

RULES AND REGULATIONS

THESE RULES AND REGULATIONS SHALL BE IN FULL FORCE AND EFFECT FROM THE DATE OF THEIR ADOPTION BY THE BOARD OF DIRECTORS.

1. These Rules shall be subject to the approval of the Board of Directors, and shall be subject to the approval of the Board of Directors.

2. Definitions. In these rules and regulations, unless there is a conflict of interest, the following definitions shall apply:

- (a) "Act" means the West Bengal Land Revenue Act, 1955.
- (b) "Central Government" means the Government of India.
- (c) "Chairman" means the Chairman of the Board of Directors.
- (d) "Director" means the Director of the Board.
- (e) "Managing Body" means the Managing Body of the Land Revenue.
- (f) "Revenue" means the Revenue of the Land Revenue.

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- (1) "State Government" means the Government of West Bengal.
- (2) "Board" means the Board of Directors, and shall include the Chairman, the Director, and the Managing Body.
- (3) "Chairman" means the Chairman of the Board of Directors.

3. These rules shall be subject to the approval of the Board of Directors.

4. Office. The office of the Board shall be situated at the place of the Board, and shall be subject to the approval of the Board of Directors.

5. The Board shall be subject to the approval of the Board of Directors.

6. According to the Board.

7. The Board shall be subject to the approval of the Board of Directors.

8. The Board shall be subject to the approval of the Board of Directors.

9. The Board shall be subject to the approval of the Board of Directors.

RULES AND REGULATIONS

OF THE

CHITTARANJAN NATIONAL CANCER INSTITUTE

37, S. P. Mukherjee Road, Kolkata – 700 026

1. **Title :** These Rules may be called the Chittaranjan National Cancer Institute, Calcutta, Rules.
2. **Definitions :** In these rules and regulations unless there is anything repugnant to the subject to content –
 - (a) "Act" means the West Bengal Societies Registration Act, 1961.
 - (b) 'Central Government' means the Government of India.
 - (c) 'Chairman' means the Chairman of the Governing Body.
 - (d) 'Director' means the Director of the Institute.
 - (e) 'Governing Body' means the Governing Body of the Institute.
 - (f) 'Institute' means the Chittaranjan National Cancer Institute, Calcutta.
 - (g) 'Meeting' means the meeting of the Governing Body.
 - (h) 'Member' means a member of the Governing Body.
 - (i) 'State Government' means the Government of West Bengal.
 - (j) 'Society' means Chittaranjan National Cancer Institute, Calcutta.
 - (k) 'Alternate Chairman' means the Alternate Chairman of the Governing Body.
 - (l) 'Year' means the year ending on the 31st March.
3.
 - (a) **Office :** The office of the Institute shall be situated at 37, S. P. Mukherjee Road, Calcutta, but may be shifted to any other place in Calcutta permanently or temporarily as may be decided by the Governing Body by a resolution passed in this behalf :
 - (b) **Working Hours :** The working hours will be as fixed by the Governing Body.
4. **Authorities of the Institute :**

The following shall be the authorities of the Institute.

 - (i) The Governing Body
 - (ii) Such other authorities as may be appointed by the Governing Body from time to time.

5. The Governing Body :

- (1) The composition of the Governing Body shall be as prescribed in para IV of the Memorandum of Association.
- (2) The Governing Body may co-opt from time to time for such period as may be deemed fit, representatives of other organisations or Institutions which may be concerned with special knowledge of or interest in such work or programme.
- (3) The members nominated by the Central and State Governments shall hold Office during the pleasure of the respective Governments and the other members shall hold Office for a period of three years.

Provided that -

- (i) members appointed by virtue of their Office shall cease to be members when they cease to hold such office;
- (ii) a member shall cease to hold office if he resigns or becomes of unsound mind or is adjudged as insolvent or is convicted of a criminal offence involving moral turpitude.

6. Meetings :

- (1) The Institute shall, each year, hold an annual general meeting as early as possible after the expiry of the year. The meeting shall ordinarily be held in the Registered Office of the Institute.
- (2) The following business shall be transacted at such meeting :
 - (a) Confirmation of the minutes of the previous general meeting;
 - (b) Consideration and approval of the annual report on the management of the Institute for the preceding year together with an audited copy of the balance sheet, income and expenditure statement and the Auditor's Report;
 - (c) Appointment of Auditors ;
 - (d) Consideration of any matter or matters brought before it with the permission of the Chairman.
- (3) The Institute shall also hold at least 3 ordinary meetings in a year. There shall be an interval of 21 days between two ordinary meetings.

- (4) The Institute may also hold special general meetings whenever the Chairman shall think it necessary to convene or whenever a requisition in this behalf is made by a majority of members.
- (5) (a) Written notice of every meeting shall be sent to all the members either personally or through registered post to the address of the member as entered in the roll of members. Where the notice is sent by post due service shall be presumed if the cover containing the notice properly addressed is posted.
- (b) The accidental omission to give notice to or the non-receipt of notice by any member or other person to whom it should be given shall not be invalidate the proceedings of the meeting.
- (c) Every notice shall be sent :
- (i) in the case of annual meetings, not less than 21 days before the date fixed for the meeting;
 - (ii) in the case of ordinary meetings, not less than 15 days before the date fixed for the meeting.
 - (iii) in the case of special general meeting, not less than 7 days before the date fixed for the meeting
- (6) (a) The quorum for any meeting shall be seven in which 2 representatives of the Government of India and 2 representatives of the State Government shall be present.
- (b) If within half an hour from the time appointed for holding a meeting, a quorum is not present, the meeting shall stand adjourned to a later hour on the same date or any other date as the person presiding fixes.
- (c) In the case of special meetings, if within half an hour from the time appointed for holding a meeting a quorum is not present, the meeting shall stand dissolved.
- (d) If at the adjourned meeting also, a quorum is not present within half an hour from the time appointed for holding the meeting, the meeting shall stand dissolved.
- (7) Every meeting shall be presided over by the Chairman and if the Chairman is absent, the alternate Chairman or if both of them are absent, by any other member as the members personally present at the meeting shall elect.

(1) Every member including the Chairman, shall have one vote. Every matter shall be decided by a majority of votes. In case of equality of votes in respect of any matter, the person presiding shall have a casting second vote.

(9) Any vacancy or defect in the appointment, nomination or co-option of any member of the Governing Body shall not invalidate any act or proceeding of the Governing Body.

7. Register of members :

The Institute shall maintain a Register wherein their address and occupations shall be entered. Changes of address shall be notified by the member concerned to the Director who shall enter the new address in the Register. If a member fails to notify his new address, the address in the Register of members shall be deemed to be his correct address.

8. Resolution by Circulation :

Subject as hereinafter provided any business which it may be necessary for the Governing Body to perform may be carried out by circulation amongst all the members and any resolution so circulated and approved by a majority of members, shall be effectual and binding as if such resolution has been passed at a meeting of the Governing Body duly called and held.

9. Allowances to Members :

(1) Every non-official member may receive travelling and daily allowances for attending meetings at rates admissible to Class I Officers of the Central Government.

(2) If the journey time by train or by road takes beyond 24 hours the members shall be eligible for air travel. For such journeys travelling allowances shall be paid at the rates admissible to Class I Officers of the Central Government provided that the Chairman, may for special reasons, sanction journeys by Air not otherwise admissible.

10. Powers and functions of the Governing Body :

(1) Subject to the provisions of the Act, the Governing Body shall manage the Institute in such a manner as to promote its objects. It shall have full powers and authority to deal with all matters, things and deeds which are necessary and expedient.

- (2) Governing Body shall have the power to add to, amend, alter or delete all or any of the objects of the society consistent with the Societies Registration Act
- (3) The Governing Body shall also have the power to add, alter amend the Rules and Regulations and Bye-laws of the Society consistent with the Societies Registration Act.
- (4) Without prejudice of the generality of foregoing the Governing Body shall have and shall perform the following powers and functions, namely :
- (a) the framing of broad policies to carry out the objects of the Institute;
 - (b) to make such bye-laws as they shall think essential to the regulation of the business of the Institute;
 - (c) to consider and sanction Budget Estimates;
 - (d) to sanction of expenditure in accordance with the financial bye-laws ;
 - (e) to invest the funds of the Institute in Nationalised Banks in the modes specified under provisions of Section 11(5) of the Income tax Act, 1961;
 - (f) to borrow money on such terms and conditions as are deemed expedient;
 - (g) to create posts, prescribe recruitment rules and recruit staff of the Institute, provided that appointment to any post carrying in initial salary of less than Rs.1200/- per month (all inclusive) may be made by Director himself for a period not exceeding 3 months subject to ratification of the Governing Body;
 - (h) to abolish posts or keep in abeyance any post and to prescribe or adopt rules for classifications, control and Appeal for the employees.
 - (i) to enter into an agreement or contract with any Government or local authority to obtain for such Government or authority any right, for purposes of carrying out the object of the Institute;
 - (j) to draw, accept, endorse, discount, execute, assign, issue and otherwise deal with cheques, hundies, draft, certificates, receipts, Government Securities, promissory notes, bills of exchange or other instrument whether negotiable or not for the purpose of the Institute;

(k) to prescribe course of study at the Institute, add or omit any course thereto or therefrom and to award degrees, diplomas and certificates

(l) to pay all costs and expenditure incurring for the promotion, establishment and registration of the Institute and

(m) to do all such other lawful acts and things either above or in conjunction with other organisation or persons as the Institute may consider necessary incidental or conducive to the attainment of the aforesaid objectives or any of them.

11. Property and Funds :

- (1) The Institute shall be the owner of all the properties movable and immovable and all moneys received by the Institute either as grants from the Central or the State Government or the Government of any other State or as donations, contributions from other sources and any other income and receipts of the Institute ;
- (2) The Governing Body shall be the custodian of the properties and funds of the Institute and shall manage the same prudently for the purpose of the Institute.
- (3) The money of the Institute shall be credited into an account in the Bank of the Institute with any of the Nationalised banks and any withdrawal therefrom shall only be by cheque signed by such persons as the Governing Body may from time to time authorise or specify in the financial Bye-laws made for this purpose.
- (4) The Institute shall maintain proper accounts and balance sheets for each year.
- (5) The annual accounts of the Institute shall be audited by a certified auditor appointed by the Governing Body or by the Accountant General, Government of West Bengal, Calcutta.

12. Application of the income and Property :

The income and property of the Institute shall be applied solely towards the promotion of the subjects of the Institute as specified in the Memorandum of Association and any expenditure incurred shall be subject to such restrictions of 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 howsoever 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 allowances, daily allowance or other similar compensatory allowances.

13. Committee :

The Governing Body may form any number of committee consisting of members and non-members also for any purpose it considers necessary on such terms and conditions as it may fix.

- (1) There shall be a Standing Finance Committee. The Composition of the finance committee shall be :
 - (i) One representative of the Ministry of Health and Family Welfare, Government of India.
 - (ii) Financial Advisor to the Ministry of Health & Family Welfare Govt. of India or his nominee.
 - (iii) One representative of the Department of Health, Govt. of West Bengal.
 - (iv) Secretary to Government of West Bengal, Finance Department or his nominee
 - (v) The Director, Chittaranjan National Cancer Institute, Kolkata, Convenor

Amendment

- (1) Additional Secretary / Joint Secretary*
Government of India,
Ministry of Health & Family Welfare
(*1st meeting of the Governing Body held on
07.03.1987) **MOH & FW
letter No. F.No. V22011/8/2004-R (Pt. _
dated 12th October, 2006) Chairman
- (ii) State Health Secretary or Joint Secretary
(1st meeting of the Governing Body held on
07.03.1987) Member
- (2) There shall be a Standing Academic and Research Council.
The composition of the Academic Council Shall be as follows :
 - (1) Director, Chittaranjan National Cancer
Institute, Kolkata Chairman
 - (ii) Dean, Faculty of Medicine of the Universit
of Calcutta Member
 - (iii) One representative of the Director General of
Health Services, New Delhi Member
 - (iv) Director of Health Services, West Bengal or
his representative Member
 - (v) One representative of the Chairman,
Governing Body, CNCI, Kolkata Member
 - (vi) Four representatives Member
 - (vii) of each of the disciplines Member
 - viii) of Chittaranjan National
Cancer Institute, Kolkata Member
 - (ix) Two representatives of the non-clinical
departments of CNCI, Kolkata Member
 - (xi) Two experts from Member
 - (xii) outside Institute Member

Dissolution and winding up The Institute may dissolved and wound up in accordance with the provisions of the Act and with mutual consent of the Government of India and Government of West Bengal. In the event of dissolution or winding up of the Society / Association / Institute, the assets remaining as on the date of dissolution shall under no circumstances be distributed among the Trustees / Members of the Governing Body, but the same shall be transferred to another charitable trust, Society, Association or Institute whose objects are similar to those of this Trust / Society / Association / Institute.

BYE - LAWS