

RULES & REGULATIONS (BYELAWS) of the

STATE HEALTH RESOURCE CENTRE, CHHATTISGARH

1. **Name of the society** : State Health Resource Centre, Chhattisgarh
2. **Office of the society** : HIG 28, Sector 1, Shankarnagar, Raipur-492001
3. **Jurisdiction of the Society** : The State of Chhattisgarh.
4. **Objectives of the Society** :
 - 4.1. Serve as additional technical capacity to the Department of Health & Family Welfare, Government of Chhattisgarh and as a facilitating agency for civil society action, which includes:
 - 4.1.1. Designing the reform agenda in the health sector or related sectors in the state of Chhattisgarh.
 - 4.1.2. Developing operational guidelines for implementation of reform programme and arranging / providing on-going technical support to the District Health Administration and other programme managers in implementing this reform programme in the state of Chhattisgarh as provided for in the MoU between ActionAid India Society and Government of Chhattisgarh and to undertake other tasks for and on behalf of Government of Chhattisgarh, which may be assigned to it subject to such terms and conditions which may be mutually agreed upon from time to time.
 - 4.1.3. Producing quick situational analysis on various aspects of the health sector.
 - 3.1.11. Promoting Pro-poor reforms, which promote transparency, accountability and probity in governance.
 - 4.1.4. Prepare policy change proposals for the consideration of Government (State or Central) based on the situational analysis undertaken and/or specific studies undertaken by it or through individual experts / institutions,
 - 4.1.5. Perform such other tasks as may be assigned to it from time to time, provided it is consistent with the goals of the organisation and it is considered feasible and desirable to do so.
 - 4.1.6. Draw up the Terms of Reference (ToRs) for any consultancy contracts and/or for engaging individuals and/or institutions for short term and long term assignments as may be needed from time to time.
 - 4.1.7. Conducting workshops and meetings, as may be necessary, on behalf of the GOC or any civil society organisation for effective operationalisation of the reform process.
 - 4.1.8. Providing training and assisting in capability building in health and related areas
 - 4.1.9. Administer any facility or provide leadership or management or technical assistance for any facility or programme or project when requested to do so.
 - 4.2. Provide any or all of the above tasks for any other state government or national government with special emphasis on the EAG states.
 - 4.3. Assist any governmental or non governmental agency or social movement in any aspect of planning for health at any level from the panchayat level, the block level, the district, state or national levels,
 - 4.4. Undertake consultancies in any aspect of health or related sectors or any sector related to development and the fulfilment of basic rights of citizens.
 - 4.5. Undertake to implement programmes in health or related sectors or any sector related to development and the fulfilment of basic rights of citizens.
 - 4.6. Undertake to train and co-ordinate the implementation of programmes in the health or development sectors.
 - 4.7. Promote and participate in advocacy for any policies or programmes.
 - 4.8. Undertake to raise funds or undertake activities that can generate a funds.

The goal of the organisation is to contribute and strengthen all efforts directed towards attaining health for all primarily through ensuring universal access to the basic goods and facilities and services and working and living conditions that are necessary for the attainment of the highest levels of physical, mental and social health of all. Such a goal is interlinked with all efforts towards social development policies, which are equitable, sustainable and democratic. Such efforts shun all forms of discrimination and must necessarily reach out to the weaker and more marginalized sections of society and empower them so that they are equal participants in their own development and destiny.

5. Membership of the Society:

The founding members are those who sign the Memorandum of Association. The governing body will be regularised at the first meeting of the society.

5. Admission of Members:

Every member who is desirous of becoming a member of the Society will have to make an application in writing. Such Application will be presented to the Executive Committee. The Executive Committee will have the rights to accept or reject any application.

6. Qualification of Member:

To become a member one should have following qualifications:-

- (1) Age should not be less than 18 years.
- (2) Should be a citizen of India.
- (3) Should have taken the oath of allegiance to the bye-laws of the society.
- (4) He/She should possess good character. He/she should not have been convicted of an offence involving moral turpitude.

7. Cessation of Membership:

A Member shall cease to be member -

- i. On Death
- ii. On his/her becoming insane
- iii. If he/she fails to pay the membership fees as mentioned in Rule 5
- iv. If he/she resigns and the resignation is accepted by the Executive Committee.
- v. If he/she is convicted of an offence involving moral turpitude. The member has to be informed in writing regarding the decision resolved in accordance with the decision of the Executive Committee.

The Executive Committee shall have the power to decide regarding the cessation of membership in all above circumstances and its decision shall be final.

9. Membership Register-

Society has to keep a member Register in which the following details will be recorded -

- (i) Name, Address and occupation of every member.
- (ii) Date of Admission of every member and their respective Receipt No.
- (iii) Date of Cessation of the Membership.
- (iv) Signature of Members.

10. Management of the Society and Meetings:

a. *The General Body (hereinafter referred to as the Governing Body):*

- i. The Governing body shall be the highest authority of the Society. It shall meet at least once a year.
- ii. The Regular Governing Body shall have a maximum of 17 members. Of these, five will be from amongst the NGOs who are the founding members of the state advisory committee for health sector reforms with not more than one member per organisation. Five will be from institutions and networks, which are part of health and pro-poor policy advocacy efforts from the other states of India. Four of the members would be persons of eminence in public life not necessarily in the health sector or health activists who would be chosen by consultation amongst the members. One more member would be nominated by Action Aid India. The secretary health, government of Chhattisgarh, would also have the option of nominating one member for the governing body, and he would be approached for this. The Director of SHRC would be the ex-officio Member Secretary of the Governing Body.
- iii. The term of the Governing Body would be for three years. The first Governing Body's term would be considered to begin from the date of registration with the founding members having legal responsibility for the period from April 1st to the time of the first regular Governing Body meeting proposed within 3 months of registration.

- iv. The subsequent Governing Bodies would be constituted on the basis of the recommendation of the outgoing Governing Body. Each of the three categories of members would recommend by simple majority the names for their category in the subsequent board. The four members of public eminence/Health Activists would be chosen in the first meeting of the newly constituted Governing Body by consensus failing which by simple majority of the members with the Member Secretary having the casting vote in case of a tie. The Secretary to Government of Chhattisgarh, Department of Health & family Welfare and the Country Director, Action Aid India would also be invited to propose their nominees to serve on the Governing Bodies.
 - v. The Governing Body may also have permanent invitees from partner organisations or invite special invitees on a meeting to meeting basis to attend its meetings subject to the approval of the Governing Body.
 - vi. One third of the members, not counting invitees would constitute a quorum for a meeting of the general Body.
 - vii. A regular meeting of the general Body would require at least one month notice sent to the address given in the acceptance letter or the address signed in the official minutes book for the last meeting attended or to address change duly notified.
 - viii. The Governing Body shall have a Chairperson and a Member Secretary. The Director of SHRC would be the ex-officio member-secretary of the Governing body.
- b. ***The Executive Committee***
- i. A committee selected by the Governing Body shall be the Executive Committee of the society, which shall manage the day-to-day affairs of the Society.
 - ii. The Executive Committee will have at most seven members.
 - iii. The Executive Committee of the society will meet at least once every three months.
 - iv. Simple majority (more than 50%) of the total members of the Executive Committee shall form the quorum for the purpose of transacting business of the Executive Committee except for adjourned meeting for which no quorum is necessary. In case of lack of quorum in the Executive Committee meeting, the meeting shall be adjourned.
 - v. As for conducting the executive committee meetings, Seven days' notice for ordinary Executive Committee meetings and one days' notice for emergency Executive Committee meetings may be given.
- c. **Conduct of Annual Governing Body Meeting and the procedure there of:**
- i. The Annual Governing Body Meeting of the society shall be held at least once in a year, within 6 months from the end of accounting year. The Member Secretary shall give notice to the members of the society 21 days before the date fixed for the meeting. The notice must contain the date, time and place of meeting and subjects to be discussed in the meeting.
 - ii. A governing body meeting shall have quorum if one third of the members are present at the onset of the meeting.
 - iii. The annual receipts and expenditure, the annual budget, auditor's report etc. shall be read out, considered and accepted by the General Body.
 - iv. Any resolutions shall be passed by majority vote of the members present.
 - v. All resolutions/amendments, which are to be passed, should be communicated to the Chairperson of the Governing Body 30 days in advance and the Member Secretary, upon the Chairperson's instructions, shall give notice of such amendments at least 21 days in advance. More than half of the total members should be present in the General Body meetings. If this does not materialize, the meeting shall be adjourned to the next day and same time. If minimum quorum is still absent, the meeting will be held with the members present.

- vi. Amendments to byelaws can be done by a majority of governing body members present in a regular meeting provided the amendments have been circulated along with the call for the meeting.
- vii. If it is an emergency general body or the amendments have not been circulated along with the invitation, then its approval needs a majority of those present as well as circulation to all members and a majority approving the same. These can be done only in a regular meeting.
- viii. If one-third of the total number of members of the society request the secretary in writing to convene the general Body meeting for taking decision in some subjects, the Member Secretary shall convene the general Body meeting within 30 days from the receipt of the requisition. If the Member Secretary refuses to call such a meeting, more than two thirds of the Governing Body members can convene a meeting on their own and discuss the matter. It will be an Extra Ordinary General Body Meeting of the Society.

11. Powers of the Governing Body:

- a. The Governing Body shall elect an Executive Committee.
- b. When a Director is appointed, the Chairperson of the Governing Body would make the appointment.
- c. The governing body shall lay down the policy framework of the society.
- d. The governing body meeting shall review all the activities of the society to assess its effectiveness and its conformity with its goals and objectives.
- e. The governing body shall ratify the name of the director.
- f. The governing body shall approve the audited statement of accounts.

12. Constitution of the Executive Committee:

- a. The Governing Body shall select the Executive Committee.
- b. The Director of SHRC would be the Member Secretary of the Executive Committee. The outgoing director will hold the member-secretaryship position till such time that a new director is appointed and takes charge.
- c. At the end of three years the outgoing Executive Committee shall propose a new Executive Committee to the Governing Body. The Governing Body shall discuss on the proposed Executive Committee and may make changes to the proposed Executive Committee. Out of the Governing Body, half of the total members present in the meeting have to vote for the new Executive Committee to take into effect.
- d. The Executive Committee will have a three year term.
- e. The Governing Body selects the Chairperson of the Executive Committee and the Chairperson of the governing body may be invited to perform this role also.
- f. The director with approval of Executive Committee should appoint the treasurer of the Society. The treasurer in a normal case should be associated with the Society on a full-time basis. The Executive Committee can consider change the treasurer whenever it comes necessary, especially when the director or the person who is bearing the responsibility of the treasurer requests so.
- g. Two senior staff members may also be included in the executive committee.

13. Tenure of the Executive Committee:

- a. The term of office of the Executive Committee shall be for three years and it shall exercise all powers till the Governing Body of the society in accordance with these rules elects a new Executive Committee.

14. Duties and Powers of the Executive Committee:

- a. The society shall transact its business through the Executive Committee, which shall consist of five members.
- b. If a simple majority of the Executive Committee is not satisfied with the performance of the Director it can request for a meeting of the Governing Body by a signed petition of at least three members.

- c. The Executive Committee, for easiness of transacting its duties, can appoint subcommittees from amongst the members headed by one of the EC members.
- d. In between Executive Committee meetings, all powers shall rest with the Director/Member Secretary subject to ratification by the Executive Committee. The director may delegate his/ her powers to different individuals and committees for the purpose of efficient functioning, but he/she would remain accountable for these decisions to the executive committee.
- e. The management and control of the day-to-day administration and control of the finances of the society shall be vested in the Executive Committee and it shall have all the powers necessary for carrying out this.

In furtherance of and without prejudice to the general powers conferred by or implied in the proceeding sub clause and all other powers conferred by these rules and subject as above, the Executive Committee shall have the following powers and shall perform the following functions:

- i. To perform in the name and on behalf of the society, all rights, duties and functions falling within and in pursuance of the Memorandum of Association of the Society.
- ii. To appoint any sub committee and to delegate - subject to such conditions, as they think fit - any of their powers to these sub committees.
- iii. To organize meetings, consultations, conferences and seminars and to conduct inter-agency and inter-personnel communications to make voluntary action more effective.
- iv. To liaison with the government, banks and credit institutions other bodies national or international whose association and support are beneficial to development action, for the society or for and on behalf of other agencies to effectively achieve the above objectives and in furtherance thereof.
- v. To collaborate with other agencies/institutions and carry on the work of the society in cooperation with or through them.
- vi. To accept or raise funds in the form of loans/grants on its own behalf and behalf of other like minded organizations/institutions/NGOs etc. from Government, Banks, Industrial and business houses, Indian or foreign funding agencies and to utilize these funds to provide grants, subsidies and finance in any form to institutions and agencies needing assistance for their programme/projects related to the objectives of the society.
- vii. To purchase, lease, hire, exchange or otherwise acquire any movable or immovable property anywhere in India and also to acquire existing institutions suited for the objectives of the society and to sell, lease, mortgage, dispose of, exchange, improve, manage, develop, invest, withdraw, reinvest, bonds, moneys, securities and all kinds of moveable or immovable property for all or any of the above objectives for which the society is established.
- viii. To pay costs, charges, expenses of an incidental nature to the promotion, formation, registration and establishment of the society and to pay remuneration to any person for services rendered or to be rendered in the interest of the society for the achievement of the objectives of the society.
- ix. To appoint any person or persons to carry on the routine work or business of the society whether on remuneration or otherwise.
- x. To amend, delete or add to the rules and regulations of the society, which may be deemed necessary to carry out the objectives of the society subject to ratification by the General Body. These powers of the Executive Committee to amend the rules and regulations would not extend to altering the basic character/objects of the Society and further no such amendments which may prove to be repugnant to the provisions of Section 2(15), 11, 12 & 13 and 80-G of the Income Tax Act 1961 shall be made.
- xi. The Executive committee shall interpret and implement the rules and regulations prescribed herein.

15. Powers of the Chairperson:

- a. The Chairperson of the Governing body shall preside over meetings of the Governing Body.
- b. The Chairperson, on behalf of the Governing body shall appoint the director of SHRC.
- c. The Chairperson of the Executive Committee shall preside over meetings of the Executive Committee.

16. Powers of the Vice-Chairperson:

- a. A vice-chairperson shall chair the governing body or executive committee meeting whenever the chairperson is unable to attend a meeting.
- b. The powers of vice-chairperson will be considered only when the chairperson is not present or for the specific meeting or purpose.

17. Powers of the Member Secretary:

- a. The Member Secretary of the Executive Committee/ Director of SHRC is the working head of the institution and can enter into contracts on behalf of the organisation, submit proposals, accept consultancies, raise funds and any other roles as may be needed for the achievement of the stated objectives of the society.
- b. The Member Secretary shall be in charge of the regular functioning of the institution- State Health Resource Centre, and shall endeavour to take up such programmes and activities as are necessary to obtain the society's objectives.
- c. The Member Secretary of the executive committee shall be the authorised person to sue or so be sued on behalf of the society in any dispute/cases etc. The Member Secretary is empowered to deal with all the legal matters of the society.
- d. The Member Secretary, subject to ratification by the General Body, shall appoint a treasurer of the society who shall supervise maintenance of accounts, account books and records of the society.
- e. The Member Secretary shall constitute an Administration Committee to whose members he/ she can entrust various roles and responsibilities, as he/she feels fit.
- f. The Member Secretary shall call meetings of the Executive Committee and the Governing Body, maintain minutes and coordinate the process of selection and appointment of the new Director.

18. Duties and Powers of the Joint Secretary:

- a. He/she shall work in the absence of the secretary. When the secretary is unable to discharge his/ her duties due to absence, illness or any other cause, he/she may ask the joint secretary to discharge his functions and the joint secretary shall do so until the secretary resumes his/her duties. The Joint Secretary would assist the Member Secretary on various official affairs. The job of Treasurer will be carried out by of the treasurer of the society.

19. Duties and Powers of the Treasurer:

- a. The Treasurer would be the supervising authority for maintaining proper accounts of the society.
- b. The Treasurer would be the joint signatory for the bank accounts of the society and he/she would release payments on behalf of the society as approved by the Member secretary/ Director.
- c. The Treasurer shall be responsible for the management of finance and accounts on behalf of the Member Secretary.

20. Operation of Accounts:

- a. The Director/Member Secretary and the Treasurer and/ or anyone appointed by the executive committee shall jointly operate the bank accounts.

21. Information to be sent to the Registrar of Societies:

- a. According to the Section 27 of Chhattisgarh Society Registrarian Adhiniyam, 1973 the Society shall have to file the list of Governing Body in the prescribed form within 45 days of the date of Annual General Body Meeting and according to Section 28 of the act, Society shall have to send the Accounts along with the prescribed fees.

22. Amendments in the Byelaws of the Society:

- a. The Amendment in the Constitution of Society shall have to be accepted if it is passed in General Meeting by 2/3 members. Society will have to file its proposal along with prescribed fee. If it is found necessary in favour of Society the Registrar of Firms and Societies shall have to amend the constitution. Which shall be bound to the members.

23. Dissolution:

- a. If necessary, the Society may be dissolved by 3/5 th majority votes of the General body members. In that case all balance property movable and immovable shall be handed over to any other society having similar aims and objectives. The process of such dissolution shall be done as per the provisions of the act.

24. Assets of the Society:

- a. All the Fixed and movable peoperty of the society shall be in the name of the Society. The society shall not transfer, sell or donate without the prior written permission of the Registrar. For this Purpose the society shall deposit the specified fee to the Registrar of Societies.

25. Bank Accounts:

- a. All the funds of the Society shall be parked in an account opened in a scheduled bank or post office and the process of depositing funds and withdrawal shall go on.

26. Meetings convened by the Registrar :

- a. In case meetings of the society is not held as per the bye-laws or otherwise required, the Registrar, Firms and Institutions or any officer authorized by him shall have the full right to call the meetings of the Society and decide the modalities to conduct/execute the activites of the society.

27. Disputes:

- a. In case any disputes arises in the society or the institutions rum by it, the Chairman and/or President shall have the right to resolve them within the society with due permission of the General Body. If the parties are not satisfied with the decision of the Chairman/President, he may send the case to the Registrar for settlement. The decision of the Registrar shall be final and bound to all.

28. Financial Year:

- a. The financial year of the society shall be from 1st April to 31st March every year.

29. Sources and Application of Funds:

- a. The Society will take loan/grant in aid/ donation/financial help in various forms/financial investments from members/ public/ FI/FII/ Bank/ NRI/ ECB/ Govt./ Semi Govt./NGO/PSU/Body Corporate/Trust/Society/ any other entity in lieu of/ with or without the issue of any financial instrument.
- b. Society shall take membership fee from the members and donations from public (individual/organization/society/trust/Govt.) etc.
- c. Society shall mortgage /lien/hypothecate/pledge or do one more of the above for its movable or immovable property of society including all forms of financial/non financial instruments.
- d. 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, no profit thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits in any manner whatsoever to the present or past members of the society or to any person claiming through anyone or more of the present or past members. No member of the society shall have any personal interest or make any profits, whatsoever, by virtue of membership.

We, the signatories to the Memorandum of Association of the society, hereby certify that the clauses and provisions contained in the above thirty three (33) items of byelaws are in accordance with the societies Registrkaran Adhinyam, 1973 and Niyam 1998, Chhattisgarh.

Sl. No	Name	Signature
1	T.Sundararaman.	
2	Biraj Patnaik	
3	Sister Georgina	
4	Yogesh Jain	
5	Lakhan Singh	
6	Devendra Nath Sharma	
7	Alok Ranjan Satpathy	
8	V.R. Raman	