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HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 30th September, 2021

PREAMBLE

No.27310–HFW-MEI-AHRCC-0012/2019-H.–The Acharya Harihar Regional Cancer Centre is a non-profit organization incorporated and operated exclusively for charitable and educational purposes within the meaning of Societies Registration Act, 1860.

WHEREAS, its purpose is to serve as a cancer hospital providing patient care, education and research, and

Whereas, it is expedient the provision should be made for improving the legal condition of the society established for the promotion and generation of technical and scientific manpower in various specialities of Oncology of Acharya Harihar Regional Cancer Centre, registered under the Societies Registration Act, 1860.

The Governing Body in its special meeting held on 11th January 2019 under the chairmanship of Hon'ble Minister, Health and Family Welfare, Government of Odisha resolved to rename the institution as Acharya Harihar Post Graduate Institute of Cancer, from the present name of Acharya Harihar Regional Cancer Centre, elevating the institute to a National level Post Graduate Medical Institute as per the MCI guidelines from the academic year 2017-18 with the commencement of M Ch. courses in Gynaecological Oncology and Surgical Oncology.

THEREFORE, the Governing Body hereby adopts these Bye-laws, which shall govern the organization and its staff, in conformity with and pursuant to this Bye-laws.

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CHAPTER-I

(Preliminary)

1. Short title and commencement:

(1) This bye-laws may be called the Acharya Harihar Post Graduate Institute of Cancer bye-laws 2021.

(2) They shall come into force on the date of their publication in the Odisha, Gazette.

2. Definitions.(1) In these Bye-laws, unless the context otherwise requires-

(i) “Act.” means the Societies Registration Act, 1860;

(ii) “Academic Council” means the Academic Council of the Institute;

(iii) “AERB” means Atomic Energy Regulatory Board;

(iv) “AICTE” means the All India Council for Technical Education, a statutory body and the national level council for technical education in the Country;

(v) “BARC” means Bhaba Atomic Research Centre;

(vi) “Bye-laws” means the bye-laws of the Acharya Harihar Post Graduate Institute of Cancer bye-laws;

- (vii) “Chairperson” means Chairperson of the Governing Body;
- (viii) “DCI” means Dental Council of India, constituted under the Dentists Act, 1948;
- (ix) “Dean and Principal” means Dean and Principal of the Institute;
- (x) “Director” means Director of the Institute;
- (xi) “DHS” means the Director of Health Services, Odisha;
- (xii) “DMET” means the Director of Medical Education and Training, Odisha;
- (xiii) “Executive Committee” means the Executive Committee constituted under the bye-law;
- (xiv) “GDMO” means General Duty Medical Officer;
- (xv) “Governing Body” means the Governing Body(GB) of the Institute;
- (xvi) “INC” means the Indian Nursing Council, constituted under Indian Nursing Council Act, 1947 (48 of 1947);
- (xvii) “Institute” means Acharya Harihar Post Graduate Institute of Cancer (AHPGIC);
- (xviii) “Institutional Ethics Committee”(IEC) means Institutional Ethics Committee of the Institute;
- (xix) “MCI” means Medical Council of India, constituted under the Indian Medical Council Act, 1956(102 of 1956)
- (xx) “NMC” means National Medical Commission, constituted under the National Commission Act,2019(30 of 2019)
- (xxi) “Medical Superintendent” means Superintendent of the Hospital;
- (xxii) “Members” means members of the Governing Body;
- (xxiii) “OMES” means Odisha Medical Education Service;
- (xxiv) “PCI” means Pharmacy Council of India, constituted under the Pharmacy Act, 1948 (68 of 1948);
- (xxv) “Presiding Officer” means Presiding Officer of different committees and sub-committees;

- (xxvi) “RCI” means Rehabilitation Council of India, constituted under Rehabilitation Council of India Act, 1992 (34 of 1992);
- (xxvii) “Secretary” means Secretary of the Health and Family Welfare Department, Government of Odisha;
- (xxviii) “SMO” means Store Medical Officer;
- (xxix) “State Government or Government” means Government of Odisha;
- (xxx) “Teachers” means teaching staff of the Institute;
- (xxxi) “Vice-chairperson” means Vice-chairperson of the Governing Body; and
- (xxxii) “Year ” means Calendar year.

3. Objectives of the Institute shall be -

- (i) to conduct teaching activities in various approved fields, thrive for excellence in Education, research and provide approved modern and advanced clinical services to cancer patients.
- (ii) to undertake Basic, Applied Research and Teaching in various fields of Oncology of highest standard as per norms and guide-lines of MCI/NMC.
- (iii) to produce quality trained man-power in various fields of Cancer including Medical Doctors, Para-Medics, Medical Physics & etc. in all related fields of Oncology.
- (iv) to collaborate with other similar institutes of repute to increase the standard of teaching, research and clinical service.
- (v) to provide patient care in the form of both OPD and IPD services, Cancer screening, prevention and Community Oncology
- (vi) to function as Nodal Institute for the state of Odisha for cancer care.
- (vii) to act as Regional Cancer Institute of the state.

4. Power and Functions of the Institute- The Institute shall have the following powers and functions, namely:-

- (i) to provide post-graduate and super specialization teaching and conduct of research in the field of Oncology and other allied sciences, including interdisciplinary fields of physical and biological sciences;

- (ii) to conduct new methods of medical education in order to arrive at satisfactory standard of such education as directed by MCI/NMC from time to time;
- (iii) to prescribe courses and curricula for under-graduate, post-graduate and super specialization studies;
- (iv) to give training to teachers;
- (v) to admit students to the various courses of studies of the Institute and to conduct examinations or tests and lay down conditions in respect thereof;
- (vi) to hold examinations and grant titles in under-graduate and post-graduate medical education as may be prescribed by the affiliated University and /or competent body;
- (vii) to receive grants, gifts, donations including benefactions, bequests and transfers of properties, both movable and immovable, from donors, benefactors, testators, or transferors, as the case may be;
- (viii) to acquire, hold, manage and dispose of any property, movable or immovable including trust and endowment properties;
- (ix) to co-operate or collaborate with other Institutes, Universities or authorities within or outside India in conduct of research and higher education in the field of Oncology in the manner as may be prescribed;
- (x) to create teaching, administrative, ministerial and other posts as are necessary for carrying out the functions of the Institute with prior concurrence of the Government;
- (xi) to provide for management and treatment of the cancer patients in its hospital;
- (xii) to provide modern and advanced clinical services to cancer patients;
- (xiii) to design and extend general health care and preventive health services to the community;
- (xiv) to conduct lectures, seminars, study groups, workshops, conferences in the domains related to cancer;
- (xv) to organize cancer registry in the line with prescribed bodies both at national and international level;
- (xvi) to publish research papers, treatises, books, periodical, e-publications and other literature relating to the activities of the Institute; and
- (xvii) to do such other acts and things as may be necessary, incidental and conducive in furtherance of all or any of the objectives of the Institute.

CHAPTER-II

Authorities of the Institute

5. The following shall be the authorities of the Institute, namely-
- (a) The Governing Body;
 - (b) The Executive Committee;
 - (c) The Academic Council;
 - (d) The Finance Sub-Committee; and
 - (e) such other authorities as may be specified by the Governing Body to be authorities of the Institute.
6. The Governing Body- The Governing Body shall be the apex body of the Institute and shall consist of the following members, namely:-
- (1) Ex-officio members:
 - (a) Minister, Health and Family Welfare,
Government of Odisha -----Chairperson
 - (b) Member of Parliament
from Local Lok Sabha Constituency -----Member
 - (c) Member of the Legislative Assembly
from Local Assembly Constituency -----Member
 - (d) Secretary to the Government of Odisha,
Health and Family Welfare Deptt. -----Vice-Chairperson
 - (e) Director of the Institute -----Member Secretary (Convener)
 - (f) Secretary to the Government of Odisha,
Planning and Convergence Deptt. or his nominee -----Member
 - (g) Secretary to the Government of Odisha,
Finance Department or his nominee -----Member

(h) Joint Secretary, Ministry of Health & Family Welfare,

Government of India or his nominee ----- Member

(i) MD, National Health Mission, Odisha ----- Member

(j) MD, Odisha State Medical Corporation Ltd. -----Member

(k) Director of Medical Education and Training, Odisha-----Member

(l) Director of Health Services, Odisha. -----Member

(m) Collector & District Magistrate, Cuttack -----Member

(n) Dean and Principal, SCB Medical College, Cuttack-----Member

(o) Dean and Principal of the Institute-----Member

(1-a) A register shall be maintained and updated from time to time for these regular members with complete address for communication.

(1-b) The ex-officio members constitute the regular members of the Governing Body and have voting rights.

(2) Invited members:

In addition to the ex-officio regular members, if the chairperson feel necessary, he may invite other persons subject to maximum three as invitees to participate in the meeting and the invitees shall neither have the voting right nor constitute the quorum.

a. The Chairperson shall nominate the invitees, one each from the following three categories, namely-

(i) Reputed medical professionals in the field of Oncology or Medical Education.

(ii) Representative from corporate sector.

(iii) Representative from any leading Government Research Institute.

b. The nomination will be biennial that is from 1st of April in a year to 31st March of the year which follows the succeeding year and in the event of the continuity of an invitee, if at any given time he is found to be prejudicial to the interest of the Institute, the chairperson may put an end to his continuity by removing him as an invitee which is to be communicated by the Director.

- c. (i) The Director will invite the invitees in consultation with the chairperson from the domains linked with the agenda of the meeting whose role is advisory in nature in making decision.
- (ii) The items on the agenda and other matters requiring their presence shall be dealt first and on the out of turn basis.
- d. The Invitees shall be entitled to TA and DA to be borne by the Institute for attending meetings at the rates admissible to them and the Honorarium or the sitting allowance shall be as per the norm fixed.

(3) Meeting of the Governing Body:-

- (a) The Governing Body shall meet not less than twice in a year and the meeting of the Governing Body shall be convened by the Director in consultation with the Chairperson.
- (b) The first Annual General Meeting of the Governing Body shall be held on a date not later than 30th June of a Year and the following businesses shall be brought forward and disposed of, namely-
 - (i) Consideration and approval of the Annual Activities Report of the Institute for the preceding year together with the audited copy of the balance sheet, income and expenditure, the receipt and payment of Accounts and the Audit Reports.
 - (ii) Report on academic activities of the Dean and Principal of the Institute.
 - (iii) Appointment of Auditors for the next year.
 - (iv) Any other matter or matters brought before it with the permission of the Chairperson.
- (c) The Second Annual General Meeting of the Governing Body shall be held on a date not later than the 31st December and the following business shall be brought forward and disposed of, namely-
 - (i) Report of the Director;
 - (ii) Report of the Dean and Principal of the Institute;
 - (iii) Budget for the next year; and
 - (iv) Any other matter with permission of the Chairperson.

- (d) The Director shall convene special General Body meetings whenever the Chairperson deems it necessary or whenever a written and signed requisition for such a meeting is made by at least five members of the Governing Body.
- (e) Notices: (i) Written notices of every meeting accompanied by the Agenda, stating date, time and venue at which the meeting shall be held, shall be sent to all members either personally or by mail to the addresses of the members as entered in the Register of Members.
- (ii) In case of Annual General Meetings, every notice shall be sent not less than fifteen days before the date fixed for the meeting.
- (iii) In the case of special meeting, unless there is extra-ordinary circumstances of urgency or emergency, every notice shall be sent not less than ten days before the date fixed for the meeting.
- (f) Quorum: (i) The quorum for any meeting of the Governing Body shall be one-third of the regular members.
- (ii) The Chairperson will decide the duration of time from the appointed hours in the absence of the quorum for deferred commencement of the meeting or alternatively he can adjourn the meeting forthwith.
- (iii) Quorum shall not be necessary for the re-convened meeting after adjournment due to want of quorum.
- (g) Every meeting shall be presided over by the Chairperson and in the absence of the Chairperson, by the Vice-Chairperson or in the absence of both of them by any other member as to whom the members physically present in the meeting choose to preside over unanimously or by majority.
- (h) Voting,-
- (i) Every regular member including the Chairperson shall have one vote.
- (ii) Except where there is unanimity, every matter shall be decided by simple majority or vote of those present and voting.
- (iii) In case of equality of votes in respect of any matter, the person presiding shall have a casting vote in addition to the vote he is entitled to as a member.
- (i) In emergency situation, the Director shall take such action as deemed fit in the interest of the Institute with the approval of the Chairperson which shall be placed before the next Governing Body meeting for ratification.

(j) Recording of Proceedings,-(i) The Director shall remain responsible to prepare the proceedings of the meetings of the Governing Body.

(ii) The minute's book shall be signed by the Chairperson or the person presiding at the meeting within three weeks from the date of the meeting is held.

(4). Powers and Functions of the Governing Body.- (a) The Governing Body is the highest policy making and controlling body of the Institute.

(b) Without prejudice to the generality of the provision of this Bye-laws, the Governing Body shall have the following powers and functions, namely:-

(i) to review, from time to time, the broad policies and programmes of the Institute and suggest measures for the improvement and development of the Institute and to call for the report from other authorities on any matter pertaining to the affairs of the Institute;

(ii) to consider and pass the resolutions on the annual budget, annual account, annual report, the financial estimates and the audit report on such accounts; and

(iii) to acquire by gift, purchase, exchange, lease or otherwise, lands, building or other immovable properties together with all rights appertaining thereto.

(iv) to construct and maintain buildings including rights to alter or improve them and to equip them suitably.

(v) to manage properties of the Institute.

(vi) to receive money, securities, instruments and any other movable property for and on behalf of the Institute.

(vii) to enter into agreement for and on behalf of the Institute.

(viii) to sue and defend all suit and legal proceedings on behalf of the Institute.

(ix) to sign and execute all such documents and instruments as may be necessary or proper for carrying on the management of the property or affairs of the Institute.

(x) to invest the money and funds of the Institute and to transport investments as when it may deem necessary or proper.

(xi) to grant fellowships and scholarships or other monetary assistance on such terms and conditions as it may be decided to such persons as it may select to carry on any research, investigation or study in subjects in which the Institute is interested only on recommendation of Research Advisory Committee. It

shall be formed by the Governing Body to oversee and evaluate the research activities. The composition of Research Advisory Committee would be such as would be relevant to disciplines of service in which the Institute is engaged.

- (xii) to consider and approve the annual budget of the Institute.
 - (xiii) to perform all such acts and do all such things as may be necessary for the proper management of the properties and affairs of the Institute.
 - (xiv) to determine the staffing pattern of the Institute in accordance with MCI/NMC regulations and patient care.
 - (xv) to create/upgrade all posts for the Institute subject to approval of the Government.
 - (xvi) to perform such other functions, not inconsistent with the provisions of this Bye-law, as it may deem necessary for the better functioning and administration of the Institute.
- (c) The Governing Body shall meet at least twice in a year which shall be held on the date to be fixed by the Director in consultation with the Chairperson.
- (d) The Chairperson shall preside over the meeting and in his absence, the Secretary to the Government, Health and Family Welfare Department and Vice-chairperson shall preside over the meeting.
- (e) A report on the working of the Institute during the previous year, together with a statement of receipt and expenditure so also the balance sheet as audited and the financial estimates, shall be presented by the Director to the Governing Body at its meeting.
- (f) Meeting of the Governing Body may be called by the Director at the request of not less than two-third members of the Governing Body including the ex-officio members.
- (g) The Governing Body shall have general control over the affairs of the Institute and shall have authority to exercise all such powers as necessary for running of the Institute consistent with its aims and objectives.
- (h) All the properties of the Institute both movable and immovable or any other kind shall vest in the Governing body.
- (i) The business and affairs of the Institute shall be carried on and managed by the Governing Body.

(5) Powers and Functions of the Chairperson.- The Chairperson shall,-

- (a) preside over the meeting of the Governing Body;
- (b) exercise such of the rights and power as may be provided in the Bye-laws;
- (c) approve the appointment of all the regular Academic Staff and Officers of the Institute;
- (d) be the disciplinary authority for Academic Staff and Officers including dismissal from the service; and
- (e) exercise such other powers vested with the Chairperson which are not expressed in the Bye-laws;

(6) Powers and Functions of the Vice-chairperson.- The Vice-Chairperson shall,-

- (a) shall preside over the Executive committee meeting; and
- (b) in the absence of the Chairperson, shall preside over the Governing Body and exercise such powers as are conferred upon the Chairperson by the Bye-law;

7. The Executive Committee.- The Executive Committee shall remain responsible for proper implementation of all policy decisions of the Governing Body, supervise the affairs of the Institute and issue direction to the Director as deemed proper to attend the overall objectives of the Institute.

- (a) Composition of the Executive Committee.- The Executive Committee shall consist of following members, namely:-
 - (i) Secretary to the Government,
Health and Family Welfare Department -----Presiding Officer.
 - (ii) Director of Institute -----Member(Convener)
 - (iii) Secretary to the Government,
Finance Department, *or his representative* ----- Member
 - (iv) Secretary to the Government,
Planning and Convergence Department
or his representative -----Member
 - (v) Financial Advisor,
Health and Family Welfare Department -----Member
 - (vi) Director of Medical Education and Training, Odisha -----Member

(vii) Dean and Principal, SCB Medical College, Cuttack-----Member

(viii) Dean and Principal of the Institute-----Member

(b) Meetings of the Executive Committee:

(i) There shall be meeting of the Executive Committee at least once in every three months and ordinarily meeting may be held within seven clear days of notice but in case of emergent meeting two days notice shall be adequate;

(ii) The quorum of the meeting shall be of one third members in roll, whereas no quorum is necessary for adjourned meeting;

(iii) The Secretary, Health and F.W. Department shall preside over the meeting and in absence of the Secretary, Health and F.W. Department, senior most member of the Executive Committee may preside as may be decided by the majority of members present;

(iv) All decisions shall be taken by the majority of members present on voting and the Presiding Officer shall have a casting of vote in case votes are equally divided.

(v) Vacancy or absence of any member shall not invalidate the proceedings.

(c) Annual Budget and Report:-

(i) The Executive Committee shall present the Annual Budget and the Annual Report on the working of the Institute to the Governing Body.

(ii) Proceedings of all the meetings of the Executive Committee shall be placed before the Governing Body for ratification.

(d) Powers, Rights and Duties of the Executive Committee,- Subject to the other provisions of the Rules and Bye-laws, the Executive Committee shall have the following powers and duties, namely:-

(i) to supervise the affairs of the Institute.

(ii) to issue such direction to the Director as deemed proper to attain the overall objectives, and functions of the Institute;

(iii) to take steps for implementation of the decision of the Institute on questions of policy relating to the administration of the affairs and working of the Institute;

- (iv) to introduce courses of study at the Institute and take decision on the advice of the Academic Council on all academic matters including matters relating to the examination conducted by the Institute;
- (v) to appoint, from time to time, such number of teachers, officers and other employees and on such terms and conditions as it may deem fit for carrying out the purposes of this Institute.
- (vi) to establish, maintain and manage Departments and Institutes of research and other advance Institutes of bearing as it may, from time to time, deem necessary;
- (vii) to direct the form and use of the common seal of the Institute;
- (viii) to initiate disciplinary action against teachers and officers of such rank as may be prescribed in the Bye-laws and recommend to the Governing Body for approval;
- (ix) to exercise control and discipline over the employees of the Institute including the power of dismissal of Group-C and D employees.
- (x) to exercise supervision and control over the residents and discipline of students;
- (xi) to hold and control the property and Funds of the Institute for the purpose of this Bye-laws;
- (xii) to acquire or transfer any movable or immovable property on behalf of the Institute in the manner as may be prescribed under this Bye-laws and subject to the provisions under any other Act as applicable in this regard;
- (xiii) to administer any Fund placed at the disposal of the Institute for specific purpose;
- (xiv) to create or abolish posts of teachers and other employees of the Institute;
- (xv) to manage and regulate the finances, accounts, investments in property, business and all other administrative affairs of the Institute and for that purpose appoint such agent as it may think fit;
- (xvi) to delegate such of its powers to a Committee or such officers of the institute as it may consider necessary for discharge of its function; and
- (xvii) to exercise such other powers and perform such other functions as may be prescribed by the Bye-laws and save as provided, exercise all the powers of

the Institute not otherwise provided for and all powers required to give effect to the provisions of this Bye-law.

(xviii) to prepare draft Bye-laws for any of the matter specified in the Bye-laws for consideration and adoption by the Governing Body.

(xix) to publish and/or to finance the publication of studies, treatises books, periodicals, reports and other literature and to sell or arrange for their sale of them as it may deem fit from time to time.

(xx) to institute scholarships and to award them to deserving candidates.

(xxi) to review the reports prepared by the Dean and Principal and the Medical Superintendent of the Institute.

8. Academic Council:

(a) The Academic Council shall be the principal academic body of the Institute and shall consist of the following members, namely;-

- | | |
|--|---------------------|
| (i) Director | - Presiding Officer |
| (ii) Dean and Principal of the Institute | - Member convenor |
| (iii) Medical Superintendent | - Member |
| (iv) All the Heads of Departments of the Institute | - Members |
| (iv) Administrative Officer | - Member |
| (v) Accounts Officer | - Member |

(b) Powers and Functions of the Academic Council: Subject to other provisions of the Bye-laws, the Academic Council shall have the following powers and function, namely:-

- (i) to formulate, co-ordinate and exercise general supervision over the academic programmes and policies of the Institute from time to time;
- (ii) to maintain standard of instruction, research, education and examination within the Institute;

- (iii) to suggest the Executive Committee on all academic matters including in the matters of examination;
- (iv) to make proposals for courses of studies, scheme of examination, qualification required for admission of students to various courses of studies, standard of evaluation of the performance of students, qualification of teachers and conduct of examination and interviews for appointment of teachers in conformity with the recommendation of the MCI/NMC and the equivalence of examinations, degrees, diplomas and certificate of other Universities or recognized Bodies;
- (v) to delegate such of its powers to such Committee or the officers of the Institute as it may consider necessary for discharge of its functions; and
- (vi) to exercise such other powers and perform such other functions as may be prescribed by the Governing Body.

9. The Finance Sub-Committee

- (a) There shall be a Finance Sub-Committee for supervision of the financial activities of the Institute consisting of following members, namely:-
 - (i) Director - Presiding Officer
 - (ii) Dean and Principal - Member
 - (iii) Medical Superintendent - Member
 - (iv) Administrative Officer - Member
 - (v) Accounts Officer - Member Convener
- (b) In addition to the members under clause (a), if required, invited members not exceeding three numbers may participate in the meeting of the sub-committee which shall be held in the first week of every month to review the status of receipt and expenditure.
- (c) The sub-committee shall submit the financial report to the Governing Body and the Executive Committee with its views and make recommendations to the Executive Committee on any financial question affecting the Institute either on its own initiative or on reference from Executive Committee; and
- (d) shall exercise such other powers and functions as may be conferred or imposed on it by the Governing Body.

CHAPTER-III

Officers of the Institute (Eligibility for recruitment)

10. Classification of Employees:—

Except the manpower used through outsourcing agencies and contractual staff, the regular employees of the Institute shall be classified as:—

- a. Director of the Institute-
- b. Academic Staff - shall include Dean and Principal, Medical Superintendent, Professor, Associate Professor, Assistant Professor, Senior Resident, Junior Resident, Tutor, Librarian, Assistant Librarian, and such other academic posts as may be decided by the Executive Committee from time to time in accordance of MCI/NMC guidelines;
- c. Officers - shall include Medical Officers, Store Medical Officer, Administrative Officer, Accounts Officer, Establishment Officer, Hospital Manager, Security Officer, Public Relation Officer, Statistician/ Statistical Officer, Statistical Investigator;
- d. Paramedical Staff – shall include Nursing staff, Graduate Technician, Pharmacist, Laboratory Assistant, Operation Theatre Assistant, Radiotherapy Technician, Dresser and such other technical posts as may be decided by the Executive Committee from time to time; and;
- e. Technical Staff - shall include Assistant Engineer, System Manager, Computer Programmer, Computer Operator, Senior Technical Assistant, Technical Assistant, Telephone Operator, Driver and such other technical posts as may be decided by the Executive Committee from time to time; and
- f. Office Staff (Group-C)- Bursar, Office Superintendent, Head Clerk, Accountant, Statistical Assistant, Personal Secretaries and Personal Assistants, Senior Clerk, Junior Clerk, Senior Stenographer, Stenographer, Senior Store Keeper, Store Keeper, Assistant Storekeeper.
- g. Supporting Staff (Group-D)- Peon, Daftary, Mali, Helper, Cleaner, Security Guard, Sweeper, Attendant.
- h. . Subject to the approval of the State Government, the Governing Body may create such number of Academic Staff, Officers, Technical Staff, Paramedical Staff, Office Staff non-technical/ non-teaching posts and other groups / posts for smooth functioning of the Institute as per rule from time to time.
- i. Eligibility criteria for appointment to different posts:—

- (i) The qualification required for the post of Professor, Associate Professor and Assistant Professor, Senior Resident, Junior Residents, Tutors shall be guided by the existing regulation and guidelines of MCI/NMC issued in this behalf from time to time and save as otherwise provided in these Bye-laws, the Odisha Medical Education Service (Method and Recruitment and Conditions of Service) Rules 2021 as amended from time to time, shall apply *mutatis mutandis* for recruitment to the said post.
- (ii) The qualification of the office staff and other non-teaching employees shall be the same as meant for similar posts under the Government of Odisha bearing the same and equivalent scales of pay and the scale of pay at the entry point of the ministerial staff and other employees relating to posts of various categories in the Institute shall be the same as that of the staff of the Heads of Departments relating to similar post.
- (iii) The qualification for appointment of technical staff such as Pharmacists and Nursing Sisters shall be guided by the existing guidelines, regulations of PCI and INC respectively as amended by Government of Odisha from time to time.

j. Recruitment:—

- (i) All posts of the Institute, shall ordinarily be filled up through open advertisement.
- (ii) The Executive Committee shall have the power to decide on the recommendation of the Director whether a particular post shall be filled up by deputation from Government or through recruitment.
- (iii) The posts shall be filled up by direct recruitment by means of a competitive examination as well by way of promotion as specifically provided in these Bye-laws or as deemed fit, decided by the Executive Committee.
- (iv) In case of any post to be filled up by direct recruitment, it shall be filled up by inviting applications from the Indian citizens by open advertisement in,-
 - (a) one or more Odia Daily News Paper having wide circulation throughout the State;
 - (b) in one National English Daily News Paper and or Employment news, if nature of the post so requires; and
 - (c) in the website of the Institute.
- (v) In the matter of recruitment and promotion, the policy of the Government with regard to the reservation and other concessions as applicable to the

Scheduled Castes and Scheduled Tribes candidates and other reserved categories of candidates shall be followed.

- (vi) while considering the promotion cases of suitable officers and employees, the provisions of the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003, The Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988 and the Odisha Civil Services (Criteria for Promotion) Rules, 1992 shall be followed.
 - (vii) For promotion of Departmental candidates, the Performance Appraisal Reports (PAR) shall be taken into account as per the procedure approved by the Chairperson of the Governing Body.
 - (viii) Each employee on appointment shall be put on probation for a period of one year. The Appointing Authority may extend, reduce the period of probation for special reasons, provided that it may not be extended for more than two years. During the period of probation, the services of an employee may be terminated by the appointing authority without assigning any reason there of or without notice unless and otherwise provided in the letter of appointment.
 - (ix) In case of non-availability of any suitable candidate for promotion to the post of Professor or Associate Professor, the same shall be filled up with the approval of the Governing Body by open advertisement or otherwise as Governing Body may deem fit.
- k. Seniority:-(i) In all cases the date of joining in the post shall be the determining factor for determining seniority irrespective of the method of recruitment i.e. departmental promotion or open advertisement.
- (ii) When officers are appointed both by promotion and by direct recruitment and have joined the post on the same day, the directly recruited officers shall enbloc be senior to the promoted officers.
 - (iii) In case of officers appointed to the service on promotion only, the inter-se seniority shall be determined in accordance with their position in the select list;
 - (iv) In case of officers appointed to the service by direct recruitment; the inter-se seniority shall be determined according to their position in the select list.

11. Appointment of the Director: (1) There shall be a Director of the Institute who is the administrative head of the Institute and shall be appointed by the Government from out of the panel of three names recommended by a Selection Committee consisting of the following members, namely:-

- a. The Selection Committee for the appointment of the Director shall consist of the following members:
- i. Chief Secretary, Odisha-----Presiding Officer
 - ii. Secretary to the Government,
Health and F. W. Department -----Member-Convener
 - iii. Director of Medical Education and Training, Odisha ---Member
 - iv. Two Experts in the field of Oncology not
below the rank of Professor working in
any other Government owned or aided Institute
of the Country to be nominated by the Chairperson---- Members

(2) To be eligible for the post of Director, a person must have,-

- (i) held the post of Professor with ten years' teaching experience out of which at least five years as Professor in a Oncology Center in any Government or MCI/NMC Recognized Medical College/Institution.

(3) The Director so appointed shall hold office for a term of three years and the term of an incumbent Director beyond the fixed tenure is extendable for another term or until attainment of age of superannuation whichever is earlier subject to the discretion of the Government

(4) (i) The age of the candidate shall not be below sixty years as on the cut off date as may be specified in the advertisement; and

- (ii) The age of superannuation of the Director shall be Sixty-five years or such other age limit as may be decided by the Government from time to time.

(5) The other conditions of service of the Director so appointed including his Salary, Allowances, Leave, Pension and Provident Fund shall be fixed by the Government from time to time.

(6) The Selection Committee will decide the modus operandi for the selection of the Director with due approval of the Chairperson.

(7) Whenever a vacancy occurs or is likely to occur in the office of the Director, the committee constituted in accordance with the provisions of sub-section (1) shall, as far as may be, at least sixty days before the date on which a vacancy in the office is due to occur, prepare a panel of three names, who are, in its opinion, suitable to hold the said office:

(8) Where a vacancy in the office of the Director occurs and it cannot be conveniently and expeditiously filled in accordance with the provisions of the

Bye-law, the Executive Committee will recommend a panel of three names from among the senior most Professors fulfilling the eligibility criteria, to the Governing Body for posting as the I/C Director till the regular Director is appointed by the Selection Committee.

12. Appointment of Dean and Principal.- (1) There shall be a Dean and Principal of the Institute who shall be appointed by the Chairperson of the Governing Body from amongst the Professors of the institute as per MCI/NMC guidelines, on recommendation of the DPC.

(2) The Dean and Principal of the Institute shall be the head of the academic affairs of the Institute and shall exercise such powers and perform such functions, as may be prescribed by the Governing Body. The Dean and Principal of the Institute shall report to the Director.

13. Appointment of the Medical Superintendent.- (1) There shall be a Medical Superintendent of the Institute who shall be appointed by the Chairperson of the Governing Body from amongst the Professors of the institute as per MCI/NMC guidelines, on recommendation of the DPC.

(2) The Medical Superintendent shall be responsible for the day to day administration, monitoring and supervision of the Hospital of the Institute and shall exercise such powers and perform such functions, as may be prescribed by the Governing Body or Executive Committee or Director.

14. Appointment and Promotion of Faculties: (Professors and Associate Professors)

a. Eligibility criteria:

Odisha Medical Education Service Rules shall be applicable to the faculties of the Institute.

b. Selection Committee: The Selection Committee for the promotion of Faculties consists of the following members:

(i) Chief Secretary ,Odisha-----Presiding Officer

(ii) Secretary to Government,

Health and F.W Department-----Member

(iii) Director of Medical Education and Training, Odisha--- Member

(iv) Dean and Principal of the Institute -----Member

(v) Director of the Institute -----Member-Convener

15. Appointment of Assistant Professors:

a. Eligibility criteria:

Odisha Medical Education Service Rules as amended from time to time shall be applicable to the faculties of the Institute.

b. Selection Committee: The Selection Committee for the appointment of Faculties consists of the following members:

(i) Secretary to the Government,

Health and Family Welfare Deptt. -----Presiding Officer

(ii) Director of Medical Education and Training, Odisha---Member

(iii) Two Subject Experts not below the rank of

Professor *nominated by the Director* -----Members

(iv) Dean and Principal of the Institute-----Member

(v) Director of the Institute -----Member-Convener

16. Appointment and Promotion of Faculty in Medical Physics:

(1) Eligibility criteria for Promotion and Appointment of Faculty in Medical Physics shall be as follows, namely;-

(i) For the post of Assistant Professor of Medical Physics, a candidate must have to possess a M.Sc. degree in Physics with Diploma in Radiological Physics (Dip. R.P) from Bhaba Atomic Research Institute (BARC), Mumbai or equivalent as per MCI/NMC guideline.

(ii) For the Appointment or Promotion to the posts of Associate Professor or Professor in the Department of Medical Physics, the candidate must have possess a Ph.D. degree in Physics in addition to the experience mentioned in respect of similar posts as per OMES Rules,2021.

(iii) The Medical Physicist shall also be appointed as the Radiological Safety Officer (RSO) of the Institute subject to the approval of the Atomic Energy Regulatory Board (AERB) and the Governing Body and in addition to his/her normal duties as a Medical Physicist, he/she shall remain responsible for all aspects of Radiation Safety in the Institute as per the current Radiation Protection Rule.

(2) Selection Committee for the faculties in Medical Physics shall be the same as constituted under clause 14 (b) and 15 (b) for appointment and promotion of respective posts specifies therein.

17. Appointment of Administrative Officer.-An officer of Senior Class-I rank from Odisha Administrative Services (OAS) cadre shall be posted on deputation by the Government to function as Administrative Officer of the Institute.

18. Appointment of Accounts Officer.-An officer of Senior Class-I rank from Odisha Finance Services (OFS) cadre shall be posted on deputation by the Government.

19. Appointment of Store Medical Officer (SMO).-(1) There shall be a Store Medical Officer of the Institute who shall be selected as per the guideline approved by Executive Committee.

(2) For appointment to the post of Store Medical Officer, the candidate must have MBBS degree or Post Graduate degree in any medical speciality. The candidate shall be selected as per guideline approved by the Executive Committee.

In the event of non-incumbency, the Government in Health and Family Welfare Department may post any doctor from OMES/OMHS cadre on deputation to this post or, the Director may choose any of the faculties to officiate as SMO.

(3) Selection Committee for the appointment of Store Medical Officer shall be as approved by the Executive Committee.

20. Appointment of Statistician:

(1) Eligibility criteria:

For appointment to the post of Statistician, the candidate must have at least second class Master Degree in Statistics or any of the following subjects with Statistics as a special paper from any University or Institution recognized by the Government:

(i) Economics.

(ii) Applied Economics.

(iii) Mathematics.

(2) The Selection Committee for appointment of Statistician shall be as approved by the Executive Committee.

21. (1) The Staff Selection Committee shall look after the Appointment and Promotion of Group-C and Group-D employees of the Institute in conformity with instructions of the Executive Committee.

- (2) The initial appointment to the post of Group-C and Group-D shall be made by direct recruitment.
- (3) The Staff Selection Committee shall determine the promotional posts to be filled up by way of promotion.
- (4) The eligibility criteria for recruitment to the posts of Group-C and Group-D of the Institute shall be the same as that for the Government Medical Colleges of the State.
- (5) The Odisha Group C and Group D posts (contractual appointment) Rules, 2013 as amended from time to time shall apply to the posts of Group-C and Group-D of the Institute:

Provided that the Institute may, by notification, exclude any post from the purview of these rules.

- (6) Staff Selection Committee: (1) The Staff Selection Committee (hereinafter referred as Selection Committee) for appointment of Group-C and Group-D posts shall consist of the following members, namely:-
 - (i) Director -----Presiding Officer
 - (ii) Dean and Principal of the Institute-----Member
 - (iii) Medical Superintendent-----Member
 - (iv) Administrative Officer-----Member-Convener
 - (v) Accounts Officer-----Member

(2) In case of departmental promotion, the Selection Committee shall sit at least once in a year, if vacancy as well as eligible candidate exists.

(3) For departmental promotion, the Selection committee shall collect the Performance Appraisal Report (PAR) of employees and also obtain the vigilance clearance from the G.A. (Vigilance) Department.

22. The Selection, Appointment and other terms and conditions for the Post Graduate Students or Senior Residents or Tutors or Juniors Resident or Contractual Faculties and Medical Officers are as follows.

- (a) The Selection, Education, Training, Examination and Award of Degree in respect of Post Graduate Students of the Institute shall be done as per MCI/NMC guideline.
- (b) In the matter of Selection, Appointment and other terms of Senior Residents, Tutors or Junior Residents of the Institute shall follow the guidelines of MCI/NMC as amended by Government of Odisha from time to time.

(c): The Selection, Appointment and other terms of Contractual Faculties or Medical Officers shall be made with prior approval of the Executive Committee.

23. CCR/ PAR of Employees of the Institute: (1) There shall be annual appraisal of performance of all the employees of the Institute as per Government of Odisha norms applicable to Post-graduate teaching medical institutions and colleges.

(2) The Reporting Authority, Reviewing Authority and the Accepting Authority in respect of officers and employees shall be as given below-

| Sl. No. | Employee | Reporting Authority | Reviewing Authority | Accepting Authority |
|----------------|-------------------------------------|-------------------------------|-------------------------------|-------------------------------|
| 1 | Director of Institution | Secretary, Health & F.W.Deptt | Chief Secretary, Odisha | Chairperson, Governing Body |
| 2 | Dean and Principal | Director of Institution | Secretary, Health & F.W.Deptt | Chief Secretary, Odisha |
| 3 | Medical Superintendent | Dean and Principal | Director of Institution | Secretary, Health & F.W.Deptt |
| 4 | Professor | Dean and Principal | Director of Institution | Secretary, Health & F.W.Deptt |
| 5 | Associate Professor | HoD | Dean and Principal | Director of Institution |
| 6 | Assistant Professor | HoD | Dean and Principal | Director of Institution |
| 7 | Senior Resident/ Junior Resident | HoD | Dean and Principal | Director of Institution |

(3) Officers who are deployed and deputed by the Government, their PAR/CCR will be dealt as per the Government guideline.

24. Creation of posts.- Subject to the approval of the State Government, the Governing Body, on recommendation of the Executive Committee, shall create such number of posts of different categories as it may consider necessary for the Institute.

25. Leave.-The Institute shall follow the Odisha Leave Rules,1966 as applicable to the employees of the Government of Odisha.

26. The superannuation age as fixed for State Government employees shall be applicable to the Institute.

- 27. Pay, Allowances and other concessions.-** In the matter of Pay, Allowances and Other concession the Institute shall follow the Rules, Regulations and Orders as issued by the Government from time to time.
- 28. Provident Fund, Gratuity, GIS and Unutilized leave salary & Pension.-** (1) The provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (Act No. 19 of 1952) and Rules made thereunder shall be applicable to the employees of the Institute.
- (2) Gratuity at the rate fixed by the Government shall be paid to every employee of the Institute.
- (3) The Institute shall take steps to introduce Group Insurance Scheme for its employees.
- (4) Unutilized leave salary will be admissible to the employees of the Institute at par with employees of the Government.
- (5) The Institute shall follow CPF/EPF/NPS Rules for pensionary benefits to its employees.
- (6) In case of the Government employees on deputation to Institute, the rules of the State Government shall apply to them.
- 29. Deputation and Foreign Services.-** Deputation or Deployment of employees from Institute to Foreign or external organizations shall be made on stipulated terms and conditions subject to the approval by the Governing Body and subsequently by the Government.
- 30. Misconduct and Disciplinary action.-** The provisions of the Odisha Government Servants' Conduct Rules, 1959 and the Odisha Civil Services (Classification, Control and Appeal) Rules, 1962 as amended from time to time shall mutatis mutandis apply to the employees of the Institute including the Director.
- 31. Reviewing Authority in Disciplinary Cases.-** The authority to which an appeal against an order imposing any of the penalties specified in rule 13 of the Odisha Civil Services (Classification, Control and Appeal) Rules, 1962 lies, may of its own motion or otherwise, call for the records of the case in a disciplinary proceeding, review any order passed in such a case and, pass such orders as it deems fit.
- 32. Appellate Authority.-** The provisions of the Odisha Civil Services (Classification, Control and Appeal) Rules, 1962 shall mutatis mutandis apply to the employees of the Institute.

CHAPTER-IV

Powers and functions of officers of the Institute

- 33. The Rights, Duties and Powers of the Director.-** (1) The Director shall be the Chief Executive Officer of the Institute and he shall,-
- (a) preside over the Academic Council of the Institute and other sub-committees meeting and shall exercise such powers as conferred by the Governing Body and the Executive Committee from time to time;
 - (b) be primarily responsible for implementation of the projects on the basis of the decisions of the Governing Body;
 - (c) function as the convener of the Governing Body;
 - (d) receive and carry on all correspondences for and on behalf of the Institute and all decisions, instructions, orders, reports and representations shall be channelized through him;
 - (e) be the Appointing Authority of all employees except the faculties and officers of the Institute;
 - (f) be the appointing authority in respect of the Senior Residents/Tutors and Contractual Employees/ Temporary Employees of the Institute;
 - (g) suggest the authority to take disciplinary action in respect of faculties and officers;
 - (h) be the authority to take disciplinary action in respect of all employees except the faculties and officers;
 - (i) have control and supervision of all resources of the Institute. All expenditures within the budget grant shall be approved and sanctioned by the Director;
 - (j) All contracts on behalf of the Institute shall be signed by the Director and witnessed by the Accounts Officer/Administrative Officer.
 - (k) exercise the financial authority in respect of the Institute. The financial limit shall be decided by the Governing Body. The Director has also the power to delegate the financial authority with the express approval of the Chairman of Executive Committee.
 - (l) file with the Registrar of the Societies required under section 4 of the Act.

- (m) represent the Institute and act on its behalf and under its seal in all judicial, quasi-judicial proceedings and matters and shall have powers to engage advocate(s) to represent him and the Institute in any proceedings but in case where the Government is a party to any proceedings, the draft affidavits shall be approved by the Government.
 - (n) He shall have power to delegate any of his powers under approval of the Vice-Chairperson to any member of the staff in the best interest of the Institute.
 - (2) In case of temporary vacancy of the Dean and Principal, Medical Superintendent, the Director will assign one of the senior professor fulfilling the criteria of MCI/NMC guideline to remain as officiating Dean and Principal, Medical Superintendent till the post on regular basis is filled up as per the rule 12 and 13 of the Bye-laws.
 - (3) The Director assisted by the Administrative Officer, and Accounts Officer shall arrange to comply with statutory returns, statements and periodical accounts and he shall submit Annual report on the affairs and financial position of the Institute and budgets to the Executive Committee and the Governing Body.
 - (4) In case of an emergency, the Director may take such action as may be necessary beyond the permitted or delegated financial limit subject to approval of the same by the Chairperson within one month or by the G.B sitting next, whichever is earlier.
- 34. The Dean and Principal.-** (1) The Dean and Principal shall be the head of the academic administration of the Institute and shall exercise supervision over faculties in the matters relating to academics.
- (2) As an Academic head he shall,- (a) co-ordinate with the affiliating University and other external institutions in the matter relating to courses and curriculum;
 - (b) supervise and co-ordinate the research activities and training programme to be undertaken both on internal resource mobilization and external support including sponsors;
 - (c) have supervision over the research activities undertaken by the faculty members, research scholars and students;
 - (d) represent the Institute in the University;
 - (e) record remarks in the CC Rolls or PAR of the faculties; and
 - (f) discharge other responsibilities as assigned by the Governing Body or the Chairperson or Vice-chairperson or Director thereof.

- 35. The Medical Superintendent.**-(1) The Medical Superintendent shall be responsible for routine management of the Hospital which includes deployment of Paramedics and he shall,-
- (a) be responsible for Out Patient Department (OPD) scheduling and conduct of Tumor Board meetings;
 - (b) have supervision and control over the functioning of Medical Officer, Registration of OPD, store of the Hospital and housekeeping;
 - (c) have the responsibility with regard to maintenance of Hospital records including death register;
 - (d) supervise the ICU, Blood storage unit, Blood Bank, Drug Distribution Counters, Manifold Room and Fire safety on being set up as facilities of the specialty;
 - (e) report remarks on the PARs of Doctors except the faculties;
 - (f) be the leave sanctioning authority of the Paramedics; and
 - (g) also report on the performance of the agencies engaged for cleaning and security.
- (2) The Superintendent will discharge other responsibilities as assigned by the Governing Body or Chairperson or Vice-chairperson or Director thereof.
- 36. Administrative Officer:** The Administrative Officer shall assist the Director in exercising all his administrative functions to the extent as delegated to him by the Director.
- 37. Accounts Officer:** The Accounts Officer shall assist the Director in all financial matters in accordance with the general terms and powers delegated to him.
- 38. SUB-COMMITTEES.**- (1)The Institute shall have sub-committees for implementation of one or more objectives and for co-ordination of its activities.
- (2) The Director shall be the chairperson of all Sub-Committees.
 - (3) The quorum for any meeting of the Sub-Committees shall be fifty percent of the total members.
 - (4) The formation of Sub-Committees is to be proposed by the Director and shall be approved by the Presiding Officer of the Executive Committee and to be ratified by the Executive Committee sitting next.
 - (5) The powers, duties, functions of the Sub-Committees shall be decided by the Presiding Officer of the Executive Committee.

CHAPTER-V

Finance and Accounts

- 39.** (1) There shall be a Fund to be called the Corpus Fund which shall be held by the Institute in trust for the purpose of the Bye-laws and money realized or realizable under this Bye-laws and moneys otherwise received by the Institute shall be credited thereto.
- (2) All moneys credited to the Fund shall be deposited in such Banks or invested in such manner as the Institute may, with the approval of the Government decide.
- (3) The principal amount of Corpus Fund shall not be withdrawn and the interest accrued thereon shall be utilized as per guidelines on approval of the Governing Body.
- (4) The sources of the Corpus Fund are as follows.-
- (a) The Endowment Fund constituted under the superseded Bye-laws shall merge into the Corpus Fund;
- (b) Donations and Gifts [except the grants (both the Recurring and non-recurring) from the Central Government and the State Government]; and
- (c) Surplus money from different education, research and training programmes etc.
- (5) The other sources are.-
- (a) CSR Fund;
- (b) Insurance;
- (c) User fee; and
- (d) Any other sources as approved by the Governing Body.
- (6) The Institute shall take steps that the above funds exempted from income-tax under section 35-I-ii-(iii) and 80 (G) of the Income Tax Act, 1961.
- (7) Both the recurring and non-recurring grants from the Central Government and State Government grants shall not be deposited in the Corpus Fund.
- 40.** Finance Sub-Committee,- (1) There shall be a Finance sub-committee for supervision of the financial activities of the Institute consisting of following members, namely:-
- | | |
|--|---------------------|
| (i) Director | - Presiding Officer |
| (ii) Dean and Principal of the Institute | - Member |
| (iii) Medical Superintendent | - Member |

- | | |
|-----------------------------|-------------------|
| (iv) Administrative Officer | - Member |
| (v) Accounts Officer | - Member convener |

(2) If required, invited members not exceeding three numbers may participate in the meeting which shall be held in the first week of every month to review the status of receipt and expenditure.

(3) The sub-committee shall submit the financial report to the Governing Body and the Executive Committee.

41. Budget.- (1) The Director shall prepare the budget for the next financial year in the month of September for onward transmission to the Government.

(2) The budget so prepared shall require to be approved by the Governing Body and after the budget gets approval of the Governing Body along with suggestion or alteration if any, shall be intimated to the Government.

42. Expenditure.- (1) All expenditures of the Institute shall be made in accordance with the provisions of the Odisha General Financial Rules (OGFR), Delegation of Financial Power Rules (DFPR) and Delegation of Financial Power Rules and Orissa Treasury Code(OTC) as revised from time to time.

(2) The Central Government funds are to be spent as per the Central Government guidelines.

(3) The Finance sub-committee may submit new proposal for expenditure before the Executive Committee.

43. Procurement.- (1) All the procurements for the Institute including Equipment Instrument and Furniture and Drugs shall be made by the Odisha State Medical Corporation Ltd.(OSMCL)

(2) In case the Odisha State Medical Corporation fails to procure the required procurements for the Institute including Equipment Instrument and Furniture and Drugs, the Institute may procure by its own by observing the rules on medical procurements prescribed and/ or guidelines issued by the Government in Health and Family Welfare Department from time to time.

44. Store Section.- (1) The Store Officer is to be assisted by the Pharmacist in dealing with technical matter if any and by a clerical staff in non-technical matters.

(2) The Store Officer with the help of concerned staff is to take steps to procure and supply the materials required for day to day use in the Institute.

- (3) All the proposals for purchase, repair and renovation are initiated by the Store Section and placed before the Director/ Local / High Power Purchase Committee for final decision.
 - (4) The composition and the financial power of local purchase committee or high power purchase committee shall be decided by the Governing Body.
 - (5) All vouchers, Bills, Cash Memos relating to purchases made by the Store shall be entered in the Stock Register of Store Section and before adjustment or payment, Accounts Section shall ensure that the connected bill or voucher has been certified by the Store Officer, entered in the Stock register of Main Store and sanctioned by the Director.
 - (6) Before procurement, the stores shall be examined, counted, measure or weighed and tallied with the invoice or bill or memo while taking delivery by the Store Keeper or Store officer and the particulars of the purchase shall be entered in the concerned stock register with a certificate of having received the articles in full and good conditions given in the invoice or bill or memo by the Store Officer before payment.
 - (7) (a) Verification of the stock and stores shall be made by random checking by the officer nominated by the Director.
 - (b) Regular physical verification once in a month shall be conducted by the Store Keeper or Store Medical Officer.
- 45. Utilization Certificate.-** Utilization Certificate(UC) as deemed fit shall be submitted to the authorities in time.
- 46. Audit.-** (1) The Auditor of the Institute shall be appointed by the Director on approval of the Chairperson of the Governing Body from a panel of Chartered Accountants approved by the Comptroller and Auditor General of India.
- (2) The annual accounts of the Institute shall be prepared by the Auditor under the direction of the Executive Committee and all moneys accrued to, or received by the Institute from whatever sources and all amounts disbursed and paid by the Institute shall be entered in the accounts.
 - (3) The Institute shall complete the annual accounts for a financial year before the 31st May and submit the copy of the annual accounts together with a copy of the audit report before the Governing Body for approval.
 - (4) The financial year of the Institute shall be from the 1st April to the 31st of March.

- (5) The Government shall have powers to conduct special audit, if required, in respect of utilization of Funds and the Institute shall comply with the directions issued by the Government on such audit.
- (6) The auditor shall also report on any matters relating to the accounts of the Institute as may be required by the Government.
- (7) The Institute shall forthwith rectify or take remedy of any defect or irregularities pointed out by the auditor and report the action taken to the Government.
- 47. Bank Operations.-** The Director shall open and operate Accounts in the empanelled commercial banks to handle the business and the deposits notified by the Finance Department of the Government from time to time which shall be operated jointly by the Director and Accounts Officer of the Institute.
- 48. Engagement of Manpower,-** For outsourcing of and engagement of consultant, Finance Department Memorandum No. 42284/F dated 26.09.2011 and 42280/F dated 26.09.2011 respectively shall be followed strictly as revised from time to time.

CHAPTER- VI

Academic/ Research / Ethics/ Student Affairs/ Fees

49. Academic activities.

1. Departments:— All the existing departments of the Institute shall be the departments of the Institute :

Provided that the Executive Committee may, on the recommendation of the Academic Council create or modify or abolish any Department or merge it with another Department strictly as per MCI/NMC guidelines with the approval of the Governing Body.

2. Head of the Department.- (a) A senior most Professor of each Department shall be the head of the concerned Department as amended by Govt. of Odisha from time to time.

Provided that when in the opinion of the Director the situation so demands, the Director may himself take temporary charge of a Department or place it under the charge of a Professor of another Department/Institute for a period not exceeding six months.

- b. The Head of the Department shall be responsible for the entire working of the Department, subject to the general control of the Director and it shall be the

duty of the Head of the Department to see that the decisions of the Authorities of the Institute and of the Director are faithfully carried out and shall perform such other duties as may be assigned to him by the Director.

50. Institutional Ethics Committee and Research:—(1)The Institutional Ethics Committee shall function as per the guidelines of Indian Council of Medical Research guidelines for Research.

(2) The Executive Committee will decide the guidelines of research, contingency grants for Faculties, subject to approval of the Governing Body.

51. Students Affairs

(1) Courses and Certificates:—

- a. The fellowships, scholarships, free studentships, exhibitions, medals and prizes shall be instituted by the Institute:
- b. Scholarships of the value, to be decided by the Executive Committee, will be awarded to 25% of the students admitted to the undergraduate courses and post-graduate courses in accordance with the provisions made in the Bye-laws.
- c. All the courses existing shall be the courses offered by the Institute, besides, the Executive Committee may start any other new course as per the existing guidelines relating to the said courses.
- d. Research Scholarships of the value decided by the Executive Committee shall be awarded to all research scholars admitted to the Institute.
- e. The Executive Committee may, on the recommendation of the Academic Council, institute such exhibitions, medals and prizes as it considers desirable.
- f. The awards shall be made in accordance with the provisions made in this behalf.

(2) Accommodation:— The Students and Residents of the Institute will be eligible for allotment of a House/ Hostel within the campus of the Institute, if available, in accordance with the rules framed by the Executive Committee, from time to time.

(3) Disciplinary action / Punishment:—The following punishments may for good and sufficient reasons be imposed on a student of the Institute after giving reasonable opportunity of hearing, namely :—

- a. Fine;
- b. Detention in a class;
- c. Rustication;
- d. Expulsion; and

- e. Any other punishment as the authority may feel proper.

Provided that where the punishment to be imposed is expulsion from the Institute, the disciplinary authority shall make a report to the Executive Committee who shall have the power to rescind or modify the said punishment.

(4) Disciplinary Authority:-

- (a) The Director may impose any of the punishments specified in the clause 53 (3) of this Bye-law, with recommendations of Disciplinary Committee comprising of the following members, namely :—

| | | |
|---|--|-------------------|
| 1 | Director | Presiding Officer |
| 2 | Dean and Principal of Institute | Member Convenor |
| 3 | Medical Superintendent | Member |
| 4 | All Heads of the Departments | Member |
| 5 | Wardens of respective Hostel/ House | Member |

- (b) No punishment shall be imposed on a student in accordance with the provisions contained in the Bye-law without giving him an opportunity to state his position in defence and without being heard in person.

- (5) The Governing Body is empowered to start any new course from time to time required for increasing the talent pool in cancer care.

52. Fees:—

- a. The Institute shall charge such fees from the undergraduate, postgraduate, research and post-doctoral students for different academic programmes as may be determined by the Executive Committee consistent with the decision of the Academic Council and the policies laid down by the Central Government or State Government from time to time:

Provided that the Institute shall also award fee waivers to the students and research scholars in accordance with the decision of the Executive Committee and consistent with the policy of the Government and as per directions of the Academic Council from time to time.

- b. The procedure for the deposit of fees, delay fine, entry/deletion of the names from the rolls of the academic programmes of the Institute and such other matter as may be decided by the Academic Council, shall be laid down in the order of the Institute.

CHAPTER- VII
MISCELLANEOUS

- 53. Power to amend Bye-laws.-** (1)The Governing Body shall have powers to alter, extend or abridge the objectives, powers and functions enshrined in clause no. 3 of this Bye-laws of the Institute and to change its name, to amend the Bye-laws of the Institute or make new Bye-laws as they consider essential for proper regulation and functioning of the Institute with the approval of the Government.
- 54. Executive Orders;** For smooth functioning of the Institute, the Executive Committee may propose executive orders with the approval of the Governing Body and subsequent acceptance by the Government to fulfil the objectives of the Institute.
- 55. Indemnity.-** Subject to the provisions, every member, employee and agent of the Institute shall be indemnified against any cost, expenses or liability incurred by him in defending any proceeding whether civil or criminal arising out of any act done in the discharge of official duty relating and relevant to the affairs of the Institute.
- 56. Repeal.-** The Acharya Harihar Regional Centre for Cancer Research and Treatment Institute Bye-laws (Amendment) Rules, 2013 in force at the time of commencement of these Bye-laws are hereby superseded:
- 57. Savings.-** Provided that all appointments made, actions taken, things done or omitted to be done before such supersession shall be deemed to have been made or taken or done or omitted to be done under the corresponding provisions of these Bye-laws.

By Order of the Governor

P. C. MOHANTY

Additional Secretary to Government