

THE MIZORAM TELEMEDICINE SOCIETY

**Memorandum
And
Rules & Regulations**

**Hospital & Medical Education Department
Government of Mizoram**

MEMORUNDUM OF MIZORAM TELEMEDICINE SOCIETY

1. **Name** : The name of the Society shall be The MIZORAM TELEMEDICINE SOCIETY
2. **Registered Office** : The registered office of the society shall be situated at Aizawl, State Capital of Mizoram and to be located at Health Directorate Building, Dinthari Veng, Aizawl.
3. **Area of operation** : The entire area of Mizoram will be the area of operation.
4. The objectives of the Mizoram Telemedicine Society are:
 - 4.1 To plan, implement, review and monitor all Telemedicine activities in Mizoram.
 - 4.2 To be responsible for receiving financial grants and assistance from Government of India and other organization for telemedicine activities in Mizoram.
 - 4.3 To issue appropriate directives and guidance to the Telemedicine Centers in Mizoram for their smooth operation.
 - 4.4 To monitor and review the proper functioning of all telemedicine centres in Mizoram in close liaison with Government of India, North Eastern Council and other organizations related with telemedicine and superspeciality hospitals connected to the Telemedicine Centre.
 - 4.5 To facilitate the training of medical personnel in Telemedicine. The society will conduct research and awareness campaign in Telemedicine as and when necessary.
- 5.6.1 To undertake any other activities that are consistent with the aims and objectives of the society.

**DEPARTMENT OF HEALTH & FAMILY WELFARE
GOVERNMENT OF MIZORAM**

Rules and Regulations of the Mizoram Telemedicine Society.

1. SHORT TITLE

These rules may be called the Mizoram Telemedicine Society Rules, 2005.

- 1.1 These rules will come into force with effect from the date of registration of Society under societies Regulation Act/86 (Act No. 21 of 1860) by Registrar of Societies, Government of Mizoram.

2. DEFINITIONS

In these rules unless the context otherwise requires

- 2.1 ‘Chairman’ means chairman of the Governing Body and Executive Committee of the Mizoram Telemedicine Society.
- 2.2 ‘Governing Body’ means the Governing Body of the Mizoram Telemedicine Society.
- 2.3 ‘Executive Committee’ means the Executive Body of the Mizoram Telemedicine Society.
- 2.4 ‘Central Government’ means the Government of India.
- 2.5 ‘State Government’ means the Government of Mizoram.
- 2.6 ‘Mizoram Telemedicine Society’ means the Mizoram Telemedicine Society.
- 2.7 ‘Rules’ means Rules registered along with the Memorandum of association as may be amended from time to time by the Mizoram Telemedicine Society.
- 2.8 ‘Year’ means Financial Year of the State Government of Mizoram.
- 2.9 ‘Member’ means Member of the Mizoram Telemedicine Society.

3. OBJECTIVES

The objectives for which the Mizoram Telemedicine Society is established are:

- 3.1 To plan, implement, review and monitor all activities related to Telemedicine in Mizoram.
- 3.2 To be responsible for receiving financial grants and assistance from Government of India and other organization for Telemedicine activities in Mizoram.
- 3.3 To issue appropriate directives and guidance to the Telemedicine Centers in Mizoram for their smooth functioning.

- 3.4 To monitor and review the proper functioning of all Telemedicine Centers in Mizoram in close liaison with the Government of Mizoram, Government of India, North Eastern Council , other organization related with telemedicine and super – speciality hospitals connected to the Telemedicine Centers in Mizoram.
- 3.5 To facilitate the training of medical personnel in Telemedicine and to conduct research and awareness campaign in Telemedicine as and when necessary.
- 3.6 To constitute District Level Committees/ Bodies of the Mizoram Telemedicine Society as may be decided by the Governing Body of the Society.

4. AUTHORITIES OF THE MIZORAM TELEMEDICINE SOCIETY

- i) Governing Body
- ii) Executive Committee
- iii) Such other bodies as may be prescribed by the General Body.

5. GOVERNING BODY

- 5.1 The following shall be the members of the Governing Body of the Mizoram Telemedicine Society either as an Ex-Officio of personal appointments or election as prescribed in these Rules and Regulation.
- i) The Chairman of Mizoram Telemedicine Society
 - ii) All other members of the Governing Body.
- 5.2 The Hon'ble Minister of Health & Family Welfare Department Mizoram shall be the Chairman.
- 5.3 The Director, Hospital & Medical Education shall be the Member Secretary of the Governing Body.
- 5.4 Composition of Governing Body:- Besides the Chairman and Members Secretary, the Governing Body shall consist of the following namely.
- i) Commissioner, Health & Family Welfare Department, Government of Mizoram or his representative.
 - ii) Secretary, Law Department, Mizoram or his representative.
 - iii) Addl. Director, Hospital & Medical Education.
 - iv) Nodal Officer, Telemedicine, Mizoram.
 - v) Representative of Indian Space Research Organization (ISRO).
 - vi) Medical Superintendent, Civil Hospital, Aizawl.
 - vii) Non Official members not more than 5 (five) in numbers as may be appointed by the State Government.
- 5.5 The Member Secretary shall maintain a register of members of the Governing Body indicating the individual names of the Ex-Officio members.

GOVERNING BODY

6 The management of the affairs of the Mizoram Telemedicine Society shall be entrusted to a Governing Body, which shall be called "Governing Body of the Mizoram Telemedicine Society". The property of the Mizoram Telemedicine Society will be under the control of the Governing Body.

6 TENURE OF GOVERNING BODY

6.1 When a person becomes Member of the Governing Body by virtue of the office or appointment he holds, his membership to the Governing Body shall cease when he discontinues to hold such office or appointment.

6.2 Non-official members may be nominated for the State Government from time to time. The tenure of non-official members shall be for 2 (two) years from the date of their nomination to the Governing Body. Such members after completion of two years tenure will be eligible for re-nomination.

6.3 Any member of the Governing Body shall cease to be a member if resigned, become unsound mind or convicted for a criminal offence.

6.3.4. Resignation of Membership shall be tendered to the Governing Body or Member Secretary and shall not be effective until the Chairman has accepted it.

7. PROCEEDINGS OF THE GOVERNING BODY :

7.1 The meeting of the Governing Body shall be held at least twice a year or as the Chairman decides. If the Chairman receive a requisition for calling signed by one-third members of the Governing Body. The Chairman shall call such a meeting as soon as possible and at such places and time as he may deem fit.

7.2 At the annual meeting of the Governing Body the following business shall be discussed and disposed off:

- i) Action taken in the last meeting and resolution in the last meeting, if any.
- ii) Up – to – date income and expenditure statements.
- iii) Annual report of the Mizoram Telemedicine Society.
- iv) Budget for the next year with action plan.
- v) Appointment of the Executive Committee and the Standing Committees.
- vi) Any other business with permission of the Chairman.

7.3 Every notice calling a meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Governing Body not less than **fifteen** clear days before the date of the meeting. Such notice shall be signed by Member Secretary and shall be accompanied by an agenda of the meeting. In the event of any urgent business, the Chairman may call the meeting of the Governing Body at clear **ten days** notice.

7.4 The Chairman shall take the chair at the meeting of the Governing Body. In his absence, Governing Body shall elect one person from among the members present as Chairman of the meeting.

- 7.5 One third of the members of the Governing Body, including the substitutes nominated shall form a **quorum** at every meeting of the Governing Body.
- 7.6 In case there is no consensus on any issue at the meeting of the Governing Body, it shall be decided by majority decision of the members.
- 7.7 Each member of the Governing Body shall have one vote each and in case of tie of votes, the decision of the meeting Chairman shall be final.
- 7.8 The Chairman shall have the right to adjourn the meeting at any time.
- 7.9 Should any official member be prevented for any reason whatsoever from attending a meeting of the Governing Body the Chairman of the Mizoram Telemedicine Society shall be at liberty to nominate a substitute to take his place at the meeting to the Governing Body. Such substitute shall have the rights and privileges of a member of the Governing Body for the meeting only.
- 7.10 Any member desirous of moving any resolutions at a meeting of the Governing Body shall give notice thereof in writing to Member Secretary not less than **ten clear days** before such meeting is to be held.
- 7.11 Any business, which may become necessary for the Governing Body to perform except such as may be placed before its annual meeting may be carried out by circulation and approved by majority of the members.
- 7.12 In the event of any urgent business, the Chairman of the Society may take a decision on behalf of the Governing Body. Such decision shall be reported to the Governing Body at the next meeting for ratification.

8. POWERS OF THE GOVERNING BODY:

- 8.1 The Governing Body have full control of the affairs of the Mizoram Telemedicine Society and have authority to do, exercise and perform all the powers, acts and deeds of the Mizoram Telemedicine Society consistent with the aims and objectives of the Mizoram Telemedicine Society.
- 8.2 The Governing Body have full power to make bye-laws essential for the regulations of the business of the Mizoram Telemedicine Society relating to the keeping of accounts, preparation and approved of budget estimates, the sanction of expenditure, entering into contracts, the control and investment and nay purpose that may be necessary.
- 8.3 The Governing Body shall have full powers in the matter of expenditure of funds of the Mizoram Telemedicine Society save in the matter of pay and allowances and concessions to Govt. servants on foreign services.
- 8.4 The Governing Body may accept the management and administration of any endowment or trust 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 Mizoram Telemedicine Society is established.

- 8.5 The Governing Body shall review the progress and performance of Committees constituted by it and constituent units established under different disciplines and give such policy directives as it may deem fit to the concerned committees and constituent units of the Mizoram Telemedicine Society.
- 8.6 The Governing Body shall be empowered to pay the charges and expenses, preliminary and incidental to its establishment and registration.
- 8.7 The Governing Body shall have full power to purchase or otherwise acquire any property at such rate and generally on such terms and conditions as it deems fit.
- 8.8 The Governing Body shall have full power to constitute, conduct, defend, compound, compromise or abandon legal proceedings by or against the Mizoram Telemedicine Society otherwise relating to affairs of the Mizoram Telemedicine Society.
- 8.9 The Governing Body shall have full power to invest and deal with the funds of the Mizoram Telemedicine Society upon such securities and in such manner as they think fit and from time to time to vary and realize such investments.
- 8.10 The Governing Body shall have full power to enter into all such negotiations and contracts as it may consider expedient in relation to any of the matter aforesaid or otherwise for the purpose of the Mizoram Telemedicine Society.
- 8.11 The Governing Body may by resolution re-delegate to the Executive Committee & Member Secretary of the Mizoram Telemedicine Society such of its powers for the conduct of business as the Governing Body may deem fit.
- 8.12 The Governing Body may by resolution appoint Standing or Adhoc Committee consisting of the members of the Governing Body or co – opt other experts not being members of the Governing Body for carrying out its objectives.

9. EXECUTIVE COMMITTEE:

- 9.1 The Executive Committee will be responsible for acting and doing all deeds on behalf of the Governing Body.
- 9.2 The composition of the Executive Committee shall be as follows :
- | | | |
|------|---|-----------|
| i) | Commissioner / Secretary, Health & FW,
Govt. of Mizoram. | Chairman |
| ii) | Director, Hospital & Medical Education, Mizoram | Secretary |
| iii) | Nodal officer i/c Telemedicine, Mizoram | Treasurer |
| iv) | Jt. Secretary, Health & Family Welfare, Govt of Mizoram | Member |
| v) | Directorate of Health Services, Mizoram | Member |
| vi) | Medical Superintendent, Civil Hospital, Aizawl. | Member |

- 9.3 The minutes of the Executive Committee meeting will be placed before the Governing Body at its next meeting.
- 9.4 In the absence of the Chairman, the Executive Committee meeting shall elect one of the members present as Chairman of the meeting.
- 9.5 Meeting of the Executive Committee shall be held as often as necessary but not less than **once in three month** .
- 9.6 Meeting of the Executive Committee shall be convened by the Chairman by giving clear **seven days** notice in writing Agenda specifying the business to be transacted along with date, time and venue of the meeting.
- 9.7 The Chairman may convene special meeting of the Executive Committee by giving clear **seven days** notice in writing Agenda along with date, time and venue of the meeting.

10. POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE:

- 10.1 Subject to the general control and direction of the Governing Body, the Executive Committee shall be responsible for the management and administration of the affairs of the Mizoram Telemedicine Society in accordance with the rules and bye-laws made there under for the furtherance of the objectives and shall exercise all powers of the Governing Body, except which may specifically be excluded or modified to be exercised by the Governing Body, including the powers :
- 10.2 To carry out the broad policies and objects of the Mizoram Telemedicine Society as set out in the Memorandum of Association or in accordance with such directives as the Government may issue to the Mizoram Telemedicine Society.
- 10.3 To sanction expenditure for carrying out the administrative work of the Mizoram Telemedicine Society in accordance with the budget estimates approved by the Governing Body of the Mizoram Telemedicine Society.
- 10.4 To create such posts as are necessary to administer the Mizoram Telemedicine Society and recruit and appoint staff except that for which prior approval of the State Government shall be required..
- 10.5 The Executive Committee may delegate such powers as it consider appropriate to the Member Secretary or other officers of the Mizoram Telemedicine Society.
- 10.6 The Executive Committee may make bye-laws for the conduct of the business of the Mizoram Telemedicine Society, including the bye-laws for the service conditions of the staff. The byelaws so framed by the Executive Committee shall be adopted only after the Governing Body approves them..

11. POWER AND FUNCTIONS OF THE CHAIRMAN OF EXECUTIVE COMMITTEE

11.1 The Chairman shall have the power to call and preside over all meetings of the Executive Committee.

11.2 The Chairman shall have the authority to review periodically the works and progress of the Mizoram Telemedicine Society.

12.3 Nothing in these rules shall prevent the Chairman from exercising any or all the powers of the Governing Body in case of emergencies in furtherance of the objectives of the MTS and action taken by the Chairman on such occasions shall be submitted to the Governing Body subsequently for ratification.

12.4 Maintenance of fund: -

- (i) All fund/contribution/donation credited to the funds of the society shall be deposited in a Nationalized bank.
- (ii) Withdrawals from funds shall be made by Cheques.
- (iii) All Cheques shall be signed by two signatories.
viz: - Chairman and Secretary of the Society.

12.5 Accounts and Audit: -

- (i) The Accounts of the Society shall be maintained on double entry systems and in the format prescribed according to directions issued by Government of India.
- (ii) The accounts of the Society shall be audited by a chartered Accountant or any other qualified person or agency who may be appointed by the Government of India.
- (iii) A monthly account showing the allotment and expenditure under each items shall be prepared and submitted to the Government of India.
- (iv) At the close of each quarter a consolidated account showing the total receipts, payments during the period under Several heads of Accounts with opening and closing balance shall be operated and submitted to the Governing Body.
- (v) The member Secretary shall maintain the annual accounts of the Society which should be prepared and sent to the Ministry not later than the 30th June, of every year. Comprising of receipts and payments Account. Income and expenditure account and balance sheet.
- (vi) A copy of such audit report duly signed by the Auditor and Chairman or Vice-Chairman and Member Secretary of the Society shall be furnished to the Government of India not later than 30th June.
- (vii) The Controller and Auditor General shall have the same rights privileges and authority to conduct audit of the accounts of the Society as he had in connection with the audit of Government accounts and for this purpose shall have the right to demand the productions of books of accounts and other relevant records of the Society.

12.6 **Assets: -**

A statement showing the schedule of fixed assets held by the society at the end of each year along with the annual statement of accounts. No depreciation shall be charged and the value of assets to be shown of the original Cost in the accounts. No portion of the income or the property of the Mizoram Telemedicine Society shall be paid or transferred directly by ways of dividend, bonus and otherwise, by ways of project to persons who at any time are or have been member of the Mizoram Telemedicine Society or to any of them provided that nothing herein contained shall prevent payment in good faith to any individual (s) in return of the services rendered by them to the Mizoram Telemedicine Society or for traveling allowance, honorarium, and other charges.

12.7 **DISSOLUTION: -**

Upon the dissolution of the Mizoram Telemedicine Society registered under the Act after the settlement of all its debts and liabilities, the remaining property whatsoever shall not be paid to or distributed among the members of the Mizoram Telemedicine Society but shall revert to the State Government for such purposes as it deems necessary.

12.8 The Rules and Regulation of Mizoram Telemedicine Society may be amended at any time by the Governing Body by a resolution passed by two third of the members present in person at any meeting of the Governing Body convened for the purpose.