4. MEMBERSHIP

4.1. The following shall be the members of the Samiti:

4.1.1. The First Members of the Governing Body.

4.1.2. Local Representative of Professionals’ Association.

4.1.3. Representative of other organizations as may be determined by the Governing Body from time to time.

4.1.4. Individuals as may be nominated by the Governing Body from time to time.

5. Authorities of the RKS:

5.1. The followings shall be the bodies & authorities of the Samiti:

5.1.1. Governing Body.

5.1.2. Executive Body.

6. GOVERNING BODY

6.1. All members of the Samiti as set out in para 4.1 shall constitute Governing Body of the Samiti.

6.2. The management of the affairs of the Samiti shall be entrusted to the Governing Body & the property of the Samiti shall be vested in the Governing Body.

6.3. The Samiti may sue or be sued in the name of the Executive Secretary of the Samiti or of such other members as shall, in reference to the matter concerned, be appointed by the Governing body for the occasion.

7. Proceeding of the Governing Body

7.1. The meetings of the Governing Body shall be held at least once in every quarter and at such time and place as the Chairperson shall decide. If the Chairperson receives a requisition for calling a meeting signed by one-third members of the Governing Body, the Chairperson shall call such a meeting as soon as may be reasonably possible and at such place as she/he may deem fit.

7.2. Following minimum business shall be brought forward and disposed off in every meeting of the Governing Body:

7.2.1. Compliance to Standards and Protocols issued by the Government.
7.2.2. Review of the OPD and IPD service performance of the hospital in the last quarter and service delivery targets for the next quarter.

7.2.3. Review the reports submitted by the Monitoring Committee.

7.2.4. Review the status of utilization of funds, equipment and drugs received under different programmes of the Government.

7.2.5. Review compliance to Citizens' Charter displayed in the Hospital and the effectiveness of the Grievances Redressal Mechanism.

7.2.6. In addition to the above regular items, the Annual Report of Samiti relating to last financial year shall also be taken up for discussion in the quarterly meeting falling due after the close of every financial year.

7.2.7. Every notice calling 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 twenty one clear days before the date appointed for the meeting. Such notice shall be issued by the Member Secretary of the Society and shall be accompanied by an agenda of the business to be placed before the meeting provided that accidental omission to give such notice to any member shall not invalidate any resolution passed at such meeting. In the event of any urgent business the Chair-person may call the meeting of the Governing Body at clear ten days notice.

7.2.8. The Chair-person shall Chair the meetings of the Governing Body. In his/her absence, the Governing Body shall elect one from among the members present as Chair-person of the meeting.

7.2.9. One third of the members of the Governing Body present in person, shall form a quorum at every meeting of the Governing Body.

7.2.10. The membership of an ex-officio member of the Society and of the Governing Body shall stand terminated when he/she ceases to hold the office by virtue of which he/she was member and his/her successor to the office shall become such member.

7.2.11. Nominated members shall hold office for a period of three years from the date of their nomination. Such members will be eligible for re-nomination for another period of 3 years.

7.2.12. The Samiti shall maintain a roll of members at its registered office and every member shall sign the roll and state therein his/her rank or occupation and address. No member shall be entitled to exercise rights and privileges of a member unless he/she has signed the roll as aforesaid.

7.2.13. A member of the Samiti shall cease to be members if she the resigns, becomes of unsound mind, becomes insolvent or is convicted of a criminal offence involving moral turpitude or removal from the post by virtue of which she was holding the membership.
7.2.14. Resignation of membership shall be tendered to the Governing Body in person to its Member Secretary and shall not take effect until it has been accepted on behalf of the Governing Body by the Chair-person.

7.2.15. If a member of the Samiti changes his/her address he/she notify his/her new address to the Member Secretary who shall thereupon enter his/her new address in the roll of members. But if a member fails to notify his/her new address the address in the roll of members shall be deemed to be his/her address.

7.2.16. The authority entitled to make such appointment shall fill any vacancy in the Samiti or in the Governing Body. No act or proceedings of the Samiti or of the Governing Body shall be invalid merely by reason of the existence of any vacancy therein or of any defect in appointment of any of its members.

7.2.17. No member of the Samiti or its Governing Body shall be entitled to any remuneration.

8. Powers of the Governing Body:

8.1. The Governing Body will have full control of the affairs of the Samiti and will have authority to the exercise and perform all the powers, acts and deeds of the Samiti consistent with the aims and objects of the Samiti.

8.2. In particular and without prejudice to the generality of foregoing provision, the Governing Body may:

8.2.1. Make, amend, or repeal any bye laws relating to administration and management of the affairs of the Samiti subject to the observance of the provisions contained in the Act, provided that:

8.2.2. Proposals for amendments shall be placed before the Governing Body of the District Health Mission for its consideration and endorsement;

8.2.3. Proposals for amendment shall also be sent to the designated authority of the State Government for endorsement; and

8.2.4. Proposals shall be brought to the Governing Body after completing the above endorsement/approval process.

8.2.5. Consider the annual budget and the annual action plan, its subsequent alterations placed before it and to pass it with such modifications as the Governing Body may think fit.

8.2.6. Monitor the financial position of the Samiti in order to ensure smooth income flow and to review annual audited accounts.

8.2.7. Accept donations and endowments or give grants upon such terms as it may think fit.
8.2.8. Delegate its powers, other than those of making rules, to the Chairperson, Vice-Chair-person or other authorities as it may deem fit.

8.2.9. Authorize the Member Secretary to execute such contracts on behalf of the Samiti as it may deem fit in the conduct of the business of the Samiti.

8.2.10. Do generally all such other acts and things as may be necessary or incidental to carrying out to objectives of the Samiti or any of them, provided that nothing herein contained shall authorize the Governing Body to do any act or to pass any byelaws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Governing Body and other authorities, or which may be inconsistent with the objectives of the Samiti.

9. Powers and functions of the Chair-person of the Governing Body:

9.1. The Chair-person shall have the powers to call for and preside over all meetings of the Governing Body.

9.2. The Chairperson may himself/herself call, or by a requisition in writing signed by him/her, may require the Member Secretary to call, a meeting of the Governing Body at any time and on the receipt of such requisition, the Member Secretary shall forthwith call such a meeting.

9.3. The Chairperson shall enjoy such powers as may be delegated to him by the Samiti and the Governing Body.

9.4. The Chairperson shall have the authority to review periodically the work and progress of the Samiti and to order inquiries into the affairs of the Samiti and to pass orders on the recommendations of the reviewing or inquiry Committee.

9.5. Nothing in these Rules shall prevent the Chairperson from exercising any or all the powers of the Governing Body in case of emergencies in furtherance of the objects of the Samiti. However, the action taken by the Chair-person on such occasions shall be reported to the Governing Body subsequently for ratification.

9.6. All disputed questions at the meeting of the Governing Body shall be determined by votes. Each member of the Governing Body shall have one vote and in case of a tie, the Chairperson shall have a casting vote.

9.7. Should any official members be prevented for any reason whatsoever from attending a meeting of the Governing Body, the Chairperson of the Samiti shall be at liberty to nominate a substitute to take his place at the meeting of the Governing Body. Such substitute shall have all the rights and privileges of a member of the Governing Body for that meeting only.
Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Member Secretary of not less than ten clear days of such meetings.

9.9. Any business which it may become necessary for the Governing Body to perform, except the agenda prescribed for the full meeting as set out as above may be carried out by circulation among all its members and any resolution so circulated and approved by majority of the members signing shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body provided that at least one third members of the Governing Body have recorded their consent of such resolution.

9.10. In the event of any urgent business, the Chair-person of the Samiti may take a decision on behalf of the Governing Body. Such a decision shall be reported to the Governing Body at its next meeting for ratification.

9.11. A copy of the minutes of the proceedings of each meeting shall be furnished to the Governing Body members as soon as possible after completion of the meeting.

10. EXECUTIVE COMMITTEE

10.1. The Governing Body will constitute an Executive Committee which will be responsible for acting for and doing all deeds of the Governing Body and for taking all decisions and exercising all the powers, vested in the Governing Body except those which the Governing Body may specifically specify to be excluded from the jurisdiction of the executive Committee.

<table>
<thead>
<tr>
<th>Sl.</th>
<th>Name/designation</th>
<th>Status in the Executive Body</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Medical Officer I/C</td>
<td>Chairman of the Committee</td>
</tr>
<tr>
<td>2.</td>
<td>One PRI functionary of the locality</td>
<td>Member</td>
</tr>
<tr>
<td>3.</td>
<td>Panchayat Secretary of the locality</td>
<td>Member</td>
</tr>
<tr>
<td>4.</td>
<td>Health Supervisors of the PHC</td>
<td>Member</td>
</tr>
<tr>
<td>5.</td>
<td>Public Health Nurse of PHC</td>
<td>Member</td>
</tr>
<tr>
<td>6.</td>
<td>Pharmacist of the PHC</td>
<td>Member</td>
</tr>
<tr>
<td>7.</td>
<td>ICDS supervisors</td>
<td>Member</td>
</tr>
</tbody>
</table>

11. Monitoring committee

11.1. A Monitoring Committee could be constituted by the Governing Body to visit hospital
wards and collect patient feedback. The Committee would send a monthly monitoring report to the Chairman of the Governing Body.

12. Provisions of enabling rights, vesting assets & authorizing services:

12.1. The Government may authorize transfer of existing facilities and assets free of cost and without any liability to the RKS of the concerned hospital. In most hospitals, the principle reasons for malfunctioning and deteriorating services are the inability to spend on new infrastructure for up-gradation & modernization, paucity of funds for emergencies, gross mismanagement of resources and lack of motivation. Being a service oriented facility, it needs to permit and grant specific rights to allow freedom for operations and management. The RKS should be enabled with the decision making right to invest in order to meet service requirements. As mentioned above, user charges should be introduced, as it is believed that excellent health care on a continuous basis cannot be ensured without adequate financial provisions. Appropriate relaxation for BPL patients to be ensured, as per State Policy.

13. Resource Mobilization

13.1. The funds of the Samiti shall consist of the following:

14. Grant-in-aid from the State Government and/or State level Samiti (societies) in the health sector and/or District Health Society.

15. Grants and donations from trade, industry and individuals.

16. Receipts from such user fees as may be introduced for the services rendered by the hospital.

17. Receipts from disposal of assets.

18. Accounts and Audit

18.1. The Samiti shall cause regular accounts to be kept of all its monies and properties in respect of the affairs of the Samiti.

18.2. The accounts of the Samiti shall be audited annually by a chartered Accountant firm included in the panel of Chartered Accountants drawn by the designated authority of the State Government.

18.3. The report of such audit shall be communicated by the auditor to the Society, which shall submit a copy of Audit Report along with its observation to the District Collector.
18.4. Any expenditure incurred in connection with such audit shall be payable by the Society to the Auditors.

18.5. The Chartered Accountant or any qualified person appointed by the Govt. of India/State Government in connection with the audit of the accounts of the Society shall have the same rights, privileges and authority in connection with such audit as the Auditor General of the State has in connection with the audit of Government accounts and in particular shall have the right to demand the production of books, accounts, connected vouchers and other necessary documents and papers.


19.1. The savings account of the Samiti shall be opened in a bank approved by the Governing Body. All funds shall be paid into the Society’s account with the appointed bank and shall not be withdrawn except by a cheque, bill note or other negotiable instruments signed by the Chairman & Member-Secretary of the Executive Committee of the Samiti.

20. Annual Report

20.1. A draft Annual Report and the yearly accounts of the Samiti shall be placed before the Governing Body at its ensuing meeting that may be held in the first quarter of every financial year.

20.2. A copy of the annual report and audited statement of accounts as finally approved by the Governing Body shall be forwarded within six months of the closure of a financial year to the following:

20.2.1. District Collector.
20.2.2. Chairperson, Governing Body.
20.2.3. Chairperson, Executive Body.
20.2.4. Chairperson, Zila Parishad.
20.2.5. Chairperson, Nagar Panchayat.

21. Suits and proceedings

21.1. The Samiti may sue or be sued in the name of the Society through its Member Secretary.
21.2. No suit or proceedings shall abate by the reason of any vacancy or change in the holder of the office of the Chair-person or Member Secretary or any office bearer authorized in this behalf.

21.3. Every decree or order against the Society in any suit or proceedings shall be executable against the property of the Society and not against the person or the property of the Chair-person, Member Secretary or any office bearer of the Society.

21.4. Nothing in sub-rule as above shall exempt the Chairperson, Member Secretary or office bearer of the Samiti from any criminal liability or entitle him/her to claim any contribution from the property of the Society in respect of any fine to be paid by him/her on conviction by a criminal court.

22. Amendments

22.1. The Samiti may alter or extend the purpose for which it is established and/or the Rules of the Samiti, provided that such amendment shall only be carried out through the procedure set out in rule as above.

23. Dissolution

23.1. The Governing Body may resolve to dissolve the Samiti by bringing a proposal to that effect in a special meeting to be convened for the purpose, provided that the proposal for dissolution has been duly approved/endorsed through the process prescribed for amendment as set out in rule as above.

23.2. The dissolution proceedings shall be made in accordance with the provisions of the Act as amended from time to time in its application in the State.

23.3. Upon the dissolution of the Samiti, all assets of the Samiti, after the settlement of all its debts and liabilities, shall stand reverted to the State Government for such purposes as it may deem fit.

24. Contracts

24.1. All contracts and other instruments for and on behalf of the Samiti shall be subject to the provisions of the Act, be expressed to be made in the name of the Samiti and shall be executed by the persons authorized by the Governing Body.

24.2. No contracts for the sale, purchase or supply of any goods and material shall be made for and on behalf of the Samiti with any member of the Samiti or his/her relative or firm in which such member or his/her relative is a partner or shareholder or any other partner or shareholder of a firm or a private company in which the said member is a partner or director.
25. Common seal

25.1. The Samiti shall have a common seal of such make and design as the Governing Body may approve.

26. Government power to review


We, the undersigned being three of the Members of the first Governing Body of the Rogi Kalyan Samiti (RKS), PHC, West/South/North/Dhalai District.

<table>
<thead>
<tr>
<th>Sl.</th>
<th>Name &amp; address</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Block Development Officer</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Medical Officer I/C of the PHC</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Child Development Officer</td>
<td></td>
</tr>
</tbody>
</table>
Bye Laws of the Rogi Kalyan Samiti, ................. PHC,
......................... West/South/North/Dhalai District.

A. Procurement Policy & Procedures.

Procurement of goods & services to be financed from funds received from Govt. of India/Govt. of Tripura shall be done as per the procedures recommended by the Govt. of India/Govt. of Tripura. Commitment made to Multilateral/bilateral donor agencies with regard to Procurement Procedures under different schemes/Projects will be honoured.

In all other cases, following order of preferences shall be applied for procurement of goods and services:

Procurement of goods:

A. Rate contracts of the DGS&D, failing which,
B. Rate contracts of other GoI agencies, failing which,
C. Tender procedure as recommended by GoI/State Govt.

Procurement of services:

Procedures as recommended by Govt. of India/Govt. of Tripura.

B. Procedure for release of funds & financial powers of the office Bearers of the Governing/Executive Committee:

I. Classification of items of expenditure and financial powers of the bodies and office bearers of the Samiti.

For ensuring smooth flow of funds for the approved plans and activities proper delegation of administrative and financial powers is made as below:

<table>
<thead>
<tr>
<th>Type of expenditure</th>
<th>Authority</th>
<th>Extend of Power</th>
</tr>
</thead>
<tbody>
<tr>
<td>A : Approval of Operational area plans</td>
<td>Governing Body/ Executive Committee</td>
<td>Full powers.</td>
</tr>
<tr>
<td>B : Release of funds for allocation/implementation of works as approved by Governing Body/ Executive Committee</td>
<td>Member Secretary</td>
<td>Full Powers (With approval of the Governing/Executive Committee)</td>
</tr>
<tr>
<td>Type of expenditure</td>
<td>Authority</td>
<td>Extent of Power</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------</td>
<td>-----------------------------------------------------------------</td>
</tr>
<tr>
<td>C: Expenditure proposal not covered under categories A &amp;/or B</td>
<td></td>
<td>For PHC</td>
</tr>
<tr>
<td>C.1 Procurement of goods</td>
<td>Chairperson of the Executive Committee</td>
<td>Rs. 0.25 lac per case</td>
</tr>
<tr>
<td>C.2 Repair &amp; minor civil works</td>
<td>Executive cum Member Secretary</td>
<td>0.05 Lakhs per case</td>
</tr>
<tr>
<td>C.3 Procurement of services for specific task including out sourcing of support</td>
<td>Chairperson, Executive Committee, with</td>
<td>0.10 Lakhs per annum</td>
</tr>
<tr>
<td>services e.g. laundry, diet, cleaning etc.</td>
<td>approval of the Executive committee</td>
<td></td>
</tr>
<tr>
<td>C.4 Miscellaneous items not mentioned above such as hiring of taxi, hiring of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>auditors, payments related to documentation &amp; other day to day services, meetings,</td>
<td></td>
<td></td>
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<tr>
<td>workshops, purchase of stationeries for the workshop/training, payments of TA, DA,</td>
<td></td>
<td></td>
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<tr>
<td>etc. to the participants, facilitators in the meeting</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

II. Procedure for release of funds:

1. The Samiti funds shall be drawn through Cheques.
2. All cheques should be signed by the authorized signatories of the Samiti on the basis of the written authorization from the Executive Committee of the Samiti in this behalf.

III. Compliance of Statutory Requirement:

The Samiti shall register itself with the relevant government agencies for the purpose of complying with the statutory requirement including regulations governing deduction of tax at source relating to the staff, consultants & experts employed by it &/or consultancies/contracts awarded by it in the course of performance of its tasks.
MEMORANDUM

Notification on Hospital Improvement Committee vide no F.1 (283)-MS/75 dated 28/01/1999, the letter relating to the Rogi Kalyan Samiti of even number, dated 05/01/2006 and 17/02/2006 respectively may be referred to wherein it was decided to constitute institution wise Hospital Improvement Committee/Rogi Kalyan Samiti at district level Hospitals. Sub-Division Hospitals and CHCs and holding of meetings regularly.

All concerned Medical Superintendent / Sub-Divisional Medical Officer / Medical Officer-in-Charge of District Hospital/Sub-Divisional Hospital and CHCs are hereby requested to hold regular meeting on Rogi Kalyan Samiti and Hospital Improvement Committee at least once in a month and arrange to send the minutes of the meetings to IEC Section of this Directorate time to time positively.

Yours faithfully

[Signature]

Director,
Family Welfare & P.M.
Government of Tripura.

Copy to:
1. All MLAs
2. 
3. All Chief Medical Officers
4. All Medical Superintendents
5. 
6. 
7. The Public Relation Officer IEC Section. DFWPM, Agartala.

[Signature]

Director
Family Welfare & P.M.
Government of Tripura.