

MANUAL 05

RULES, REGULATIONS, INSTRUCTIONS, MANUALS AND RECORDS FOR DISCHARGING FUNCTIONS [SECTION 4(1)(B)(v)]

Any public person may apply for any information as per the rules and regulations and instructions of the institute as under :-

An electronic proforma for getting the information is available at the reception as well as in the officer of joint director (Admn) and any information will be provided by the concerned department through information officer with the approval of appellate authority.

MEMORANDUM OF ASSOCIATION AND RULES AND REGULATIONS

MEMORANDUM OF ASSOCIATION

1. NAME

1.1. The Name of the Society is

“INSTITUTE OF HUMAN BEHAVIOUR AND ALLIED SCIENCES”(IHBAS)

2. The registered office of the society shall be situated in the Institutional Complex at Shahdara, Delhi – 110 095

3. OBJECTS

3.1. The objects of the Institute shall be :

- (i) To become a ‘Centre of Excellence’ for delivery of patient-care, teaching and research in the field of mental health, behavioural and neuro sciences
- (ii) To promote the growth and development of mental Health Neurosciences-Somato-Behavioural & Allied Sciences
- (iii) To develop and provide advanced state of the art facilities for diagnosis, investigation and treatment in the field of Mental Health, Neurosciences, Somato-Behavioural Sciences for adults, children and the aged, by providing working linkages with UCMS & GTBH.
- (iv) To conduct and provide services of research, evaluation, training, consultation and guidance on aspects of Mental Health activities comprising brain-mind-behaviour axis and including Psychological, Socio-biological and clinical aspects.
- (v) To develop and disseminate knowledge about prevention and treatment of these disorders in the community and establish community mental health centers.

- (vi) To develop linkages with national and International Institutions and outstanding scientists engaged in neurosciences-mental health somato-behavioural sciences research/training and arrange for interchange of scientific data and personnel.
- (vii) As a long term plan, the objective is to develop the institutional complex into an autonomous body with HMD, UCMS & GTBH forming its component wings.

HMD : Hospital for Mental Diseases
 UCMS : University College of medical Sciences
 GTBH : Guru Tegh Bahadur Hospital

3.2. For the realization of the above objectives, the institute will have the following functions :

- (i) To collect information and scientific knowledge in the form of books, journals and audio-visual material in a well equipped and staffed reference Library.
- (ii) To establish a computerized data bank for easy retrieval of research in these fields
- (iii) To develop measures for co-ordination of governmental and voluntary action in social development.
- (iv) To develop consultation-liaison services with other institutions.
- (v) To review programmes in the field in the light of national Policy.
- (vi) To organize and sponsor training programmes, orientation courses and workshop/seminars for both voluntary and Govt. service organizations engaged in these fields.
- (vii) To provide technical service facilities to governmental and voluntary organizations in the formulation and implementation of programmes in the field.
- (viii) To develop and conduct teaching programmes of under-graduates and post-graduate education in all branches of Mental Health-Neurosciences – Somato Behavioural Sciences.
- (ix) To train teachers for the different medical institutions in India.
- (x) To invite representatives of Govt., Universities, other organizations in India and abroad and outstanding scientists to participate in the programmes of the institution
- (xi) To institute and appoint persons to professorships, readerships and Lectureships and posts of any description in accordance with the regulations .

- (xii) (a) to invest and deal with funds and moneys of the society.
- (b) to deal with any property belonging to or vested in the institute in any manner which is considered necessary for promoting the objects as specified in Section-12 of Societies Registration Act XXI of 1860.
- (c) To issue appeals and applications for money and funds in furtherance of the said objects and to raise or collect funds by gifts, donations, subscriptions or otherwise of cash and securities and any property either movable/immovable and to grant such rights and privileges to the donors, subscribers and other benefactors as the Society may consider proper
- (d) To acquire, purchase or otherwise own or take on lease or hire in the Union Territory of Delhi or outside, temporarily or permanently, buy any movable or immovable property necessary or convenient for the furtherance of the objects of the Society.
- (e) To Build, construct, maintain, repair, alter, improve or develop or furnish any buildings or works necessary or convenient for the purposes of the Society.
- (f) To enter into any agreement with any government or authority, municipal, local or otherwise to obtain from such government or authority any rights, privileges, concessions, effectually or otherwise that the society may deem desirable to obtain and carry out, exercise and comply with such arrangements and rights, privileges and concessions.
- (g) To draw, make, accept, endorse, discount, execute, sign issue and otherwise deal with cheques, hundies, drafts, certificates, receipts, Government securities, promissory notes, bills of exchange or other instruments and securities whether negotiable or transferable or not.
- (h) To undertake and accept management of any endowment or trust funds or donation to further the objects of the society.
- (i) To appoint or employ temporarily or permanently any person that may be required for purpose of the Institute and to pay them or other persons in return for services rendered to the Institute, salaries, wages, honoraria, fees, gratuities, provident fund and pensions.
- (j) To mobilize available expertise in the field of Mental Health – Neurosciences Somato Behavioural Sciences and to offer technical and consultancy services with or without payment of remuneration as necessary.

- (k) To establish a provident fund and other benefits for employees of the society.
- (l) To institute , offer or grant prizes, awards, scholarships/fellowships and stipends in furtherance of the goals of the Institute.
- (m) To make and enforce rules and bye-laws and, if necessary, to repeal, amend and alter the same from time to time.
- (n) To pay all costs, charges and expenses incurred in the promotion, formation, establishment and registration of the society, and
- (o) To undertake all other acts as may be necessary to further the objects specified in section 12 of Societies Registration Act XXI of 1860.

All the incomes, earnings, movable, immovable properties of the Society shall be solely utilized and applied towards the promotion of its aims and objects only as set forth in the Memorandum of Association and no profit on thereof shall be paid or transferred, directly or indirectly by way of dividends, bonus profits or in any manner wheresoever to the present or past members of the society or to any person claiming through any one or more of the present or the past members. No member of the Institute shall have any personal claim on any movable or a immovable properties of the Institute or make any profits, whatsoever, by virtue of this membership.

4. EXECUTIVE COUNCIL : The details of the present members of the Executive Council to whom the management of the Institute is entrusted as required under Section 2 of the Societies Registration Act, 1860, as applicable to the U.T. of Delhi are as follows :

- Chief Secretary, GNCTD-cum-chairman, Executive Council, IHBAS.
- Additional Secretary and Financial Advisor, Ministry of Health & Family Welfare, Government of India Nirman Bhawan ,New Delhi.
- Principal Secretary (Finance),Government of NCT of Delhi, Delhi Sachivalaya, IP Estate, N. Delhi.
- Joint Secretary, Ministry of Health & Family Welfare, Government of India, Nirman Bhawan, New Delhi.
- Secretary (H&FW), Government of NCT of Delhi, Delhi Sachivalaya, IP Estate, New Delhi.
- Principal, University College of Medical Sciences (UCMS),Delhi.
- Medical Director, G T B Hospital.
- Dr. L.M. Nath, Former Director, AIIMS, New Delhi.
- Dr. S.C. Malik, Former Director Professor, Lady Harding Medical College & National Consultant Mental Health, Ministry of Health & Family Welfare, Government of India.
- Dr. M. Gourie-Devi, Emeritus Professor (Neurology), IHBAS and Former Director, National Institute of Mental Health and Neurosciences (NIMHANS), Bangalore.

- Prof. B.N. Gangadhar, Director and Vice Chancellor, NIMHANS, Bangalore.
- Dr. Rajeev Thakur, Professor & Head, Department of Microbiology, IHBAS.
- Dr. Suman Kushwaha, Associate Professor and Acting Head, Department of Neurology, IHBAS.
- Dr. Deepak Kumar, Deputy Medical Superintendent and Acting HOD (Psychiatry), IHBAS.
- Dr. Arvind Kumar Arya, Assistant Professor (Neuro-Anesthesia), IHBAS .
- Joint Director (Administration), IHBAS.
- Director, IHBAS and Member Secretary, Executive Council.

5. **DESIROUS PERSONS :** We, the undersigned are desirous of forming a Institute namely 'INSTITUTE OF HUMAN BEHAVIOUR AND ALLIED SCIENCES' under the Societies Registration Act, 1860 as applicable to the Union territory of Delhi in pursuance of this Memorandum of Association of the Institute.

5.1. SIGNATORIES TO THE MEMORANDUM OF ASSOCIATION

(i)	Chief Secretary, Delhi Administration	Sh. R K Takkar
(ii)	Addl. Secretary, Ministry of Health, Govt. of India	Sh. M S Dayal
(iii)	Secretary (Medical)	Smt. Shailaja Chandra
(iv)	Secretary (Finance)	Sh. K S Baidwan
(v)	Medical Supdt., GTB Hospital, Shahdara	Dr. D S Dubey
(vi)	Principal, University College of Medical Sciences	Dr. K N Sharma
(vii)	Medical Supdt., H.M.D., Shahdara	Dr. S K Malik

Serial No. (iii) , (v) and (vii) will sign on behalf of all the seven signatories for application purposes before the Registrar of Societies.

RULES AND REGULATIONS

1. GENERAL BODY

1.1. The composition of the general Body shall be :

- president-Lieutenant Governor, U.T. of Delhi
- Three Vice Presidents
Chief Secretary, Delhi Administration, Delhi
Vice Chancellor, University of Delhi
Additional Secretary, Ministry of Health & FW, Govt. of India, New Delhi
- Secretary (Medical), Delhi Administration
- Secretary(Finance), Delhi Administration
- Principal, University College of Medical Sciences, Delhi
- Medical Superintendent, GTB Hospital, Delhi
- Two faculty members of the Institute one from Professional and one from other stream.
- One nominee from each of the following departments/Ministries Govt. of India
- Department of education

- Department of Science and Technology
 - Department of Bio- Technology
 - Planning commission
 - Department of Social Welfare
 - Indian Council of Medical Research
- (ix) Three nominees of Delhi Administration known for their eminence in the field.
- (x) Director of the Institute/Medical Superintendent, H.M.D., Shahdara, Delhi will be the Member Secretary
- 1.2. The General Body will have power to co-opt other members Representatives of such other organization, Institute and individuals as they deem desirable in the interests of the Institute from time to time for such period as they deem fit.
- 1.3. TERMS OF OFFICE OF GENERAL BODY :
Tenure of office of the members under section 3.1. (vi), (vii) (viii) shall be two years or until their successors are re-selected or re-nominated as the case may be whichever is later. They shall be eligible for re-selection or re-nomination.
- 1.4. MEETINGS OF THE GENERAL BODY

The annual General Meeting of the general Body shall be called by the president every year after giving at least 21 days written notice of the date and time and place and agenda and at such meeting it shall transact the following business :
- (a) Consideration of the Annual report;
 - (b) Consideration of the Balance Sheet and the Audited Accounts for the previous year;
 - (c) Election of such officers or persons or members of the Executive Council as is required by the constitution of the Institute and
 - (d) Receipt and consideration of budget proposals for the following year.
- 1.5. The president may convene a special meeting of the general Body whenever he thinks it necessary to do so giving not less than 14 days notice and indicating the purpose of the meeting.
- 1.6. As such special Meetings of the General Body convened by the President no business other than the business included in the notice of the meeting shall be conducted.
2. EXECUTIVE COUNCIL
- 2.1. A representative or representatives of any organization may be co-opted by the chairman of the Executive Council for any particular meeting or meetings if and when he thinks it is desirable to do so.

- 2.2. The General Body is empowered to decide on the appointment of Chairman & Vice Chairman of the Executive Council as also increase or decrease the membership of the Executive Council.

3. TENURE OF OFFICE

- 3.1. Chairman and Vice-Chairman appointed under Rule 8.2. and Members elected/nominated to the Executive Council shall hold office for a period of two years from the date of election/nomination as the case may be or until their successors are re-elected or re-nominated, whichever is later. Both elected and nominated members shall be eligible for re-election and re-nomination.

4. MEETINGS OF THE EXECUTIVE COUNCIL

- 4.1. The Executive Council of the Institute shall meet as often as necessary but at least twice in each year.
- 4.2. The meeting of the Executive Council may be convened by the Chairman of the Executive Council or any other member of the Executive Council, who may be authorized by him in this behalf.
- 4.3. The meeting of the Executive Council shall be presided over by the Chairman and in his absence by the Vice-Chairman and in the absence of all these members elected by the members present shall function as Chairman for that particular meeting.

5. POWERS AND FUNCTIONS OF THE EXECUTIVE COUNCIL

- 5.1. Subject to general control and directions of the General Body, the Executive Council shall be responsible for the management and administration of the affairs of the Institute in accordance with the rules and bye-laws made there under for the furtherance of the objects and shall have all powers which may be necessary or expedient for the purpose, including :
- (a) to lay down broad policies to carry out the purpose of the Institute
 - (b) to review and sanction budget estimates
 - (c) to sanction expenditure as defined in financial bye-laws
 - (d) to invest the funds of the Institute
 - (e) to borrow on terms and conditions expedient and
 - (f) to create posts and recruit and appoint staff
- 5.2. The Director of the Institute shall be appointed by the Executive Council with the approval of the President of the General Body on such terms and for such period as may be decided by the Executive Council. The Director shall be in charge of the management

of the Institute and shall exercise such powers in respect of the affairs of the Institute as are defined in the bye-laws.

- 5.3. The Executive Council may by resolution appoint one or more committee or committees or sub-committees for such purpose and with such powers as may be specified by it.
- 5.4. The Executive Council of the Institute may, by resolution, delegate severally to the Chairman or the Vice-Chairman or the Director or jointly to any two or all three of them, such of its powers as it may deem fit for the conduct of business.
- 5.5. The Executive Council may frame, alter or repeal bye-laws for the proper conduct of business of the Institute for which no specific provision has been made in these rules by a majority of not less than three-fifths of the members present.

6. FUNDS OF THE INSTITUTE, ACCOUNTS AND AUDIT

- 6.1. The funds of the Institute shall consist of the following :
 - (a) Grants made by or through the Central/Union Territory or any State Government.
 - (b) Donations and contributions from other sources and
 - (c) Other income and receipts of the Institute
- 6.2. The funds of the Institute shall be deposited in a bank to be named by the Executive Council. All funds received shall be paid into the Institute's account maintained in such a bank and shall not be withdrawn except on cheque signed by two persons designated by the Executive Council and authorized to function on their behalf.
- 6.3. The Institute shall maintain proper accounts including a balance sheet in such forms as may be prescribed under the bye-laws.
- 6.4. The accounts of the Institute shall be audited annually by competent audit authority and any expenditure

7. QUORUM

- 7.1. Fifty percent of the General Body shall constitute a quorum at an annual general meeting or a special meeting of the General Body.
- 7.2. Five members of the Executive Council shall form the quorum at any meeting of the Executive Council.
- 7.3. If at any meeting of the general Body or Executive Council there is no quorum, the meeting shall stand adjourned to a day

- 7.4. To be fixed by the presiding officer. If at any adjourned meeting there is no quorum the members present shall constitute the quorum.
- 7.5. A written notice shall be sent to every member of the General Body or Executive Council , as the case may be , either personally or through post under posting certificate.
- 7.6. Any notice so sent by post shall be deemed to have been duly served and in proving such service, it shall be sufficient to show that the cover containing such notice was properly addressed and put in to the post office under a certificate of posting.
- 7.7. Non-receipt of the notice of any meeting of the General Body or Executive Council by any member shall not invalidate the proceedings of the meetings.
- 7.8. The minimum period of notice for meetings of the General Body /Executive Council shall be as follows :-
- (a) for the Annual General Meeting of the General Body –21 days
 - (b) for special meeting of the Executive Council –14 days
 - (c) for ordinary meeting of the Executive Council –14 days
 - (d) for extra-ordinary meetings of the Executive Council –7 days
- 7.9. The General Body or the Executive Council shall function notwithstanding any vacancy therein and notwithstanding any defect in the appointment, nomination or co-option of any member and no act or proceeding of the General Body or the Executive Council shall be invalidated or nullified merely by reasons only of the existence of any vacancy therein or any defect in the appointment, nomination or co-option of any member.
- 7.10. In cases of difference of opinion among the members of the General Body nor of the Executive Council at any meeting, the opinion of the majority shall prevail. Each member of the General Body or of the Executive Council as the case may be, including the President shall have one vote and if there be equality of votes on any question the presiding officer shall in addition have a casting or second vote.

8. RESOLUTION BY CIRCULATION

- 8.1. Any business in respect of which the chairman is satisfied that the matter is urgent and that it is not possible to hold a meeting of the Executive Council in the near future, such urgent business, may be carried out by circulation amongst all its members and any resolution so circulated and approved by majority of members of the Executive Council shall be effective and binding as if such resolution had been passed by a meeting of the Executive Council .

9. GENERAL

- 9.1. All contracts shall be executed on behalf of the Institute by the Director in consultation with the Chairman/Vice-Chairman as per rules defined in financial bye-laws.
- 9.2. For the purposes of the Section 6 of the Societies Registration Act, 1860 (applicable to the Union Territory of Delhi), the person in whose name the Institute may sue or be sued shall be the Director of the Institute.
- 9.3. Any vacancy in the General Body or Executive Council may be filled by appointment by the authority concerned and the term of office of a member so appointed shall continue only for the remainder of the term of the member in whose place he/she has been appointed.

10. INCOME AND PROPERTY

- 10.1. The income and property of the Institute, however derived, shall be applied towards the promotion of the objects thereof as set forth in the memorandum subject nevertheless to the conditions the Government of India, or any State Government, as the case may be, may from time to time impose in respect of expenditure or grants made by them. No portion of the income and property of the Society shall be paid or transferred, directly or indirectly, by way of dividends, bonus or otherwise, howsoever, by way of profit, to the persons who at any time are or have been members of the Society or to any of them or to any person claiming through them or any of them provided that nothing therein contained shall prevent the payment in good faith of remuneration to any member thereof of other person in return for any service rendered to the society or for travelling allowances, halting allowances or other similar charges.

11. AMENDMENT OF THE CONSTITUTION

- 11.1. Amendment to the above memorandum and Rules may be effected by the General Body either at its ordinary or Special General Body meeting provided due notice of the proposed amendment or amendments is given to the member-Secretary of the General Body and not less than four weeks prior to the meeting of the Annual General Body and provided due notice has been given of such amendment or amendments for consideration by a Special Meeting of the General Body. At such meeting the amendment shall be carried if not less than two-thirds of the members present and voting, vote in favour of the proposed amendment.

12. WINDING UP

- 12.1. If on the winding up or dissolution of the society there shall remain, after the satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid to, or distributed among the members of the society or any of them and shall be dealt with the manner provided by Section 13 and 14 of Act XXI of 1860 as applicable in the Union Territory of Delhi.

All the provisions of Societies Registration Act XXI of 1860 (Punjab Amendment Act 1957) as extended to the Union Territory of Delhi will apply to this Society.

Certified to be correct copy of the Rules and Regulations of the Society (as amended up to 26th day of July 1991)

Sd/-
26.09.91
(Smt Shailaja Chandra)
Secretary (Med)
Delhi Admn

Sd/- 26.09.91
(Dr. D S Dubey)
Medical Superintendent
GTB Hospital, Delhi

Sd/- 26.09.91
(Dr. S K Malik)
Medical Superintendent
H.M.D., Shahdara, Delhi