects of Health and Family Welfare Planning for national and international trainees.

4.2 *Research*

4.2.1 To generate advanced knowledge through research related to the education and training, social, communication, medical, biological, genetic, population education, demography, statistical, organisational, administrative, operational aspects of the National Health and Family Welfare Planning Programme.

4.2.2 To develop more effective methods in ways of applying the relevant knowledge already available for strengthening the National Health and Family Welfare Planning Programmes.

4.2.3 To experiment, test and develop effective alternative methods of programme operations, delivery system, organisational procedures and demonstrating their application in the field.

4.2.4 To review and coordinate research in the field of Health and Family Welfare Planning including demographic and communication action research in the country.

4.2.5 To assign research studies in the field of Health and Family Welfare to special institutions or departments of existing institutions in the country and provide financial assistance for the same.

4.2.6 To patent drugs etc. invented at later stages.

4.3 *Evaluation*

4.3.1 To develop tools, techniques and methodologies for research and evaluation, and also to carry out evaluation of plans, programmes and projects in health and family welfare planning.

4.3.2 To develop and evaluate educational prototypes for the various categories of health and family welfare planning personnel.

4.4 *Services*

4.4.1 To develop and organise various Health and Family Welfare Planning Services for demonstration, training and research.

4.4.2 To provide data processing services.

4.5 *Consultancy*

4.5.1 To provide and collaborate in providing consultancy services in the field of health and family welfare planning.

4.6 *Documentation and Clearing House Service*

4.6.1 To develop and organise a documentation centre which will also work as a clearing house, with a view to collate, compile, disseminate technical knowledge and programme information in relation to health and family welfare planning programmes.

4.6.2 To undertake the publication of monographs, journals, research papers, technical reports, bulletins, newsletters and books, etc.

4.7 *Others*

4.7.1 To seek affiliation of the Institute with the Universities.

4.7.2 To grant certificates, diplomas and other academic distinctions and titles as may be provided for the regulations.

4.7.3 To invite representatives of the Government, Universities and other Institutions and Organisations, Indian or Foreign, and prominent scientists to participate in the programmes of the Institute.

4.7.4 To cooperate with international agencies engaged in health and family welfare planning programmes, in training, research and service activities including interchange of personnel, material and data.

4.7.5 To create administrative technical, ministerial and other posts under the Institute and make appointments thereto in accordance with the rules and regulations of the Institute.

4.7.6 To appoint and hire services or discharge/terminate the services of the personnel and to pay them in return for the services rendered to the Institute, salaries, wages, gratuities, pensions, provident fund and other allowances or remuneration in accordance with the rules and regulations of the Institute.

4.7.7 To establish an appropriate Contributory Provident Fund for the benefit of the employees of the Society.

4.7.8 To accept grants of money, securities and properties of any kind and/or produce capital financial assistance or accommodation on such terms which may be expedient.

4.7.9 To issue appeals and apply for money and funds in the furtherance of the objects of the Institute and to raise or collect funds by gifts, donations, subscriptions or otherwise, of cash and securities and any property either movable or immovable and grant such rights and privileges to the donors, subscribers, and other benefactors as the Institute may consider fit and proper.

4.7.10 To invest and deal with funds and money of the Institute.

4.7.11 To acquire by gift, purchase, exchange, lease, hire or otherwise, any property, movable which may be necessary or convenient for the purpose of the Institute and build, construct, improve, alter, demolish and repair the buildings, works and constructions as may be necessary for carrying out the object of the Institute.

4.7.12 To borrow and raise money with or without security or on the security of a mortgage charge or hypothecation or pledge of all or in any other manner.

4.7.13 To sell mortgage, lease, exchange, and otherwise transfer or dispose of all or any property, movable or immovable of the Institute for the furtherance of its objective subject to prior approval of the Governing Body of the Institute.

4.7.14 To draw, make, accept, endorse, discount, execute, sign, issue and otherwise deal with cheques, hundies, drafts, certificates, receipts, government securities, promissory notes, bills of exchange or other instruments, and securities

whether negotiable or transferable or not, for the purpose of the society.

4.7.15 To enter into any agreement with any government or authority, municipal or local or otherwise, to obtain from such government or authority any rights, privileges, concessions, statutory or otherwise, that the Institute may deem desirable to obtain and carry out, exercise and comply with such arrangements, rights, privileges and concessions.

4.7.16 To create, accept and undertake the management and administration of any endowment or trust fund, or any subscription or donation provided that the same is unaccompanied by any condition inconsistent with or in conflict with the nature and objects for which the Institute is established.

4.7.17 To apply for and take out purchase or otherwise acquire any trade marks, patents, brevets, invention, licenses copyrights, concessions and the like conferring any exclusive or non-exclusive or limited right to use any secret or other information as to any invention which may seem capable of being used for any of the purposes of the Institute or the acquisition of which may seem calculated directly or indirectly to benefit the Institute and to use, carry out, exercise and develop and turn to account the property, rights or information so acquired and to grant licenses to use the same.

4.7.18 To make rules and regulations and Bye-laws for the conduct of the affairs of the Institute and to add, to amend, vary or rescind them from time to time.

4.7.19 To grant prizes, awards, scholarships, travel grants, research grants, stipends and other incentives.

4.7.20 To advance conveyance and other loans to the employees of the Institute, as applicable to the Central Government Employees from time to time.

4.7.21 To take over all the assets and liabilities of the National Institute of Health Administration and Education, and National Institute of Family Planning, New Delhi.

4.7.22 To perform all such other lawful acts and things either alone or in conjunction with other organisations or persons as the Institute may consider necessary, incidental

or conducive to the attainment of all or any of the above mentioned functions.

5. The names, addresses, occupations and designations of the first members of the Governing Body to whom the management of the affairs of the Society is entrusted, as required under Section 2 of the Societies Registration Act XXI of 1860, (Punjab Amendment) Act, 1957, as extended to the Union Territory of Delhi, till the Governing Body is nominated according to the Rules and Regulations of the Society are as follows:

S. No.	Name	Address and Occupation	Designation
1.	Shri Raj Narain	Minister of Health and Family Welfare Nirman Bhavan New Delhi	Chairman
2.	Shri Jagdambi Prasad Yadav	Minister of State Ministry of Health and Family Welfare Nirman Bhavan New Delhi	Vice-Chairman
3.	Shri Rajeshwar Prasad	Secretary Ministry of Health and Family Welfare Nirman Bhavan New Delhi	Alternative Vice-Chairman
4.	Smt. Serla Grewal	Additional Secretary and Commissioner (FW) Ministry of Health and Family Welfare Nirman Bhavan New Delhi	Member
5.	Shri K.P. Singh	Additional Secretary (Health) Ministry of Health and Family Welfare Nirman Bhavan New Delhi	Member

6. Dr. P.P. Goel	Director General of Health Services Nirman Bhavan New Delhi	Member
7. Shri Prem Nath	Joint Secretary (FA) Ministry of Health and Family Welfare Nirman Bhavan New Delhi	Member
8. Dr. Sharad Kumar	Director National Institute of Health and Family Welfare New Delhi	Member-

6. SIGNATORIES TO THE MEMORANDUM OF ASSOCIATION

We, the undersigned whose names, addresses and occupations are hereunder subscribed are desirous of being formed into a Society, named the National Institute of Health and Family Welfare under the Societies Registration Act XXI of 1860, (Punjab Amendment) Act, 1957, as extended to the Union Territory of Delhi, in pursuance of this Memorandum of Association:

S. No.	Name, Address and Occupation	Signature
1.	Shri Raj Narain Union Minister of Health and Family Welfare Government of India	
2.	Shri Jagdambi Prasad Yadav Minister of State Ministry of Health and Family Welfare Government of India New Delhi	
3.	Shri Rajeshwar Prasad Secretary Ministry of Health and Family Welfare Government of India New Delhi	

4. Smt. Serla Grewal
Additional Secretary and
Commissioner (FW)
Ministry of Health and Family Welfare
Government of India
New Delhi
5. Shri K.P. Singh
Additional Secretary (Health)
Ministry of Health and Family Welfare
Government of India
New Delhi
6. Dr. P.P. Goel
Director General of Health Services
Government of India
New Delhi
7. Shri Prem Nath
Joint Secretary (Financial Adviser)
Ministry of Health and Family Welfare
Government of India
New Delhi
8. Dr. Sharad Kumar
Director
The National Institute of Health and
Family Welfare
New Delhi

New Delhi,
Dated:

Witness: Signatures at S. Nos. 1 to 8 above are
hereby witnessed.

Sd/-

(S.L. AHUJA)

Under Secretary to the Government of India
at present Assistant Director (Admn)
The National Institute of Health and Family Welfare
New Delhi

RULES AND REGULATIONS
OF THE
NATIONAL INSTITUTE OF HEALTH AND FAMILY WELFARE
NEW DELHI

TITLE AND DEFINITION

1. These rules and regulations may be called The National Institute of Health and Family Welfare rules.
2. In these rules, unless there is anything repugnant in the subject or content:
 - i. "Institute" means The National Institute of Health and Family Welfare, New Delhi.
 - ii. "Governing Body" means the Governing Body of The National Institute of Health and Family Welfare, New Delhi.
 - iii. "Chairman" means the Chairman of the Governing Body of The National Institute of Health and Family Welfare, New Delhi.
 - iv. "Vice-Chairman" means the Vice-Chairman of the Governing Body of The National Institute of Health and Family Welfare, New Delhi.
 - v. "Member" means a person who is admitted as a member of the Governing Body.
 - vi. "Director" means the Director of The National Institute of Health and Family Welfare, New Delhi.
 - vii. The words and expression used in the rules and not defined in these rules shall have the meaning assigned to them in the rules.
3. *Governing Body*

The Institute shall be controlled by and the management

COMPOSITION OF THE GOVERNING BODY
NATIONAL INSTITUTE HEALTH & FAMILY WELFARE

- | | | |
|--------|---|-------------------------------|
| 1. | Minister/Minister of State/
Incharge Department of F.W.
Ministry of Health and
Family Welfare,
Government of India | Chairman
(Ex-Officio) |
| 2. | Secretary (FW),
Ministry of Health and
Family Welfare,
Government of India | Vice-Chairman
(Ex-Officio) |
| 3. | Additional Secretary (Health)
Ministry of Health and
Family Welfare,
Government of India | Member
(Ex-Officio) |
| 4. | Joint Secretary
(Incharge of NIHPW),
Ministry of Health and
Family Welfare,
Government of India | Member
(Ex-Officio) |
| 5. | Director General of
Health Services | Member
(Ex-Officio) |
| 6. | Director General
Indian Council of
Medical Research | Member
(Ex-Officio) |
| 7. | Joint Secretary
(Financial Adviser)
Ministry of Health and
Family Welfare | Member
(Ex-Officio) |
| 8. | Director,
All India Institute of
Medical Sciences | Member
(Ex-Officio) |
| 9. | Director,
International Institute for
Population Studies, Bombay | Member |
| 10-15. | 6 eminent persons to be
nominated by the Chairman
from fields such as Social
Sciences, Education, Mass
Communication, Demography
and Population Sciences,
Medical Science and Economics | Members |
| 16. | Director,
The National Institute of
Health and Family Welfare | Member-Secretary |

As amended by the Ministry of Health and Family Welfare
vide their letter No. A.45011/60/89-C&G, dated 14.3.1990.

Communication, Demography and
Population Science, Medical Science
and Economics

17. Director
The National Institute of Health
and Family Welfare
- Member-
Secretary

The property of the Institute shall be vested in the Governing Body and in any proceedings, civil or criminal may be described as the property of the Governing Body. In any proceeding, the Institute may sue or be sued in the name of the Secretary or such other members as shall in reference to the matter concerned be appointed by the Governing Body for the occasion.

4. The Director of the Institute shall be the Member-Secretary of the Governing Body.

DURATION OF APPOINTMENTS OF MEMBERS

5. (i) Unless their membership of the Governing Body is previously terminated as in sub-rule (ii) the term of office of the members of the Governing Body *will be three years*, except that when a person has been appointed member of the Governing Body by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment and the vacancy in the Governing Body shall be filled in by appointment of the successor in office. The vacancy of the nominee of any organisation shall be filled in by nomination by the respective organisation as the case may be.

(ii) Any member of the Governing Body shall cease to be member if he resigns, becomes of unsound mind, becomes insolvent or is convicted of a criminal offence involving moral turpitude.

(iii) Resignation of membership shall be tendered to the Chairman of the Governing Body in person through the Secretary and shall not take effect until it has been accepted on behalf of the Governing Body by the Chairman.

(iv) Any vacancy in the membership of the Governing Body by death or by any of the reasons mentioned in these sub-

rules shall be filled by the respective organisation or the nominator as the case may be, when moved to do so by the Secretary acting on behalf of the Governing Body.

PROCEEDINGS OF THE GOVERNING BODY

6. The Governing Body shall meet at least once a year at such time and place as the Chairman shall decide. Other meetings of the Governing Body may be held at any time during the year as the Chairman may decide and shall be called forthwith on a requisition signed by four members of the Governing Body. Such extra meetings shall be held at such time and place as the Chairman may decide.

7. At the annual meeting of the Governing Body, the following business shall be brought forward and disposed of:

- a. the annual report
- b. the balance sheet for the past year
- c. the budget for the next year
- d. other business on the agenda
- e. other business brought forward with the assent of the Chairman.

8. Every notice calling a meeting of the Governing Body shall state the date, time and places at which such meetings will be held and shall be served upon every member of the Governing Body *not less than 21 clear days* in the case of annual meeting, *not less than seven clear days* in the case of other meetings, before the day appointed for the meeting. Such notice shall be under the hand of the Secretary and shall be accompanied by the agenda of the business to be placed *before the meeting*.

9. The Chairman shall take the Chair at meetings of the Governing Body. If the Chairman is not present, in that event, the Vice-Chairman will take the Chair and conduct the meeting. If the Chairman and Vice-Chairman be not present, the Governing Body may elect one of their members to act as the Chairman of the meeting to conduct and hold the meeting.

10. Five members of the Governing Body, in addition to the Chairman/Vice-Chairman or the presiding member present in person shall constitute a quorum of any meeting of the

Governing Body. In the absence of both the Chairman and Vice-Chairman, in that case, seven members of the Governing Body present at the said meeting will constitute a quorum.

11. All disputed questions at meetings of the Governing Body shall be determined by votes and the opinion of the majority shall prevail.

12. Each member of the Governing Body including the Chairman or the Vice-Chairman or presiding member shall have one vote and in case of equality of votes the Chairman or the Vice-Chairman or the presiding officer shall have a casting vote:

13. Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Secretary not less than *seven days* in case of annual meeting and *five days* in case of other meetings before the day of such meeting.

14. Any business which it may be necessary for the Governing Body to perform except such as may be placed before the annual meeting may be carried out by circulation among all its members and any resolution so circulated and approved by a majority of the members present in the country at that time shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body.

POWERS OF THE GOVERNING BODY

15. The Governing Body shall have general control of the affairs of the Institute and shall have authority to do, exercise and perform all the powers, acts and deeds for the planning, establishment and running of the Institute, consistent with the aims and objects of the Institute.

16. The Governing Body shall have powers to create posts, subject to specific provision in the budget, on scales of pay applicable to similar posts under the Government of India and as applicable from time to time classify them into grades and specify their designations. In all other matters, the Governing Body shall have full powers in the matter of expenditure from the funds of the Institute subject to budget provision save in the matter of pay, allowances and concessions to Government servants on foreign service which shall not be greater than those admissible under the code rules of the Government.

17. The Governing Body shall have full powers to make such Bye-laws as they shall think essential for the regulation of the business of the Institute and in particular with reference to (i) the keeping of accounts; (ii) the preparation and sanction of budget estimates; (iii) the sanctioning of expenditure; (iv) entering into contracts; (v) the appointment of staff and determination of their conditions of service; and (vi) any other purpose that may be necessary.

18. The Governing Body may accept the management and administration of any endowment or trust fund or any subscription or donation provided that the same is unaccompanied by any condition inconsistent or in conflict with the nature and object for which the Institute is established.

19. The Governing Body may by resolution delegate to the Chairman and to the Member-Secretary such of its powers for the conduct of business as the Governing Body may deem fit, subject to the condition that action taken by the Chairman or by the Secretary shall be reported for confirmation at the meeting of the Governing Body.

20. The Governing Body shall appoint a Standing Finance Committee consisting of the following:

- i. Secretary/Additional Secretary & Commissioner (FW)
Ministry of Health and Family Welfare
- ii. Joint Secretary and Financial Advisor
Ministry of Health and Family Welfare
- iii. A member of the Governing Body to be nominated by
the Chairman of the Governing Body
- iv. Director General of Health Services
- v. Director
The National Institute of Health and Family Welfare.

The Standing Finance Committee shall have the following functions:

1. To consider and recommend for approval to the Governing Body, the annual budget estimates of the Institute;

2. To consider and recommend for approval to the Governing Body, the annual audited accounts of the Institute;
3. To consider and recommend for approval new financial proposals which may arise during the course of the year which may not be already provided for under the budget; and to approve reappropriations between previously approved major heads;
4. To consider quarterly reports submitted by the Director for information; to examine from time to time the adequacy of resources of funds and the general financial position of the Institute; and to make appropriate recommendation to the Governing Body;
5. All proposals for creations of new posts; and
6. All matters relating to the invitation and acceptance of tenders which are beyond the powers of the Director.

21. The Governing Body may also appoint one or more Committees or Sub-Committees for proper functioning of the Institute.

FUNDS OF THE INSTITUTE

22. The funds of the Institute will consist of the following:

1. Grant made by the Central Government and/or State Government for the furtherance of the objects of the Institute;
2. Contributions from other sources;
3. Income from investment; and
4. Receipts of the Institute from other sources.

23. *Application of the Income and Property*

The Income and Property of the Institute shall be applied

solely towards the promotion of the objects of the Institute as specified in the Memorandum of Association and any expenditure incurred shall be subject to such restrictions as the Central Government or the State Government may from time to time impose in respect of grants or donations made by them. No part of the income or property of the Institute shall be spent or transferred directly or indirectly by way of dividends, bonus or otherwise, however, to persons who at any time have been members of the Institute except by way of remuneration for services rendered to the Institute or as travelling allowance, daily allowance or other similar compensatory allowance.

24. The Bankers shall be the State Bank of India or any other nationalised bank. All funds shall be paid into the Institute's account with the Bank and shall not be withdrawn except on a cheque signed by Director or by such officer as may be duly empowered by the Chairman.

25. For the purposes of these Rules and Regulations a financial year shall be taken to mean the twelve months commencing on the 1st April and ending on the 31st March.

26. The Institute shall cause regular accounts to be kept of all its money and properties in respect of affairs of the Institute.

27. The accounts of the Institute shall be audited annually by the Comptroller and Auditor General of India, or by any other persons appointed by him in this behalf and any expenditure incurred in connection with such audit shall be payable by the Institute to the Comptroller and Auditor General of India. The Auditor shall have the right to demand the production of all Books, Accounts, Vouchers and other necessary documents and papers. The Auditor shall submit a copy of the Audit Report to the Ministry of Health and Family Welfare.

28. An annual report of the proceedings of the Institute and of all work undertaken during the year shall be prepared and submitted by the Governing Body for information of the Government of India.

29. The annual balance sheet and revenue account when accepted and passed at the annual meeting of the Governing Body shall be sent to the Government of India.

30. (i) No propositions for altering, extending or abridging the objects and purposes for which the Institute is established or amalgamating the Institute with any other Association etc. shall be processed unless a special general meeting of the Governing Body has been convened for its consideration according to the rules and regulations of the Institute.

(ii) No such proposals shall be carried into effect unless proposals for altering, extending or abridging the object etc. has been delivered or sent by post to every member of the Governing Body of the Institute ten days provision to the special general meeting of the Governing Body for the consideration thereafter, not unless such proposals have been agreed to by a majority of the two-thirds of the members of the Governing Body attending and voting either in person or by proxy and confirmed by the votes of the two-thirds of the members present at a second special meeting convened by the Governing Body at an interval of one month after the former meeting.

(iii) The Governing Body may with the consent of not less than two-thirds of its members by a resolution passed at a special general meeting convened for the purpose in accordance with the rules and regulations of the Institute and subject to the provisions of rule 30(iv) may change its name.

(iv) Notice in writing of every change in name signed by the Secretary and seven members of the Governing Body changing its name shall be sent to the Registrar of Societies, New Delhi within 15 days after passing of the resolution under rule 30(iii) for necessary action.

31. Two-thirds of the members of the Governing Body of the Institute may determine that it shall be dissolved and thereupon it shall stand dissolved forthwith or at the time then agreed upon and all necessary steps shall be taken for the disposal and settlement of the property of the Institute and its claims and liabilities according to the rules and regulations of the Institute, applicable thereto, if any; and, if not, then as the Governing Body or a special committee formed to replace the Governing Body in respect of matter affecting the winding up of the Institute shall find expedient provided that:

(i) In the event of any dispute arising among the members of the Governing Body or if it has been replaced by a

special committee as aforesaid, among the members thereof the adjustment of its affairs shall be referred to the principal court of the original civil jurisdiction of New Delhi and the court shall make such order in the matter as it shall deem requisite;

(ii) Any matter decided by two-thirds of members the Governing Body or by any special committee formed to replace the Governing Body for the purpose of winding up the affairs of the Institute present either in person or by proxy at any meeting of the Governing Body or special committee shall not be deemed to be a matter of dispute within the meaning of sub-rule (i) above.

(iii) The Institute shall not be dissolved without the consent of the Government of India unless two-thirds of the members of the Governing Body of the Institute shall have expressed a wish for such dissolution by their votes recorded in person or by proxy at a special general meeting convened for the purpose.

32. If, upon the dissolution of the Institute there shall remain after the satisfaction of all its debts and liabilities, any property whatever, the same shall be disposed of in accordance with the approval of the Government of India.

33. The Registrar of Societies, New Delhi shall have the right to inspect the Institute and the suggestions, if any, made by him shall be compiled with.

Certified to be correct copy of the Rules and Regulations of The National Institute of Health and Family Welfare, New Delhi.

<i>Name</i>	<i>Designation</i>	<i>Signature</i>
1. Shri Rajeshwar Prasad	Alternative Vice-Chairman	
2. Smt. Serla Grewal	Member	
3. Dr. Sharad Kumar	Member-Secretary	

