

**BYE-LAW OF THE MIZORAM INSTITUTE OF MEDICAL EDUCATION AND  
RESEARCH SOCIETY,2018**

The Governing Council with previous sanction of the State Government hereby makes the following Bye-Laws (for regulating the powers and functions the Governing Council, the President, the Executive Committee, the Standing Finance Committee and the Director of the Institute)namely:-

1. **Short title : In this Bye-law, unless the content otherwise requires-**  
This Bye-Law may be called the **“Bye Law of the Mizoram Institute Of Medical Education And Research 2018”**
2. **Definitions : In this Bye-Law, unless the content otherwise requires:-**
  - a. **“Bye-Law”** means the Bye-Law of the Institute.
  - b. **“Chairman”** means the Chairman of the various Committee/Council.
  - c. **“Deputy Director”** means the Deputy Director (Administration) of the Institute.
  - d. **“Director”** means the Director of the Institute, who will be Chief Executive Officer.
  - e. **“FAO”** means Finance & Accounts Officer of the Institute, who will be Chief Account Officer.
  - f. **“Fundamental Rules”** means the Fundamental Rules as may be applicable to the State/ Central Government Servants.
  - g. **“Financial Powers”** means delegation of financial powers to officers by the Governing Council of the Society.
  - h. **“Governing Council”** means the Body which shall exercise full power on behalf of the Institute.
  - i. **“Institute”** means the Mizoram Institute of Medical Education and Research, Mizoram (MIMER)
  - j. **“Member”** means a member of the Governing Council of the Institute.
  - k. **“Teaching faculty”** means the Professor, Associate Professor, Assistant Professor, Lecturer and such employees of the Institute as may be declared to be a member of the teaching Faculty by the Governing Council as per the norms of the Medical Council of India.

- l. **“Member Secretary”** means Member Secretary of the Governing Council of Institute.
- m. **“President”** means the President of the Governing Council.
- n. **“Registrar”** means the Registrar of Mizoram Institute of Medical Education & Research.
- o. **“Schedule”** means the Schedule attached to these Bye-Laws.
- p. **“State Nodal Officer”** means State Nodal Officer for Mizoram Institute of Medical Education and Research, Mizoram.
- q. **“Supplementary Rules”** means the Supplementary Rules as applicable to the State/Central Government servants who are subjected to the Fundamental Rules of the State/ Central Government.
- r. **“Vice-Chairman”** means the Vice-Chairman of the various Committee/Council.
- s. **“Vice-President”** means the Vice- President of the Governing Council.

### **3. Authority of the Institute :**

The following shall be the authorities of the Institute:

- a) Governing Council
- b) Executive Committee
- c) Finance Committee
- d) Academic Committee
- e) Estate Committee
- f) Procurement Committee
- g) Selection Committee
- h) Board of Consultant
- i) President
- j) Director
- k) Such other authorities as may be appointed by the Governing Council

### **4. Governing Council:**

1. The General Body of the society shall be known as Governing Council of the Society.
2. The following shall be the Members of the Governing Council :

<b>Sl. No.</b>	<b>Designation</b>	<b>Position in the Governing Council</b>
1	Hon'ble Chief Minister of Mizoram.	President
2	Hon'ble Minister (H & FW), Mizoram.	Vice President
3	Hon'ble Minister (Finance), Mizoram.	Member
4	Hon'ble Minister (Higher & Technical Education) Mizoram.	Member
5	Hon'ble Minister (DP & AR), Mizoram.	Member
6	MLA of the constituency	Member
7	Chief Secretary. Govt. of Mizoram.	Member
8	Vice Chancellor, Mizoram University	Member
9	Secretary (H & FW) Govt. of Mizoram.	Member
10	Secretary (Planning), Govt. of Mizoram.	Member
11	Secretary (PWD), Govt. of Mizoram.	Member
12	Secretary (Higher & Technical Education), Govt. of Mizoram.	Member
13	Secretary (Finance), Govt. of Mizoram.	Member
14	Secretary, PWD. Govt. of Mizoram.	Member
15	Secretary, P & E. Govt. of Mizoram.	Member
16	Secretary, PHE. Govt. of Mizoram.	Member
17	Principal Director (H & FW) Government of Mizoram.	Member
18	Director, Hospital & Medical Education Government of Mizoram.	Member
19	Director, Health Services Government of Mizoram.	Member
20	President, Indian Medical Association, Mizoram.	Member
21	Director, MIMER	Member Secretary

## 5. Executive Committee :

1. There shall be an Executive Committee which shall consist of not more than 12 (twelve) members from amongst the members of the Governing Council.

2. The following shall be the Members of the Executive Committee:

Sl. No.	Designation	Position in the Council
1	Secretary (H & FW) Govt. of Mizoram.	Chairman
2	Principal Director (H & FW) Government of Mizoram.	Member
3	Secretary (Planning), Govt. of Mizoram.	Member
4	Secretary (Finance), Govt. of Mizoram.	Member
5	Director, Hospital & Medical Education Government of Mizoram.	Member
6	Director, Health Services Government of Mizoram.	Member
7	Medical Superintendent, MIMER	Member
8	Registrar, MIMER	Member
9	Faculty Representative, MIMER	Member
10	State Nodal Officer, MIMER	Member
11	Director, MIMER	Member Secretary

4

## 6. Terms of Office of Members of the Governing Council :

- a) The term of Office of any of the Members of the Legislative Assembly in the Governing Council shall come to an end as soon as he/she ceases to be a Member of the House.
- b) The term of office of an ex-officio Member shall continue as long as he/she holds the office by virtue of which he/she is such a member.

- c) The term of office of the Member nominated to fill a casual vacancy shall continue for the remaining term of the member in whose place he/she is nominated.
- d) An outgoing member other than a Member of the Legislative Assembly and ex-officio member, unless the President of the Council otherwise directs, shall continue in office until another person is nominated as a member in his/her place.
- e) An outgoing member shall be eligible for re-nomination.
- f) A member may resign from his/her office by writing under his/her hand and addressed to the President of the Council but shall continue in office until his/her resignation is accepted by the latter.
- g) A member other than an ex-officio member or a member of the Legislative Assembly, who remains absent for 3 consecutive meetings of the Council without proper justification, may be removed by a resolution passed by a majority of the total membership of the Governing Council. Such may result in casual vacancy which may be filled as per clause (c) of Bye Law No.5.

## **7. Powers and function of the Governing Council ;**

- a) The Governing Council shall be the highest authority empowered to take all measures necessary for attainment of the objective specified in the Memorandum of the society, subject to directive issued by the State Government from time to time and with the approval of State Government (on issues specifically notified by the State Government. )
- b) The following shall be the powers and functions of the Governing Council :
  - i. To consider and approve the scientific, academic and technical programmes of the Institute including selection of candidates to under graduate and post graduate courses. Nomination of candidates to under graduate and post graduate course shall be done by the State Government.
  - ii. To consider and adopt the annual budget subject to the approval of the State Government.

- iii. To take decision on any academic and administrative matter that may be referred to it by the Director or the Executive Committee and other bodies of the Institute.
- iv. To undertake any other activities which are consistent with the aims and objective of the Institute or needed for the efficient management of the Institute.
- v. To set up committees, working groups or boards.
- vi. To create required number of posts with the approval of the State Government.
- vii. To fill up the post created with the approval of the State Government.
- viii. To make, alter and revive the Bye Laws with the approval of the State Government.
- ix. To acquire, hold and dispose of property, movable or immovable and to administer all assets with the prior approval of the State Government.
- x. To delegate by specific resolution any of its power to any person or persons, committee, board or other bodies composed wholly or partly or to its own member;
- xi. To organize, establish, carry on and maintain/ dissolve working center for training, research, consultation and any other work in furtherance of the objectives of the Institute in any part of India and any part of the world.

## **8. Executive Committee :**

- i. There shall be an Executive Committee which shall consist of not more than 12 (twelve) members from amongst the members of the Governing Council.
- ii. The Executive Committee shall exercise such power and discharge such duties as the Governing Council may confer or delegate to it.

iii. The term of the office of the members of the Executive Committee shall be co-terminus with that of the Members of the Governing Council.

iv. The Governing Council shall take necessary steps for filling up any casual vacancy in the Executive Committee

**9. Finance Committee :**

i. There shall be a standing Finance Committee of the Institution

ii. The following matters shall be referred to the Finance Committee of the Institute which shall consider them and make its recommendation thereon namely:

- a) Annual accounts of the institute showing receipt and expenditure together with audit report thereon.
- b) Budget estimate showing the estimated receipt and expenditure of the Institute.
- c) Incurring of an expenditure not included in the Budget
- d) All proposals for the creation of posts.
- e) All financial matters pertaining to the Institute.

iii. The term of office of the Finance Committee shall be Co-terminus with the term of office of the Governing Council.

iv. A casual vacancy in the Finance Committee shall be filled up by the President of the Governing Council

v. The following shall be the members of the Finance Committee:

Sl. No.	Designation	Position in the Executive
1	Secretary (H & FW), Govt. of Mizoram.	Chairman
2	Principal Director (H & FW) Government of Mizoram.	Member
3	Secretary (Finance) or his nominee not below the rank of Joint Secretary, Govt. of Mizoram.	Member
4	Director, Hospital & Medical Education Government of Mizoram.	Member

5	Director, Health Services Government of Mizoram.	Member
6	FAO, MIMER	Member
7	Director, MIMER	Member Secretary

**10. Academic Committee :**

An academic committee shall be constituted under the Chairmanship of Director, MIMER consisting no more than 7 (seven) members nominated from amongst the members of the council not below the rank of Associate Professor working in the Institute. The members shall be nominated by the Director, MIMER the period of which shall be 3 (three) years

**11. Estate Committee :**

The Committee will look after the Institute land, buildings and other non-movable properties.

The Committee will also look after the allotment of space e.g. parking area, rooms etc.

The Committee shall fix rent of buildings, quarters etc. and revise them from time to time

The following shall constitute "**Estate Committee**":

Sl. No.	Designation	Position in the Executive
1	Secretary (H & FW), Govt. of Mizoram.	Chairman
2	Principal Director (H & FW) Government of Mizoram	Member
3	Registrar MIMER	Member
4	DD (A) MIMER	Member
5	Medical Superintendent, MIMER Hospital	Member
6	Director, MIMER	Member Secretary

## 12. Procurement Committee :

- a) There shall also be a Procurement Committee who will deal with procurement of all equipments, furnitures, appliances and other necessary items of the Institute.
- b) There shall also be a sub-committee of technical experts to review the specifications of the items to be procured.
- c) The powers exercised for procurement of goods and services by the Chairman of the Executive Committee and the Director of the Institute shall be based on the recommendation of the Procurement Committee. And details of all such procurement of goods and services shall be placed before the Executive Committee for ratification.
- d) The following shall constitute the Procurement Committee:

Sl. No.	Designation	Position in the Executive
1	Secretary (H & FW), Govt. of Mizoram.	Chairman
2	Principal Director (H & FW) Government of Mizoram	Member
3	Director, Hospital & Medical Education Government of Mizoram.	Member
4	Director, Health Services Government of Mizoram.	Member
5	Registrar MIMER	Member
6	DD Accounts / FAO, MIMER	Member
7	Medical Superintendent, MIMER Hospital	Member
8	A member representing Department of Law & Judicial	Member
9	A member representing Department of Finance	Member
9	Expert from the discipline in question	Member
10	Director, MIMER	Member Secretary

**13. The Selection & Recruitment Committee for various posts under MIMER shall be as provided below:**

A. For **Group A posts** (Asst. Professor & above), except Director

Sl. No.	Designation	Position in the Executive
1	Chief Secretary, Govt. of Mizoram.	Chairman
2	Secretary (H & FW), Govt. of Mizoram.	Vice Chairman
3	Secretary (DP & AR), Govt. of Mizoram or his representatives	Member
4	Principal Director (H & FW) Government of Mizoram	Member
5	Director, Hospital & Medical Education Government of Mizoram.	Member
6	One expert not below the rank of Associate Professor in the specialty.	Member
7	Director, MIMER	Member Secretary

10

B. For **Group A posts** (Senior Resident, Junior Resident, Demonstrator, Adhoc Medical Officer)

Sl. No.	Designation	Position in the Executive
1	Secretary (H & FW), Govt. of Mizoram.	Chairman
2	Principal Director (H & FW) Government of Mizoram	Vice-Member
3	Secretary (DP & AR), Govt. of Mizoram or his representatives	Member
4	Director, Hospital & Medical Education Government of Mizoram.	Member
5	Medical Superintendent, MIMER	Member
6	HoD of concerned Specialty/Clinical dept.	Member
7	Director, MIMER	Member Secretary

C. For Group B, C & D posts

Sl. No.	Designation	Position in the Executive
1	Secretary (H & FW), Govt. of Mizoram.	Chairman
2	Principal Director (H & FW) Government of Mizoram	Vice-Member
3	Secretary (DP & AR), Govt. of Mizoram or his representatives	Member
4	Director, Hospital & Medical Education Government of Mizoram.	Member
5	Medical Superintendent, MIMER	Member
6	DD (Admin), MIMER	Member
7	Director, MIMER	Member Secretary

**14. Board of Consultants:**

The Council may from time to time appoint a Board of Consultants including the Director from different specialties for performing the following functions:-

- i. To encourage best practices in the field of medical science.
- ii. To develop programmes using the latest research methodology, which can be, used for the upliftment of the health status of the general population in the State and to develop new skills in prevention and control of diseases.
- iii. To provide consultation in all aspects of Medical Science and Technology to the Mizoram Institute of Medical Education and Research, Mizoram and the State Government. This will include **planning, monitoring and evaluation** of all health related programmes in the State.

**15. Allowances of the Chairman and members of the Executive Committee and other Standing Committees:**

- a) The Chairman and members of the Executive Committee and other Standing Committees shall not receive pay, fee,

remuneration or any other allowances. Non official members shall receive traveling and daily allowances for attending the meeting.

- b) The President may for special reasons journeys by air not otherwise to the member of the Executive Committee and Standing Committees. For such journeys, travelling allowances shall be paid at the rates admissible to Group-A Officers of the State Government.

**16. Director of the Institute:**

- a) The Director of the Institute shall be appointed by the President of the Governing Council, MIMER, with the concurrence of the Government of Mizoram, from a panel of names recommended by the "Selection & Recruitment Committee" as approved by the GC in his capacity as President of the Governing Council, MIMER. The eligibly for a Director of the Institute should be the eligibility criteria as per MCI regulations for Minimum Qualifications for Teachers in Medical Institutions Regulation 1998, given in Schedule II of Constitution Bye-laws of the Institute. The term of office of Director shall be five years or till he/she attains the age of 70 (seventy) years, whichever is earlier. Authority for approval of extension in tenure of Director will vest with the President of the Governing Council, MIMER. He shall supervise the office of the Medical Superintendent and the functioning of the hospital attached to the Institute. He shall also exercise the powers as specified in Schedule I attached to these Bye-Laws.
- b) The Director shall be entitled to such salary and other allowances and shall be governed by such conditions of service in respect of leave, pension, provident fund and other matters as may be prescribed under the Regulations in this behalf.
- c) The Governing council shall, if it is of the opinion that it is in public interest to do so, have the right to terminate the term of office of Director at any time before the expiry of his term by giving him a notice of not less than three months in writing or three months' salary and allowances in lieu thereof. The Director shall also have the right to relinquish his office at any time before the expiry of his term

by giving to the institute a notice of not less than three months in writing, failing which he shall have to pay the institute three months salary and allowances.

**17. Power and Duties of the Director :**

- a) The Director shall be the head for Academic, Scientific and patient care activities of the Institute.
- b) He shall exercise the Administrative and financial powers as delegated by the Governing Council.
- c) He shall allocate duties to officers and employees of the Institute.
- d) He shall be responsible for monitoring the functioning of the faculty and other staffs of the Institute.
- e) He shall supervise the office of Medical Superintendent and the functioning of the hospital attached to the Institute.
- f) He shall also exercise the powers as specified in the Schedule I attached to these Bye-Laws
- g) He shall perform such duties and exercise such powers as delegated to him by the Governing Council.
- h) He shall also have powers to delegate any of the powers conferred to him under these Bye-Laws to any of the officers of the Institute on the Administrative side subject to such limitations as may imposed by the Governing Council.

**18. Deputy Director (Administration)**

The post of Deputy Director (Admin) shall be filled up by deputation . The DDA shall assist the Director in matters relating to General establishment, recruitment/appointment. He shall be responsible for the maintenance of service records of employees of the institute, roster for reservations in recruitments and promotions against vacancies of posts, maintenance of leave accounts, establishment register, retirements, etc. He shall also assist the Director directly in office management including, indent, purchase of stationery, vehicles arrangement of accommodation etc. shall perform such duties and exercise such powers as delegated to him by the Director.

## **19. Registrar**

The Registrar will be the care taker and shall the academic section. The Registrar shall be the signatory for all academic certifications, and shall maintain all records and registers related to academic work. He shall assist in the intake of students i.e. under graduate, post graduate etc. and shall perform such duties and exercise such powers as delegated to him by the Director.

## **20. Other Employees of the Institute:**

The Governing Council shall from time to time with prior approval of the State Government, create necessary posts for the proper functioning of the Institute. The Governing Council shall have the discretion to approve appointment of employees either on whole-time or part-time or on contract basis for limited periods as required for the efficient and economical management of the Institute.

14

## **21. Qualifications and Other condition of Service:**

The qualifications and other service conditions of the employee shall be as prescribed in the Service Bye-Laws of MIMER (Schedule – II)

## **22. Business of the Council:**

- a) The Council shall meet as and when considered necessary by the President for the transaction of business of the Institute. Provided that the Council shall meet at **least once in six months**.
- b) Meetings of the Council shall be held at such **place, date and time** as may be fixed by the President.
- c) The President may at any time call a meeting of the Council and shall do so if requisition for the purpose is presented to him **in writing by not less than eight members** specifying the subject of the item purposed for discussion.
- d) Not less than 14 (fourteen) clear days notice of every meeting of the Institute shall be given to each member who is for the time being in India.

- e) A notice may be served upon any member either personally or by registered post and/or electronic post.
- f) Notwithstanding anything contained in clause (d) above, an extraordinary meeting of the Council may be called by the President at a shorter notice of **at least seven clear days**.
- g) No business shall be transacted at a meeting of the Council unless there is a quorum of at least one third of the members of the Council present and voting.
- h) The President if present shall preside over every meeting of the Council. If the President is not present at any such meeting, the Members present shall choose one from among themselves to be the Chairman for that meeting.
- i) Any member of the Council desirous of moving any resolution at a meeting of the Council shall give notice thereof in writing to the Secretary of the Council so as to reach him **not less than ten days** before the date of meeting and when such notice has been given, the proposed resolution shall be circulated to the members.
- k) When any business is so referred to the members by circulation, a period of not less than fifteen clear days shall be allowed for the receipt of replies from the members, such period to be counted from the date on which the notice of business is issued. Provided that if no reply is received within the stipulated date from any member, the resolutions so circulated, shall be deemed to have been approved by the members concerned.
- l) If a resolution is circulated, the results of circulation shall be communicated to all the members.
- m) Nothing in these Bye-Laws shall prevent the President from exercising all the powers of the Council case of emergencies for the furtherance of the objectives of the Institute and the action taken shall be reported to the Governing Council at the next meeting of the Council.
- n) The Secretary of the Council shall maintain a record of all business transacted by the Council.
- o) The attendance of members attending the meeting of the Council shall, as far as possible, be recorded in the form of a resolution and entry of such decision in the book of proceedings of the

Council shall be conclusive evidence of the fact that such decisions were taken by the Council.

- p) All disputed questions shall be determined by votes. Each member shall have one vote and in case of a tie the Chairman shall have a casting.
- q) The proceedings of every meeting of the Council shall be circulated by the Secretary to the Council to all members.

**23.** The Council may, with the prior written approval of the State Government, make or amend the bye-laws consistent with the objectives of the Institute. Without prejudice to this power, the bye-laws may provide for:

- a) The summoning and holding of meetings other than the first meeting of the Executive Committee, the time and place where such meetings are to be held, the conduct of business at such meeting and the number of members necessary to form quorum.
- b) The manner of constituting the Executive Committee, the term of office and the manner of filling vacancies among the members of the Executive Committee.
- c) The powers and functions to be exercised and discharged by the President of the Council, the Chairman of the Co-ordination Board and the Chairman of the Executive Committee.
- d) The allowances if any, to be paid to the Chairman and members of the Co-ordination Board and the Executive Committee and other Standing Committees.
- e) The procedure to be followed by the Executive Committee and other Standing Committee. The tenure of office, salaries and allowances and other conditions of service of the in conduct of their function.
- f) The tenure of office, salaries and allowances and other conditions of service of the Director, other officers and employees of the Institute including teachers appointed by the Council.
- g) The powers and duties of the Chairman of the Executive Committee.
- h) The powers and duties of the Director and other officers and employees of the Institute.

- i) The management of properties of the Institute.
- j) The degree, diploma and other academic distinction and titles which may be granted by the Institute.
- k) The professorship, readership, lectureship and other posts which may be instituted and persons who may be appointed to such professorship, readership, lectureship and other posts.
- l) The fees and other charges which may be demanded and received by the Institute.
- m) The manner in which and the conditions subject to which pension and provident funds may be constituted for the benefit of officers, teachers and other employees of the Institute,

#### **24. Funds of the Council and Accounts:**

The funds of the Institute shall consist of the following:

- a) Grants made by or through the Government of India or any other State Government/ Union Territory.
- b) All money received by the Institute by way of grants, gifts, donations, benefactions, loans request or transfer.
- c) All fees and other charges received by the Institute.
- d) All money received by the Institute in- any other manner or from any other source.

#### **25. Withdrawal of funds:**

- a) All money credited to the fund of the institute shall be deposited to a nationalized bank to be decided by the President.
- b) The said fund shall be operated through a joint account and withdrawals from the fund shall be made by cheque signed by both the Director MIMER and FAO of the Institute duly authorized by the Director in this behalf as directed by the President provided all payments above Rs. 5.00 lakhs shall be counter signed by the Chairman, Executive Committee.
- c) All bills shall be pre-checked by an Account Officer of the Institute.

#### **26. Accounts and Audit:**

- a) The annual Statements of accounts including the balance sheet of the Institute shall be in such forms as may be laid down by the Government of Mizoram.
  - b) The accounts of the institute shall be audited by the Accountant General, Mizoram/ Director of Local Fund Audit, Account & Treasury Govt., of Mizoram and expenditure if any, in connection with such audit shall be paid by the Institute to the auditing agency.
  - c) The Accountant General Mizoram/ The Director of Local Fund Audit, Account& Treasury, Govt. of Mizoram or any person appointed by him in connection with the audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit. The Accountant General, Mizoram/Director of Local Fund Audit, Account & Treasury Government of Mizoram has in connection with the aid of government accounts and, in particular, shall have the “right to demand the production of books, accounts, connected vouchers and other documents/papers and to inspect the office of the Institute as well as other institutions established and maintained by it.
  - d) The accounts of the Institute as certified by AG, Mizoram/Director of Account & Treasuries, Govt. of Mizoram or any other person appointed by him on his behalf together with the audit report thereon shall be forwarded annually to Finance Department (APF) of the State Government and that Government shall cause the same to be laid before the State Assembly.
- 27.** The Institute shall prepare for every year a report of its activities during the year ending 31<sup>st</sup> March and shall submit to the Government with fifty spare copies thereon not later than the succeeding 31<sup>st</sup> December. The State Government shall cause the Annual Report to be placed before the State Assembly within one month of its receipt.
- 28.** All orders and decisions of the Council shall be authenticated by the signatures of the President or any other member authorized by the Council on his behalf and all other instruments shall be authenticated by the signature of the Director or any other officer of the Institute appointed on his behalf.

**29.** The Institute shall carry out such direction as may be issued to it from time to time by the Government of Mizoram for efficient administration of the Institute.

**30.** The Institute shall furnish to the Government of Mizoram such reports, returns and other information as the Government may require from time to time.

**31. General:**

a) No act or proceeding of the Council or Executive Committee shall be deemed to be invalid by reason merely of any deficiency in or any defect in the Constitution of the Council or the Executive Committee as the case may be.

b) Provisions for declaration of Mizoram Institute of Medical Education and Research society as a Central Institute of National Importance: On the advice of the Governing Council of the society, if deemed fit, the State Government shall approach the Central Government for conversion of Mizoram Institute of Medical Education and Research (MIMER) society to a Central Institute of National Importance.

**32.** The Council may sue or be sued in the name of the Director.

**33.** The income and property of the Institute, however, derived, shall be applied towards the promotion of the objectives thereof subject, nevertheless in respect of the expenditure of grants made by the State/ Central Government to such limitation as that Government may from time to time impose. No portion of the income and property of the Institute shall be paid or transferred, directly or indirectly by way of dividends, bonus or otherwise however by way of profits to any person or organization who at any time are or have been members of the Council or to any of them or to any person claiming through them or any of them provided that nothing herein contained shall prevent the payment in good faith or remuneration of any member thereof, of other persons, in return for any service rendered to the Institute. If on the winding up or dissolution of the Institute, there shall remain after the satisfaction of its debts and

liabilities, any property whatsoever, the same shall not be paid to, or distributed among, the members of the Council or any of them. But shall consistently with the objectives of the Institute be dealt with in such manner as the Government may determine.

**34. Meeting of Executive Committee:**

- a) The Executive Committee shall meet as often and may be considered necessary by the Chairman for transaction of its business but shall ordinarily met at least once in a year at such place, date and time as may be decided by the Chairman of the Committee.
- b) The proceedings and meeting of the Executive Committee shall be entered in the minute book to be maintained by the Member Secretary for the purpose and proceedings shall be signed by the Chairman of the meeting after the same is duly confirmed.
- c) The extra-ordinary meeting of the Executive Committee shall be called by way of written requisition by at least half of the members of the Committee or by the Chairman.
- d) Notice of every meeting of the Executive Committee shall be sent by the Member Secretary to each member of the Committee in case of ordinary meeting at least 14 days and in case of extra-ordinary meeting at least 7 days before date of the meeting under a certificate of posting when sent by post. The agenda of the meeting shall be sent at least 7 days and 4 days respectively before the meeting.
- e) In the absence of the Chairman at any meeting the members present shall elect a person from amongst themselves to preside over such meeting.
- f) At least one third of the total members shall form the quorum.
- g) All decisions of the Committee shall be taken on a majority vote. In case of equal vote, the Chairman shall have a casting vote.
- h) Any member desirous of moving a resolution at the meeting of the Committee shall give notice thereof in writing to the Secretary so as to reach him within 7 days before the date of such meeting. Such notice when received shall be circulated immediately by the Secretary to the members and be included in the agenda of the meeting.

- i) Any matter not included in the agenda and of which the notice mentioned in above has not been given, may be considered at the meeting of the Executive Committee with the permission of the Chairman.
- j) Any business which may be necessary for the Institute to transact if the Chairman of the Executive Committee so directs or is considered urgent and necessary by the Member Secretary of the Committee, may be transacted by the circulation of papers under sealed cover to the members and the Chairman to their usual postal addresses in India and any decision taken with the approval of the majority of the members, in writing, shall be effectual and binding as if the decision has been passed at a regular meeting of the Committee if the decision has been passed at a regular meeting of the Committee if the Institute and shall be placed before the next meeting of the Executive Committee for confirmation. When business is transacted in such a manner as given in this clause, a period of not less than three weeks shall be allowed for receipt for replies from the members, such period be counted from the date on which the notice of business was issued.
- k) The Executive Committee shall in addition to the above exercise such powers and discharge such functions as may be delegated to it by the Governing Council under Bye-Law 6 (b)(x) and as given in schedule – I to the Bye-Laws.

### **35. Meeting of the Finance Committee:**

- a) The Finance Committee shall meet as often, as may be considered necessary by the Chairman for transaction of business but shall ordinarily meet at least once **every six months** at such place, date and time as may be decided by the Chairman of the Committee.
- b) The proceedings and meeting of the Finance Committee shall be entered in the minute book to be maintained by the Member Secretary and all proceedings shall be signed by the Chairman of the meeting after the same is duly confirmed.
- c) Notice of every meeting of the Finance Committee shall be sent be sent by the Member Secretary to every member of the Committee at

least 14 days before the date of the meeting under a certificate of posting when sent by post. The agenda of the meeting shall be sent at least 14 days before the date of the meeting.

- d) At least one third of the total members shall form quorum.
- e) All decisions of the Committee shall be taken on a majority vote. In case of equal vote, the Chairman shall have a casting vote.
- f) Any business which may be necessary for the Institute to transact may, if the Chairman of the Finance Committee, so directs or is considered urgent and necessary by the Member Secretary of the Committee be transacted by circulation of papers under sealed cover to the members and Chairman to their usual postal addresses in India and to the members and any decision taken with the approval of the majority of the members, in writing, shall be as effectual and binding as if the decision has been passed at a regular meeting of the Finance Committee of the Institute and shall be placed before the next meeting of the Finance Committee for receipt for replies from the members, such period be counted from the date on which the notice of business was issued.
- g) Notwithstanding anything contained in Bye-Law 8(ii) of the Bye-Laws, all matters pertaining to the invitation and acceptance to tenders shall be placed before the Finance Committee.
- h) The Finance Committee shall in addition to the above, exercise such powers and discharge such functions as may be delegated to it by the Governing Council.

**36. Building and Land belonging to the Institute:**

- a) The Institute shall use the land and buildings of the present State Referral Hospital Falkawn (SRHF) at Falkawn and other land and buildings which may be allotted and transferred to the Institute.
- b) The allotment and assessment of rent of buildings shall, as far as possible, be made by the Director in accordance with the provision of Bye-Laws 10.
- c) Every employee of the Institute who is provided with residential accommodation in the Institute shall stay in the residence and pay all such rent and other charges fixed by the Institute.

**37. The Power to award prizes, scholarships:**

The Institute, may award such prizes, souvenirs, stipends and scholarships to its students as may be decided (by the academic committee upon receiving approval from the finance committee) from time to time.

**38. Admission to the Courses of Studies:**

Reservation of seats in various courses and Selection of candidates shall be done by the State Government and the Institute shall accept the selection list forwarded by the State Government, unless the process is contrary to the guidelines of MCI.

**39. Proceedings by or against the Institute:**

The Director of the Institute shall be competent to file suits or applications or commence other proceedings, civil or criminal, for and on behalf of the Institute and to prosecute the same and for such purposes to sign, execute or attest plaints, petitions, appeals or other documents that may be necessary thereof and to verify the same, to swear affidavits and to compromise, refer to arbitration and to defend suit or other proceedings that may be filed against the Institute and to prosecute the claims or defense in the Court of Appeal or origin or before any officers or before Income Tax Authorities and for such to appoint any advocate, Pleader, Solicitor or Agent.

## SCHEDULE - I

### Extent of powers

Delegation of financial powers of different authorities as under -

Sl. No.	Name of Powers	Director of the Institute	Chairman, Executive Committee	President, Governing Council	Governing Council
1	2	3	4	5	6
1.	Powers of re-appropriation	-	-	Full powers	-
2.	Write of loss of irrecoverable values of stores or money due to fraud, theft, etc.	UptoRs 50,000 in each case subject to maximum of Rs 2,00,000 in a year	-	Full powers	-
3.	Loss of income bond money or irrecoverable advances	-	-	-	Full powers
4.	Deficiencies and depreciation in the value of stores	Full powers	-	-	-
5.	To incur contingent expenditure	UptoRs 5,00,000 in each case subject to maximum of Rs 25,00,000 in a year	-	Full power	-
6.	To incur expenditure on the purchase of stores, stationery and printing forms	UptoRs 5,00,000 in each case subject to maximum of Rs 25,00,000 in a year	-	Full power	-
7.	To incur expenditure on procurement of hospital equipment	UptoRs 5,00,000 in each case subject to maximum of Rs 25,00,000 in a year	-	Full power	-

		on the advice of purchase committee			
8.	To incur expenditure on consumable for hospital	UptoRs 10,00,000 in each case subject to maximum of Rs 50,00,000 in a year	-	Full power	-
8.	Maintenance of building and petty works				
(a)	For original works and special repairs	UptoRs 10.00 lakhs subject to maximum of Rs 50,00,000 in a year	-	Full power	-
(b)	Ordinary repairs	UptoRs 10.00 lakhs subject to maximum of Rs 50.00 lakhs in a year	-	Full power	-
(c)	Annual repairs	UptoRs 50.00 lakhs in a year	-	Full power	-
9.	Power to sanction recoverable advances	Full powers in respect of all officers and employees except Director and Professors. In case of Director and professors	-	-	-
10.	Power to sanction advances/final withdrawal out of the contributory General provident fund	Full powers in respect of all officers and employees except Director and Professors. In case of Director and Professors	-	-	-
11.	Powers to direct the payment on the last	Full powers	-	-	-

	working day of a month the pay and allowance of Employees of the Institutes where the first four days of the following month are public holidays				
12.	Powers for payment of pay and allowance of employees	Full powers	-	-	-
13.	Sanction the re-employment of superannuated persons in temporary vacancies	-	-	Full powers with the approval of the State Government	-
14.	To permit Group 'D' employees to draw next higher class Railway fare when accompanying an officer on train which provides no II class	Full power	-	-	-
15.	To decide whether a particular absence is absence on duty with in the country	Full powers for academic purposes and for one month in other case. Full powers beyond one month in all cases other than academic purpose	-	-	-
16.	To countersigned TA bills	Full powers in case of all employees except Director.	-	-	-

17.	To waive provision (a) to supplementary Bye-law 209 and to authorize departures from supplementary bye-law 211 regarding combination Holidays with leave	Full power	-	-	-
18.	Grant of Casual Leave	Full powers except Director	-	-	-
19.	Grant of Earned Leave	Full powers for Group 'B, C, D' for not more than four weeks	-	-	-
20.	Maternity Leave	Full powers for Group 'B, C, D' for not more than four weeks	-	-	-
21.	Special Disability Leave	Full powers	-	-	-
22.	To allot residence	Full power for Group A, B, C and D employees	-	-	-
23.	All engagement/ appointment other than appointment on regular basis	Full power in respect of Group B, C and D subject to approval of the Govt.	-	Full power in respect of Group A employees	-
24.	Power to confirm officers after successful completion of the period of probation		Full powers in case of Group C and D employee	Full powers in case of Director	-

			s Full powers in case of Group A and B employees except Director		
25.	Power to accept resignation of employees of the institute		Full powers in case of Group C and D employees Full powers in case of all Group A and B employees except Professors and Director	Full power in case of Professors	Full power in case of Director
26.	Power to permit the officers of the Institute while going aboard for attending meeting conference, seminars, workshops, symposia assignments	-	-	Full powers	-
27.	Power for treating the absence, as on duty for participation in the	-	-	Full power	-

	scientific in the scientific conference/symposia, seminars, etc., aboard by the members of the faculty				
28.	Power to allow retention of lien in the institute of employees when they are appointed elsewhere	-	Full powers	-	-
29.	Power for fixation of pay of institute of employees under normal Bye-laws		Full powers in case of Group A,B,C and D employees	-	-
30.	Power to permit the officers of the Institute to go aboard in connection with the work of the Institute and treatment of absence as on duty	-	-	Full powers	-
31.	Powers to accept research grant if these are for duration not exceeding 3 years	Full powers subject to the general policy of Govt. of Mizoram	-	-	-
32.	Powers to accept the terms and conditions on foreign service terms in respect of the deputation of State		Full powers subject to the general	-	-

	Govt. where the terms are of usual nature		policy of Govt. of Mizoram		
33.	Power to grant extension of tenure of Senior Residents/Tutor		Full powers	-	-
34.	To transfer an institute employee from one post to another	Full powers in the case of Group C and D employees Full powers in the case of Group A and B employees	-	-	-
35.	To sanction grant of honorarium and to permit acceptance of the same	Full power upto a maximum, of Rs 5000/- in each case. In the case recurring honorarium, this limit applies to the total of the recurring payments made to an individual in a year. In Group A and B employees the matter shall be reported to the Governing Council. This is further subject to annual limit of Rs 50,000/- and guidelines issued by the Government (Departmental of Personnel & Training) from time	-	-	-

		to time.			
36.	To decide the shortest or cheapest of two or more route	Full powers	-	-	-
37.	To allow mileage allowance by a route other than the shortest or cheapest	Full powers provided selection of the route is in Institute's interest	-	-	-
38.	To decide the point of commencement or end of journey in a station	Full powers	-	-	-
39.	Extension of leave to cover over-stay	Full powers provided that the employees on leave will on return the under the administrative control of the institute. Full powers on all cases	-	-	-
40.	To sanction transfer to foreign service in India and to fix a pay in foreign service	-	-	Full powers subject to Governmental approval	-
41.	To decide the date of reversion of Govt. servant who takes leave before reversion from foreign service	-	-	Full powers subject to Governmental approval	-
42.	Power to sanction the undertaking to work for which a fee is offered	-	-	Full powers	-

	and acceptance of a fee				
43.	Travel by air by Officer in relaxation of Bye-Laws	Full power in case of urgency and necessity	-	-	-
44.	To grant travelling allowance to non-official attending commission enquiry, etc and to fix their grade	Full powers	-	-	-
45.	To extend joining time within a maximum of 30 days	Full powers.	-	-	-
46.	Authorizing an institute employee to proceed on duty to any part of the State	Full powers in the case of Group A, B, C & D employees	-	-	-
47.	Disposal obsolete surplus and unservicable stores, moveable & unmovable	Full powers, the Director shall act the recommendation of the Condemnation Board set up for the purpose by the institute	-	-	-
48.	Power to sanction advances for purchase of conveyance	Full power subject to the limits and conditions laid down to Bye-laws 199 to 218 of GFR	-	-	-
49.	Power to sanction advance to institute employees on tour, transfer, etc.	Full power in case of institute employees, holding permanent or temporary posts subject to the limits and conditions laid down in Bye-law	-	-	-

		231 to 234 to GFR			
50.	Power to sanction advance for law suit to which institute in a party		Full powers	-	-
51.	Power to prescribed the form of security bond to be executed by a subordinate authority entrusted with the custody of case, stores, etc.		Full powers	-	-
52.	Power to sanction advance of pay on the eve of important festivals	Full powers	-	-	-
53.	Any powers not delegated above shall vest with the President of the Governing Council				
54.	Any points which are not covered in the above Schedule, will be governed by the corresponding provision in the State Government Bye-Laws				

33

## SCHEDULE - II

### Bye-law 19

1. The qualifications for recruitment to Director, Professor, Associate Professor, Assistant Professor, Tutor, Demonstrator, Senior Resident, Medical Officer (Teaching) including Lady Medical Officer (non-teaching) and Junior Resident shall be as per Medical Council of India (MCI)

guidelines regarding the Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998, as amended from time to time.

2. The qualifications and eligibility for non-faculty employees of MIMER shall be as provided in the recruitment rules notified by State Government for such posts existing in the State Government. For posts which does not exists in State Government, separate recruitment rules may be notified with the approval of the Governing Council.
3. **Tenure of service of Director** : The appointment of Director MIMER shall be initially for a period of 5 years, extendable to a maximum of 2 yrs or up to attaining the age of 70 yrs whichever is less.
4. **Age** : The upper age limit for all teaching faculty shall not exceed 70 yrs.