

संख्या 13436
19-04-2011



सोसाइटी के नवीनीकरण का प्रमाण – पत्र

नवीकरण संख्या 3864-2010-2011

फाइल संख्या 1-145258

एतद्वारा प्रमाणित किया जाता है कि सेन्टर आफ बायो मेडिकल मैग्नेटिक

रेजोनेन्स

संजय गाँधी पोस्ट ग्रेजुएट इन्स्टीट्यूट आफ मेडिकल साइन्सेज, लखनऊ उत्तर प्रदेश।

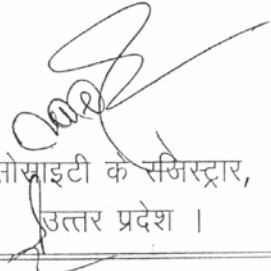
को दिये गये रजिस्ट्रीकरण प्रमाण – पत्र संख्या 2348/2005-2006

दिनांक 09/03/2006 को दिनांक 09/03/2011 से पांच वर्ष की अवधि

के लिए नवीकृत किया गया है ।

1000 रुपये की नवीकरण फीस सम्यक् रूप से प्राप्त हो गयी है ।

दिनांक 11/03/2011


सोसाइटी के सजिस्ट्रार,
उत्तर प्रदेश ।

प्रेषक,
अजीत प्रकाश,
संयुक्त सचिव,
उ0प्र0 शासन।
सेवा में,
निदेशक,
सी0बी0एम0आर0,
लखनऊ।

चिकित्सा शिक्षा अनुभाग-3

लखनऊ : दिनांक

15, नवम्बर, 2010

विषय:- सी0बी0एम0आर0, लखनऊ के पदों के सृजन हेतु मेमोरेण्डम आफ एसोसिएशन/रूल्स पर मा0 मंत्रिपरिषद का अनुमोदन के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक आपके पत्र संख्या-सी0बी0एम0आर0/3217/2010, दिनांक 23-05-2010 के संदर्भ में मुझे यह कहने का निदेश हुआ है कि शासन द्वारा सम्यक विचारोपरान्त सी0बी0एम0आर0, लखनऊ की स्थापना हेतु कार्योत्तर अनुमोदन तथा सी0बी0एम0आर0 के मेमोरेण्डम आफ एसोसिएशन/रूल्स के अनुच्छेद 4.5, 7.1.3.3, 7.1.5, 7.1.8, 7.3.3, 13.3.3, 13.4.7, 16.4.1, 39, 40.2, 40.4 एवं 45 को संशोधित किये जाने पर अनुमोदन प्रदान किये जाने का निर्णय लिया गया है।

2- कृपया उपरोक्तानुसार सी0बी0एम0आर0, लखनऊ के संशोधित मेमोरेण्डम आफ एसोसिएशन/रूल्स को सोसायटी रजिस्ट्रीकरण अधिनियम, 1860 के अंतर्गत पंजीकृत कराये जाने के सम्बन्ध में आवश्यक कार्यवाही करने का कष्ट करें तथा कृत कार्यवाही से शासन को अवगत करायें।

C. L. Mehta
Amit Kumar

भवदीय

(अजीत प्रकाश)
संयुक्त सचिव

Rajendra

Vijay

MEMORANDUM OF ASSOCIATION
OF
CENTRE OF BIOMEDICAL MAGNETIC RESONANCE
(Society registration under the Societies Registration Act, 1860)

(1) NAME

The name of the society shall be "Centre of Biomedical Magnetic Resonance" hereinafter referred to as the "Centre".

(2) REGISTERED OFFICE

The registered office of the Centre of Biomedical Magnetic Resonance shall be situated at the Sanjay Gandhi Postgraduate Institute of Medical Sciences, in Lucknow, Uttar Pradesh.

(3) OBJECTIVES

The main objectives for which the Centre is established are:

- 3.1 To ~~take over~~ ^{manage} the entire undertaking of Centre of Biomedical Magnetic Resonance, already operational at the Sanjay Gandhi Post Graduate Institute of Medical Sciences, Lucknow as a going concern, including all its assets, liabilities, obligations, income, rights, privileges, contracts, contracts, engagements relating to the operations of the said Centre;
- 3.2 To undertake, aid, promote, develop, guide and coordinate research of high calibre in basic and clinical sciences related to diseases and disorders of the nervous system, human behaviour and chemical aspects leading to biological and clinical applications and also to develop appropriate human resource at the National level in this front line area.
- 3.3 To develop the Centre as the national apex centre for biomedical and inter-disciplinary research and training in related fields, in the country and to provide consulting services to other institutions, agencies and industries.
- 4 To promote, encourage and augment effective linkages, alliances and affiliations between the Centre and national and international scientific and research institutions, bodies, agencies / laboratories and other organizations working in the field of molecular research from basic aspects to human behaviour.
- 3 To establish one or more satellite centres to serve different regions of the country for efficient achievement of the objectives of the Centre;



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Nitya Nand
C.L.Kh
R

h.w. Nitya Nand
C.L.Kh

उत्तर प्रदेश
संस्कृत विश्वविद्यालय
आर्य समाज
संस्कृत विश्वविद्यालय
2015-16

- 3.6 To collect, assimilate, publish and disseminate data and information to the scientific community;
- 3.7 To establish, operate and maintain state-of-the-art facilities and database for carrying research and development activities and make such facilities and database available to scientists and researchers from all over the country and abroad;
- 3.8 To provide for instructions and training in such other branches of learning as the Centre may deem fit;
- 3.9 To provide facilities for advanced research and development for advancement of learning and for dissemination of knowledge;
- 3.10 To undertake extramural studies, extension programmes and field outreach activities to contribute to the development of society;
- 3.11 To promote, develop, collaborate or otherwise assist in providing services of research, training, consulting or guidance related to biological, physical, chemical, psychological, social and clinical aspects;
- 3.12 To do all such other acts and things as may be necessary or desirable to further the objectives of the Centre.

The names, addresses, occupations and designations of the present members of the managing committee to whom the management of the society is entrusted as required under section 2 of the Societies Registration Act, 1860 are as follows:

No	NAME	ADDRESS	OCCUPATION	DESIGNATION
1.	Shri Prashant Trivedi	Vikas Bhawan, Lucknow	Secretary, U.P. Government	Chairman
2.	Prof Mahendra. Bhandari	KGMU, Lucknow	Vice-chancellor	Member
3.	Prof. Rama Charan Tripathi	GB Pant Social Sciences Institute, Allahabad	Director	Member
4.	Prof. Sarvagya Singh Katiyar	CSJM University, Kanpur	Vice-chancellor	Member
5.	Prof. D.S. Chauhan	U.P.T.U., Lucknow	Vice-chancellor	Member
6.	Dr. Kartar Singh	SGPGIMS, Lucknow	Director	Member
7.	Prof. Chunni Lal Khetrpal	CBMR, Lucknow	Distinguished Professor	Member Secretary



Handwritten signatures and initials: *Hand*, *c. will*, *Ja*, *B.*
सत्य प्रतिलिपि
 बरिष्ठ सहितिकी
 कार्यालय डिप्टी रजिस्ट्रार
 सोसाइटीज तथा बिइए
 लुकरन, लुकरन
 20/02/2021

We, the undersigned, are desirous of forming a society, namely Biomedical Magnetic Resonance Research and Training Society, under the Societies Registration Act, 1860 in pursuance of this Memorandum of Association.

Sl. No.	Name (Full in Capital) Father's/Husband's Name	Address	Occupation	Signatures
1.	Shri PRASHANT TRIVEDI S/o Shri O.N. Trivedi	U.P. Secretariate, Lucknow	Secretary, Education, Government	Medical U.P. <i>Pr</i>
2.	PROF. MAHENDRA BHANDARI S/o (The late) SHRI SHYAM BEHARI CHANDRA	KGMU, Lucknow	Vice-chancellor	<i>Mand</i>
3.	PROF. SARVAGYA SINGH KATIYAR, S/o (The Late) SHRI SHIV NARAYAN	CSJM University, Kanpur	Vice-chancellor	<i>SK</i>
4.	PROF. RAMA CHARAN TRIPATHI S/o (The Late) SHRI RAM SHARAN SHASTRI	G.B. Pant Social Sciences Institute, Allahabad	Director	<i>RC</i>
5.	PROF. BHOOMITRA DEV S/o (The Late) SHRI BHOO DEO SHARMA	Plot No. 53, Shakti Nagar, Lucknow	Eminent Scientist	<i>B.D.</i>
6.	Dr. NIITYA NAND S/o (The Late) SHRI BAL MUKAND	B-62, Mirala Nagar, Lucknow	Eminent Scientist	<i>Nitya Mand,</i>
7.	PROF. CHUNNILAL KHETRAPAL S/o (The Late) Sri DESRAJ KHETRAPAL	SGPGIMS Campus, Lucknow	Distinguished Professor	<i>C.L. Khatri</i>

Mand

Order.

C.L. Khatri

Pr

SK
RC



सत्य प्रतिलिपि

बस्ति सहायक
कार्यालय डिप्टी रजिस्ट्रार
संघ सोसाइटीज तथा वि.सं.
288-11, लखनऊ

**RULES OF CENTRE OF BIOMEDICAL MAGNETIC
RESONANCE**

(A society registered under the Societies Registration Act, 1860)

(1) **NAME**

These rules shall be called the "**Rules of the Centre of Biomedical Magnetic Resonance**" (the "Rules").

(2) **REGISTERED OFFICE OF THE CENTRE**

The registered office of the Centre of Biomedical Magnetic Resonance shall be situated at the Sanjay Gandhi Postgraduate Institute of Medical Sciences in Lucknow, Uttar Pradesh.

(3) **DEFINITIONS**

In these Rules, unless the context otherwise requires, the following expressions shall have the meaning assigned to them respectively.

"**Academic Council**" means the Academic Council of the Centre

"**Act**" means the Societies Registration Act, 1860 (Act No. 21 Of 1860), as amended or replaced or re-enacted from time to time;

"**Authorities**" mean the authorities of the Centre.

"**Centre**" shall mean the Centre of Biomedical Magnetic Resonance

"**Chairman**" shall mean the chairman of the Governing Council of the Centre.

"**Director**" means the Director of the Centre.

"**General Body of the Centre**" means the General Body of members of the Centre

"**Governing Council**" means the Governing Council of the Centre

"**Government**" means the Government of Uttar Pradesh

"**Memorandum of Association**" or "**Memorandum**" means the memorandum of association of the Centre, as amended and replaced from time to time;

"**President**" means the President of the Centre

"**Rules**" mean the Rules of the Centre, as amended from time to time;

Words importing the singular number shall include the plural number and vice-versa. Words importing the masculine gender shall include the feminine gender.

(4) MEMBERS

4.1. The Centre shall have a minimum of seven members and a maximum of not more than [fifty (50)] members.

4.2. The subscribers to the Memorandum shall be the first members of the Centre. The subscribers to the MOA shall be the following

- | | |
|---|---------------|
| 1. Chief Secretary, UP Government | Chairman |
| 2. Director of the Centre | Vice-Chairman |
| 3. Secretary, Medical Education, UP Government | Member |
| 4. DGME, UP Government | Member |
| 5. Secretary, Finance, UP Government | Member |
| 6. Secretary, Planning, UP Government | |
| 7. Five Eminent Scientists in the field of interest
of the Centre. | Members |

The five experts approved are as follows:

- (A) Prof. Mahendra Bhandari, V.C., KGMU, Lucknow
- (B) Prof. R.C. Tripathi, Director, G.B. Pant Social Sciences Institute, Allahabad
- (C) Professor S.S. Katiyar, V.C., CSJMU, Kanpur
- (D) Dr Nitya Nand, Former Director, CDRI, Lucknow
- (E) Dr. Bhoomitra Dev, Former V.C. Gorakhpur and Bareilly Universities

4.3. Unless removed earlier in accordance with these Rules, a member of the Centre, other than ex-officio member, shall continue to be a member for a period of three (3) years, from the date he has become a member of the Centre. On completion of three year term, a member, other than ex-officio member, shall automatically vacate his office of membership of the Centre. Any person, who has served as a member of the Centre for one full term, shall not be eligible for appointment or re-appointment as member of the Centre.

4.4. The Government shall have power to appoint the members of the Centre (both ex-officio and non-ex officio members), from time to time, from the panel of names recommended by the Governing Council. If the Governing Council fails to make recommendations, the Government shall appoint members, as the Government considers appropriate.

- 4.5 The provisions regarding disqualification set forth in Rule 23 of these Rules shall apply mutatis mutandis to the members of the Centre.
- 4.6 The Centre shall keep a register of members, giving their names, addresses and occupations of the members.
- 4.7 Once in every year, a list of members of the Centre and members of the Governing Council shall be filed with the Registrar of Societies, as required under Section 4 of the Act.

(5) AUTHORITIES OF THE CENTRE

The following shall be the authorities of the Centre:

- (1) General Body of the Centre
- (2) Governing Council
- (3) Scientific Advisory Committee
- (4) Advisory Committee
- (5) Academic Council
- (6) Board of Studies
- (7) Planning and Monitoring Board
- (8) Finance Committee
- (9) Such other authorities as may be constituted /appointed as such by the Governing Council.

(6) GENERAL BODY OF THE CENTRE

- 6.1 The General Body of the Centre shall comprise of all the members of the Centre referred to in Clause 4 hereof. A meeting of the General Body of the Centre shall be held annually at such time, date and place as the Governing Council may decide (the “**Annual General Meeting**”).
- 6.2 The General Body of the Centre shall have the following powers:
- a. To consider and adopt the Annual Report and audited account of the Centre;
 - b. To lay down general policy directions consistent with the objectives of the Centre;
 - c. To issue, if necessary, directives in specific cases for better functioning of the Centre.
- 6.3 At the Annual General Meeting, the Annual Report and the Audited Accounts of the Centre, together with the Auditor’s Report thereon shall be submitted for consideration and approval by the General Body of the Centre.

- 6.4. An extraordinary meeting of the General Body of the Centre may be convened by the Governing Council on its own motion at any time or at the requisition of majority of members for the time being of the Centre.
- 6.5. Any requisition so made by the members of the Centre shall specify the purpose for which the extraordinary general meeting is being requisitioned. At the extraordinary general meeting, no business other than those stated in the notice of the meeting or requisition, as the case may be, shall be taken up for consideration. Excepting as otherwise provided in these Bye-Laws, all meetings of the Centre shall be called by notice under the signature of the Director or any other person authorised by the Governing Council.
- 6.6. Every notice convening a meeting of the Centre shall state the date, time and place at which such meeting will be held and shall be issued to every member of the Centre not less than fifteen clear days before the day appointed for the meeting.
- 6.7. Any accidental omission to give notice to or the non-receipt of notice by any member shall not invalidate the proceedings at the meeting.
- 6.8. Unless otherwise required by the Bye-Laws, all businesses placed before meeting of the members may be transacted by a simple majority of votes of present and voting at such meeting. Each member shall have one vote. In case of equality of votes at any such meetings, the chairman shall have a second or casting vote.

(7) GOVERNING COUNCIL

7.1 POWERS AND FUNCTIONS

Subject to the provisions of the Act, the Memorandum and the Rules, the Governing Council shall be entitled to exercise all such powers, and to do all such acts, deeds and things as the Centre is authorized to exercise or do. Without limiting the generality of the foregoing, the Governing Council shall be the principal executive body of the Centre and shall, in addition to all powers vested in it, have the following powers namely:

- 7.1.1 The Governing Council shall generally carry out and pursue the objectives of the Centre as set forth in the Memorandum of Association. The management of all the affairs and funds of the Centre shall, for this purpose, vest in the Governing Council.
- 7.1.2. The Governing Council shall exercise all the powers of the Centre, subject nevertheless to such limitations as the Government may from time to time impose in respect of the expenditure from the funds of the

Centre out of grants made by the Government.

- 7.1.3. In particular and without prejudice to the provisions of these Rules and the Bye-Laws, the Governing Council shall have power to:
- 7.1.3.1. Consider the annual and supplementary budgets placed before it by the Director from time to time and recommend them with such modifications as the Governing Council may think fit for being passed by the General Body of the Centre;
- 7.1.3.2. Enter into contracts or engagements with the Government of India and with the State Governments and other public or private legal entities, bodies corporate, societies, trusts, firms or individuals for securing and accepting grants-in-aid, endowments, donations or gifts to the Centre, on mutually agreed terms and conditions provided that such terms and conditions, if any, shall not be contrary to, inconsistent or in conflict with the objectives of the Centre; provided that, for any such arrangement with foreign and/or international agencies or organisations, the prior approval of the Government shall be obtained.
- 7.1.3.3. Acquire by purchase, gifts, exchange, lease or hire or otherwise from the Government of India, State Governments and other public bodies or individuals, institutions, libraries, laboratories, immovable properties, endowments or other funds together with any attendant obligations and engagements; provided that for such transaction with any foreign and/or international agency or organization, the prior approval of the Government of U.P. shall be obtained as per Sec 5A of Societies Registration Act, 1860;
- 7.1.3.4. Appoint committees and sub-committees for such purpose and with such powers as are not inconsistent with these Rules or objectives of the Centre and for such periods and on such terms as it may deem fit and dissolve any of them.
- 7.1.3.5. Delegate such administrative and financial powers as it may think proper to the Chairman, the Director, or such other officers of the Centre as may be considered necessary;
- 7.1.3.6. Frame amend or repeal Bye-Laws, for the administration and management of the affairs of the Centre and in particular to provide for the following matters:
- (a) preparation and sanction of budget estimates, sanctioning of expenditure, entering into and execution of contracts, investment of the funds of the Centre, sale or alteration of such investments and maintenance and operation of accounts and their audit;

- (b) procedure for recruitment of officers and establishment in the service of the Centre;
 - (c) terms and tenures of appointments, emoluments, allowances, rules of discipline and other conditions of service in the establishments of the Centre;
 - (d) such other matters as may be necessary for the administration of the affairs and funds of the Centre.
- 7.1.4. To manage and administer the revenues and properties of the Centre and to conduct all administrative affairs of the Centre not otherwise specifically provided for.
- 7.1.5. To create teaching and academic posts, to determine numbers, qualifications, cadres and the emoluments of such posts with the recommendations of the Finance Committee and the approval of the Govt. of U.P
- 7.1.6 To lay down the duties and conditions of service of members of Faculty and other academic staff maintained by the Centre, in consultation with the Academic Council.
- 7.1.7. To provide for appointment of visiting fellows and visiting professors.
- 7.1.8. To create administrative, ministerial and other posts, necessary or expedient in terms of the cadres laid down or otherwise with the recommendations of the Finance Committee and the approval of the Govt. of U.P.
- 7.1.9. To manage and regulate the finance, accounts, investments, property, income, expenditure and all other administrative affairs of the Centre and for that purpose to appoint such agent or agents or consultants or advisors as the Governing Council may deem fit.
- 7.1.10. To entertain and adjudicate upon and, if thought fit, to redress any grievances of the students, employees, teaching and non-teaching staff members of the Centre.
- 7.1.11. To select and approve an emblem and to have a common seal for the Centre and to provide for the custody and use of such seal.
- 7.1.12. To institute fellowships, including travelling fellowships, scholarships, studentships, Medals, Awards and Prizes in accordance with the Bye-laws to be framed for the purpose;
- 7.1.13 To review and revise the fees and chargeable by the Centre;

- 7.1.14 To appoint statutory auditors and internal auditors of the Centre and to approve their terms of appointment;
- 7.1.15 To issue appeals for funds for carrying out the objectives of the Centre and consistent with the provisions of the objectives clause of the Centre, to receive grants, donations, contributions, gifts, prizes, scholarships, fees and other moneys, to give grants and donations, to award prizes scholarships etc.
- 7.1.16 To draw, make, accept, endorse, discount or negotiate cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments;.
- 7.1.17 To sell, lease, transfer, exchange or otherwise dispose of the whole or any part of the immovable properties of the Centre as per Sec 5A of Societies Registration Act,1860;
- 7.1.18 To purchase, take on lease or hire or hire purchase or otherwise acquire immovable or moveable properties including without limitation, land, buildings, premises, equipment, apparatus, furniture, fixtures, fittings and facilities required for carrying on the operations of the Centre;
- 7.1.19 To execute deeds, documents and instruments including without limitation conveyance deed, re-conveyance deed, transfer deed, mortgages, leases, leave and licenses, bonds and other deeds, documents and instruments as may be required for purchase, lease, license or otherwise acquisition or for sale, transfer, lease, license, mortgage or otherwise disposal of any moveable or immovable assets and properties of or for the Centre as per Sec 5A of Societies Registration Act, 1860;
- 7.1.20 To raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based on any of the properties and assets of the Centre or without any securities and upon such terms and conditions as the Governing Council may think fit and to pay out of the funds of the Centre, all expenses, incidental to the raising of money and to repay and redeem any money borrowed as per Sec 5A of Societies Registration Act , 1860.
- 7.1.21 To invest the funds of the Centre or money entrusted to the Centre in or upon such securities and in such manner as the Governing Council may deem fit and from time to time to seal, transfer or otherwise dispose of such securities and / or transpose any such securities as per Sec 5A of Societies Registration Act, 1860.
- 7.1.22 To maintain a fund to which shall be credited:

- (a) All moneys provided by the Central or State Governments and / or the University Grants Commission.
- (b) All fees and other charges received by the Centre.
- (c) All moneys received by the Centre as grants, gifts, donations, benefactions, bequest or transfers and
- (d) All money received by the Centre in any other manner or from any other source.

7.1.23 To deposit all moneys credited to the fund in scheduled banks or to invest them in consultation with the Finance Committee.

7.1.24 To maintain proper books of account and other relevant records and prepare annual statements of account including the Income and Expenditure Account and the Balance Sheet as of close of every financial year, in such from as may be prescribed by the law or as may be applicable to the Centre;

7.1.25 To constitute, for the benefit of the teaching, academic, technical, administrative and other staff members, in such manner and subject to such conditions as may be prescribed by the Bye-Laws such pension, insurance, provident fund, gratuity and other retirement benefit plans as the Governing Council may deem fit for the benefit of the employees of the Centre and to aid in the establishment, support and management of associations, institutions, Funds, Trusts, and conveyances calculated to benefit the staff and the students of the Centre.

7.1.26 To delegate all or any of the powers of the Governing Council to any committee or sub-committee constituted by it or to the Director of the Centre or to any other officer of the Centre or to any other person;

7.1.27 To establish, on the advice of the Academic Council such Divisions and Departments for the academic work and functions of the Centre and to allocate areas of study, teaching and research to such Divisions and Departments;

7.1.28 To conduct examinations or tests for admission to the courses offered by the Centre, to conduct examinations for degrees and diplomas offered by the Centre, and to declare the results of such examinations and tests and to confer, grant or award degrees, diplomas, certificates and other academic titles and distinctions.

7.1.29. To establish, maintain and manage hostels for the students and employees of the Centre.

7.1.30. To fix the emoluments and travelling and other allowances of examiners, moderators, tabulators and such other personnel appointed for examinations in consultation with the Academic Council and the Finance Committee.

7.1.31 To approve or authorise expenditure on a project or scheme as per the approved budget or as per the policies in force from time to time for approval of such expenditure;

7.1.32 The Governing Council shall be the principal executive body of the Centre and shall have the powers to take all necessary decisions for the smooth and efficient functioning of the Centre.

7.2. **COMPOSITION**

The Governing Council shall consist of the following persons as its members:

- | | | |
|---|---------------|--------------|
| i) Chief Secretary, U.P. Government | Chairman | (Ex-Officio) |
| ii) An eminent Scientist in the field to be nominated by the Government | Vice-Chairman | |
| iii) Chairman, Scientific Advisory Committee. | Member | (Ex-Officio) |
| iv) Three reputed experts in Magnetic Resonance, neuroscience and allied discipline to be nominated by the Chairman of the Governing Council on the recommendation of Director & Chairman, Scientific Advisory Committee. | Members | |
| v) Principal Secretary, Medical Education, or his nominee | Member | (Ex-Officio) |
| vi) Nominee of the UP Government (Finance) | Member | (Ex-Officio) |
| vii) Director General, CSIR or Nominee | Member | (Ex-Officio) |
| vii) Secretary DST or Nominee | Member | (Ex-Officio) |
| ix) Chairman UGC or Nominee | Member | (Ex-officio) |
| x) Director General ICMR or Nominee | Member | (Ex-officio) |

- | | | |
|------------------------------|--------|--------------|
| xi) Secretary DBT or Nominee | Member | (Ex-officio) |
| xii Director of the Centre | Member | (Ex-Officio) |
| xii Director , SGPGIMS | Member | (Ex-Officio) |
- The Administrative officer of the Centre shall be the non-member Secretary of the Council.

7.3. TERM OF MEMBERSHIP

7.3.1. A member of the Governing Council shall cease to be a member on the happening of following events:

- A. If he resigns, becomes of unsound mind, becomes insolvent or is convicted of a criminal offence involving moral turpitude, or his/her employer refuses to grant him/her permission to serve on the Governing Council, or he/she goes abroad for a continuous period exceeding one year or on his/her death or he/she is in the opinion of the Governing Council hindrance to the achievements of the aims and objectives of the Centre;
- B. If he does not attend three consecutive meetings of the Governing Council, without any sufficient cause(s) or permission of the Chairman.
- C. If he suffers from any of the disqualifications set forth in Rule 26 hereof.

7.3.2. Whenever a member desires to resign from the membership of the Governing Council, he shall forward a letter containing his resignation addressed to the chairman and his resignation shall take effect only on its acceptance by the President.

7.3.3 Subject to provisions of Rule 7.3.1 above and Rule 23 below, each non ex-officio member of the Governing Council shall relinquish his membership on expiry of three years from the date on which became a member of the Governing Council; but, subject to other provisions of these Rules, such retiring member shall be eligible for re-appointment for another one term of three years. No member of the Governing Council who has served for two terms shall be eligible for reappointment. In case of a casual vacancy, the person appointed to fill such vacancy shall hold office for the unexpired duration of office of the member, whose office has fallen vacant.

7.4. MEETINGS OF THE GOVERNING COUNCIL

- 7.4.1. The Governing Council shall endeavour to meet at least twice a year. The meetings of the Governing Council shall be organised such that at least one meeting is held in each half year. For the purposes of this Rule 7.4.1, a year shall comprise of 12 months period commencing on first day of April each year and terminating on the 31st day of March of the following calendar day.
- 7.4.2. Every meeting of the Governing Council shall be presided over by its Chairman and in his absence by the Vice-chairman and in the absence of both by a member chosen by the members present from amongst.
- 7.4.3. The Governing Council may transact any business by circulating such business to all the members of the Governing Council. Any resolution so circulated and approved by a simple majority shall be as effective and binding as if such resolution had been passed at a duly convened and held meeting of the Governing Council.
- 7.4.4. Seven members of the Governing Council, present in person, shall constitute a quorum at any meeting of the Governing Council provided that in the case of an adjourned meeting, the members present (even if the members present is less the quorum prescribed) shall constitute quorum for such adjourned meeting.
- 7.4.5. Not less than fifteen days clear notice of every meeting of the Governing Council shall be given to each member. The notice shall mention the date, time and place of the meeting. The accidental omission to give notice to or the non-receipt-of notice by any member shall not invalidate the proceedings of the meetings.
- 7.4.6. The Chairman may himself call, or by a requisition in writing signed by him may require the Secretary to call, a meeting of the Governing Council at any time. On receipt of such a requisition, the Secretary shall forthwith proceed to call such a meeting.
- 7.4.7. All decisions at the Governing Council shall be made by simple majority of votes of members present and voting. Each member of the Governing Council shall have one vote. In case of equality of votes at any meetings of the Governing Council, the Chairman of the meeting shall have a second or casting vote.

7.5. CONSTITUTION OF STANDING COMMITTEES AND AD-HOC COMMITTEES BY THE GOVERNING COUNCIL

- 7.5.1 Subject to the provision of the Rules and Bye-Laws of the Centre, the Governing Council may, by a resolution, constitute such Committees or Sub-Committees or Co-committees or Ad-hoc Committees for such

purposes and with such powers and authorities as the Governing Council may think fit and for exercising any power or powers or discharging any functions of the Centre or for inquiring into reporting and advising upon any matter of the Centre.

- 7.5.2 The Governing Council may appoint or co-opt such persons as members of the committees referred to in Rule 7.5.1 above.

7.6. POWERS OF THE GOVERNMENT

- 7.6.1. The Government shall have the power to issue such directives as it may consider necessary from time to time to the Centre for the purpose of carrying out or continuing the objectives set out in the Memorandum of Association.

- 7.6.2. The Government may appoint one or more persons to review or inspect the working and progress of the Centre and to hold inquiries into the affairs thereof and to report thereon in such manner as the Government may decide. The Government may, upon receipt of such report, issue such directions as it may consider necessary in respect of any of the matter dealt within the report and the Centre shall comply with such directions.

- 7.6.3. The copies of the Annual Report, Annual and supplementary Budget, Bye laws and the Audited Accounts of the Centre shall be furnished by the Centre to the Government which shall have power to issue necessary directions relating thereto.

7.7 DELEGATION OF POWERS OF THE GOVERNING COUNCIL

The Governing Council may by a resolution, delegate to the Director or any other officer of the Centre or to any Standing Committee or the Ad-hoc Committee such of the powers and authorities of the Governing Council as it may deem fit, subject to the condition that the action taken by the President or the Director or the officer concerned or the Standing Committee or the Ad-hoc Committee concerned in the exercise of the powers so delegated shall be reported at the next meeting of the Governing Council.

(8) SCIENTIFIC ADVISORY COMMITTEE

The Scientific Advisory Committee shall consist of (i) a chairman, who will be an eminent Scientist in the field, (ii) 5 reputed experts in and related disciplines and (iii) the Director. The Director shall be the Member-Secretary of the Committee. All the members other than the ex-officio members shall hold office for a term of two years. The rules

governing the convening and conduct of the meeting of the Scientific Advisory Committee and transaction of business by the said Committee shall be set forth in the Bye-Laws.

(9) ADVISORY COMMITTEE

The Centre shall have, for a period of first ten years, an Advisory Committee under the Chairmanship of a person nominated by the Government. The Advisory Committee will include the Director of the Centre and its senior faculty members along with one / two experts nominated by the Government on the recommendation of the Director to help its academic planning and growth. The rules governing the membership of the Advisory Committee, duration of office of members of the Advisory Committee, convening and conduct of the meeting of the Advisory Committee, quorum for meeting of the Advisory Committee and transaction of business by the said Committee shall be set forth in the Bye-Laws.

(10) ACADEMIC COUNCIL

10.1 ROLE OF THE ACADEMIC COUNCIL

The Academic Council shall be the principal academic body of the Centre and shall, subject to the provisions of the Memorandum of Association, the Rules and Bye-Laws, have the control over and be responsible for the maintenance of standards of education, teaching and training, inter-departmental co-ordination, examinations and tests within the Centre and shall exercise such other powers and perform such other duties and functions as may be prescribed or conferred upon it by the Rules and Bye-Laws.

10.2 MEMBERSHIP OF THE ACADEMIC COUNCIL

10.2.1 The Academic Council shall consist of the following persons, namely:

- | | | |
|-----|--|----------|
| (a) | Director of the Centre | Chairman |
| (b) | Dean of Faculties, if any | Member |
| (c) | Faculty members to provide adequate representation to each of the divisions, nominated by the Director | Members |
| (d) | Three persons from amongst educationists of repute or persons from any other field related to the | Members |

activities of the Centre who are not in the service of the Centre, nominated by the Governing Council.

- (e) Not more than three persons who are not members of the teaching staff co-opted by the Academic Council for their specialized knowledge.

10.2.2. The term of office of members, other than ex-officio members, shall be two years. They shall not be eligible further appointment unless every one has completed one full term.

10.3 POWERS AND FUNCTIONS OF THE ACADEMIC COUNCIL

The Academic Council shall be the principal academic body of the Centre and shall, in addition to all other powers and duties vested in it, have the following powers and duties viz:

- (a) To exercise general supervision over the academic work of the Centre and to give direction regarding methods of instructions, evaluation or research or improvements in academic standards.
- (b) To consider matters of academic interest either on its own initiative or at the instance of the Governing Council and to take proper action thereon.
- (c) To make arrangements for the conduct of examinations in conformity with the Bye-Laws.
- (d) To maintain proper standards of education and examinations.
- (e) To recognize diplomas and degrees of Universities and other Institutions and to determine equivalence with the diplomas and degrees of the Centre.
- (f) To prescribe courses of study leading to degrees and diplomas of the Centre.
- (g) To appoint examiners, moderators, tabulators and such other personnel for different examination.
- (h) To suggest measures for departmental co-ordination.
- (i) To make recommendations to the Governing Council on:

- (i) Measures for improvement of standards of teaching, training and research.
 - (ii) Institution of Fellowships, Travelling Fellowships, Scholarships, Medals, Prizes, Awards and other kinds of recognitions;
 - (iii) Establishment or abolition of divisions or departments; and
 - (iv) Formulating, reviewing and revising bye--laws covering the academic functioning of the Centre, discipline, residence, admissions, examinations, award of fellowships and studentships and studentships, freships, concessions, attendance etc.
- (j) To appoint committees or sub-committees to advise on such specific matters as the Governing Council may refer to the Academic Council;
- (k) To consider the recommendations of the committees or sub-committees and to take such action (including making of recommendations to the Governing Council) with a view to maintaining and improving the standards of education;
- (l) To conduct periodical review of the activities of the divisions/ departments and to take appropriate action (including making of recommendations to the Governing Council) with a view to maintaining and improving the standards of education;
- (m) To exercise such other powers and perform such other duties as may be conferred or imposed upon it by the rules and Bye-Laws.
- (o) To promote research within the Centre and to acquire reports on such researches carried out from time to time; and
- (p) To do generally all such activities as are ancillary or incidental for advancement of the objectives of the Centre.

10.4. MEETING OF THE ACADEMIC COUNCIL

10.4.1 The Academic Council shall meet as often as may be necessary but not less than two times during the academic year. Notice of the meeting shall be given at least 15 days before the meeting. Non-receipt notice by any member or accidental omission in issue of notice of the meeting shall not invalidate the meeting or the proceedings thereof.

10.4.2. One-third of the total number of members for the time being of the Academic Council shall constitute the quorum for a meeting of the Academic Council. In case there is no quorum at any of the convened meeting, the meeting shall stand adjourned. At the adjourned meeting,

the members present shall constitute the quorum for that meeting.

- 10.4.3. Any business which it may be necessary for the Academic Council to transact, except such businesses which are, as per express provisions of the Rules or the Bye-Laws, required to be transacted only at a duly convened meeting of the Academic Council, may be transacted by circulation of the business along with an explanatory statement and a draft resolution among all members of the Academic Council and the resolution so circulated and approved by a simple majority shall be effective and binding as if such resolution had been passed in the meeting of the Academic Council, provided that at least one-half of the total number of the members of the Academic Council have recorded their views on the resolution.
- 10.4.4. All decisions of the Academic Council shall be made by simple majority of votes. In case of equality of votes at any meeting of the Council, the chairman will have a second or casting vote.
- 10.4.5. The Chairman of the Academic Council shall preside over all meetings of the Academic Council. In case the chairman is not present or otherwise is not in a position to chair the meeting or unwilling to chair the meeting, then the members shall elect one amongst them as chairman to preside over that meeting.

(11) BOARD OF STUDIES

- 11.1. There shall be one Board of Studies for all the Departments or Divisions of the Centre.
- 11.2. The Board of Studies shall consist of:
- | | | |
|-----|--|----------------------|
| (a) | Director | Chairman |
| (b) | Dean of Faculties, if any | Ex-officio
Member |
| (c) | Not less than three faculty members, nominated by the Director to provide adequate representation to the Divisions at the Centre. | Members |
| (d) | Not more than two persons to be co-opted for their expert knowledge including those belonging to the concerned profession or industry. | Members |
- 11.3 The constitution, powers and functions of the Board of Studies, duration for which the members of the Board of Studies shall hold

office, and convening and conduct of meetings and transacting business by the Board of Studies shall be prescribed by the Bye-Laws.

(12) PLANNING & MONITORING BOARD

- 12.1 The Planning & Monitoring Board shall be the principal planning body of the Centre and shall be responsible for the monitoring of the development programmes of the Centre.
- 12.2 The Director of the Centre shall be the Chairman of the Planning & Monitoring Board. It may include three internal members and three outside experts.
- 12.3 The constitution, powers and functions of the Planning & Monitoring Board, duration for which the members of the Planning & Monitoring Board shall hold office, and convening and conduct of meetings and transacting business by the said Committee shall be prescribed by the Bye-Laws.
- 12.4. The Planning & Monitoring Board shall have powers to advise the Governing Council and the Academic Council on any matter, which the Planning & Monitoring Board considers necessary for the fulfillment of the objectives of the Centre.
- 12.5. The recommendations of the Planning & Monitoring Board shall be placed before the Governing Council for consideration and approval.

(13) FINANCE COMMITTEE

13.1 MEMBERSHIP OF THE FINANCE COMMITTEE

The finance Committee shall consist of the following members:-

Director (Vice-chairman of the Governing Council)	:	Chairman Ex-Officio
Principal Secretary, Finance, Govt. of U.P. or his nominee	:	Member Ex-Officio
Principal Secretary, Medical Education, Govt. of U.P. or his nominee	:	Member Ex-Officio
Two nominees of the Governing Council.	:	Members Ex-officio
One nominee each of	:	Member

UGC/DST/ICMR/CSIR/DBT

Ex-officio

Finance Officer, CBMR

:

Member Secretary
Ex-Officio

13.2 TERM OF OFFICE

All the members other than the ex-officio members of the Finance Committee shall hold office for a term of three years.

13.3 POWERS AND FUNCTIONS

The Finance Committee shall have the following powers and authorities:

- 13.3.1 To consider in detail annual Budget Estimates and Revised Estimates of the Centre and make recommendations thereon to the Governing Council;
- 13.3.2. To consider and approve proposals for incurring of expenditure on account of major works and purchases;
- 13.3.3. To consider proposals for creation of new posts and make recommendations to the Governing Council in keeping with the guidelines issued by the Govt. of U.P. from time to time;
- 13.3.4. To consider revisions of pay scales, allowances and other terms and conditions of service of staff having financial implications and make recommendations to the Governing Council;
- 13.3.5. To review financial position of the Centre and make recommendations from time to time to the Government; and
- 13.3.6. To consider and recommend various projects and make recommendations to the Governing Council.
- 13.3.7. To formulate and/ or approve the financial systems and controls, financial policies, expenditure authorisation matrices and all other matters relating to the finance affairs.

13.4 TERMS AND CONDITIONS

- 13.4.1. The Finance Committee shall meet at least twice in a financial year. Not less than 15 days notice shall be issued for a meeting of the Finance Committee. Non-receipt of notice by any member of the Committee or accidental omission in issue of notice shall not invalidate the meeting or the proceedings thereof.

- 13.4.2. The annual accounts and financial estimates shall be placed before and considered by the Finance Committee and thereafter submitted to Governing Council for approval, together with the comments of the Finance Committee;
- 13.4.3. To recommend to the Governing Council the creation of all types of posts.
- 13.4.4. The quorum for a meeting of the Finance Committee shall be presence of members representing one-third of the total number of members for the time being of the Finance Committee or five members, whichever is higher, provided always that such members shall include presence of the Financial Adviser of the U.P. Government and representative of at least one of the Central Government funding agencies to constitute a quorum at such meetings.
- 13.4.5. All decisions at meetings of the Finance Committee shall be made by a simple majority of votes of the members present and voting. In case of equality of votes at any meetings, the Chairman shall have a second or casting vote.
- 13.4.6 The Finance Officer shall be the non-member Secretary to the finance Committee.
- 13.4.7. The Finance Committee shall function in accordance with the Rules and Bye-Laws of the Centre and generally follow the relevant orders/ guidelines issued by the Government of U.P. from time to time. Proposals involving expenditure of over Rs. 5.00 crore or such higher limits as may be specified by the Government of U.P. from time to time shall be referred to the Government of U.P. for approval in accordance with the prescribed procedure or Expenditure Finance Committee/Public Investment Board.

(14) SELECTION COMMITTEE

There shall be Selection Committees for recommending appointment to the faculty posts in the Centre and such other posts as may be prescribed by the Bye-Laws. The Selection Committees shall be established and constituted by the Director.

(15) GRIEVANCE REDRESSAL MACHINERY

The Centre may with approval of the Governing Council appoint, in accordance with the provisions, if any, contained in the Bye-Laws, grievance redressal machinery for redressal of individual grievances and complaints.

(16) PRINCIPAL OFFICERS OF THE CENTRE

16.1. The following shall be the officers of the Centre:

- (i) President
- (ii) Vice-President
- (iii) Director
- (iv) Finance Officer
- (v) Such other officers as may be prescribed in the Bye-Laws.

16.2 PRESIDENT

The Centre shall have a President. The Chief Secretary of the U.P. Government shall be the President of the Centre.

16.3 DIRECTOR

16.3.1 The Director of the Centre, who shall be a distinguished scientist, shall be a whole time salaried officer of the Centre and shall be appointed by the Government based on recommendations of the Search-cum-Selection Committee as per the Bye- Laws. The Director shall hold office for a term of 5 years, which term may be extended for further period or periods as per the Bye-Laws. If the office of the Director becomes vacant due to death, resignation or otherwise and in his absence due to illness, incapacity or any other cause, the senior most Professor of the Centre shall perform the duties of Director until a new Director is appointed or the existing Director resumes duties, as the case may be.

16.3.2. The Director shall be the Ex-officio Chairman of the Academic Council.

16.3.3 Subject to the supervision, direction and control of the Governing Council and the Rules and Bye-Laws, the Director shall have general supervision and disciplinary control over the officers and employees of the Centre, and assign their duties and functions.

16.3.4 The Director shall exercise such powers and authorities as are vested in him or as may be delegated to him from time to time.

16.3.5 The Director shall co-ordinate and exercise general supervision over all the activities of the Centre.

16.3.6. The Director of the Centre shall be the Secretary of the Centre. For the purpose of Section 6 of the Societies Registration Act (XXI of

1860), the Secretary shall be considered the principal secretary of the Centre and the Centre may sue or be sued in the names of the Secretary of the Centre.

16.3.7 The Director may delegate any of his powers to any of the officers of the Centre, as per the Bye-Laws.

16.3.8 The Director shall have the power to convene or cause to be convened meetings of the various bodies of the Centre.

16.3.9. The Director shall have and shall be entitled to exercise all such powers and authorities as are necessary for proper management and conduct of operations of the Centre, whether or not such powers and authorities are expressly stated herein.

16.4. FINANCE OFFICER

16.4.1 The Finance Officer shall be whole time officer of the Centre and shall be appointed by or with the approval of the Finance Department of the Government of U.P.

16.4.2 The Finance Officer shall work under the supervision of the Director and is accountable to the Governing Council through the Director. He would be the Ex-officio Member Secretary of the Finance Committee. He would be an advisor to the Director for financial matters.

16.4.3 Subject to the control of the Governing Council to manage properly and investment of the Centre, he shall be responsible for the preparation of annual estimates and statements of account for submission to the Finance Committee and the Governing Council.

(17) SENIORITY LIST

The seniority list shall be maintained as per Bye- Laws.

(18) DELEGATION OF POWERS

Subject to the provisions of these Rules and Bye-Laws, any officer or Authority of the Centre may delegate his or its power to any other Officer or Authority or person under their respective control and subject to the condition that the overall responsibility for exercise of the powers so delegated shall continue to rest in the Officer of Authority delegating such power.

(19) DISPUTE AS TO MEMBERSHIP

If any question arises, whether any person has been duly appointed as or is entitled to be a member of any Authority or any Committee of the Centre, the matter shall be referred to the President of the Centre, whose decision thereon shall be final.

(20) RESIGNATION

Any member of the Centre or any member other than ex-officio member of any Authority or committee may resign by a letter addressed to the Chairman, Governing Council and the resignation shall take effect as soon as the President or the Chairman of the Governing Council accepts it, as the case may be.

(21) ACTING CHAIRMAN OF THE MEETING

Where no provision is made for a Chairman to preside over a meeting of an Authority of the Centre or any Committee of such Authority, or if the Chairman so provided is absent, the members shall elect one from amongst themselves to preside over at such a meeting.

(22) VALIDATION OF CERTAIN ACTS / DECISION

No act or proceedings of any Authority or any body or any committee of the Centre shall be invalid merely by reason of

- (a) Any vacancy therein or any defect in the constitution thereof;
or
- (b) Any defect in the nomination or appointment of a person acting as a member thereof;
or
- (c) Any accidental omission in issue of the notice of the meeting;
or
- (d) Any irregularity in conduct of the meeting or decision not affecting the merits of the case.

(23) DISQUALIFICATION

- (a). A person shall be disqualified for being considered for appointment as member of or holding office of member of any of the Authorities of the Centre, if he
 - (i) Is of unsound mind; or
 - (ii) If he is an un-discharged insolvent, or
 - (iii) If he has been convicted by a court of law of an offence involving moral turpitude.

- (b) If any question arises as to whether a person is or has been subjected to any disqualifications, the question shall be referred to the President for his decision and his decision shall be final and binding. No suite or proceedings shall lie in any civil court against such decision.

(24) POWERS AND FUNCTIONS OF THE CENTRE

To carry out the aforesaid objectives and for the management of the affairs of the Centre, the Centre shall have the following powers:

- 24.1 To establish courses of study and research and to provide instruction in such branches of study as the Centre deems appropriate for the advancement of learning and dissemination of knowledge in such branches;
- 24.2 To confer degrees and to grant Diplomas and/or Certificates to person who have satisfactorily completed the approved courses of study and/or research as may be prescribed and shall have passed the prescribed examinations;
- 24.3 To Institute and award visitorship, fellowship, exhibits, prizes, awards, certificates of merit and medals;
- 24.4 To appoint and hire services or discharge/terminate the services of the personnel and to pay them in return for the services rendered to the Centre, salaries, wages, gratuities, provident fund and other allowance, remunerations and benefits in accordance with the rules and regulations of the Centre;
- 24.5 To create administrative, technical, ministerial and other posts under the Centre and to make appointments thereto in accordance with the rules and regulations of the Centre;
- 24.6 To institute offers and grant prizes, awards, scholarships, travel grants and scholarships, research grants and stipends in furtherance of the objectives of the Centre;
- 24.7 To accept grants of money, securities and properties of any kind on such terms as may be expedient;
- 24.8 To invest and deal with funds and money of the Centre;
- 24.9 To raise from Banks or financial institutions, bodies corporate or any other financier or public or private entities, loans and advances with or without securities including pledge, hypothecation or mortgage of the properties and assets of the Centre; provided that prior approval in writing of the Government is obtained in that behalf;
- 24.10 To issue appeals and apply for money and funds in the furtherance of the objectives of the Centre and to raise or collect funds by gifts, donations, subscriptions or otherwise of cash and securities and any property either movable or immovable and to grant such rights and privileges to the donors, subscribers and other benefactors as the Institute may consider fit and proper;

- 24.11 To acquire and hold by gift, purchase, exchange, lease, hire or otherwise howsoever any property movable or immovable which may be necessary or convenient for the purpose of the Centre and to build, construct, improve, alter, demolish and repair such buildings, works and constructions as may be necessary for carrying out the objectives of the Centre as per Sec 5A of Societies Registration Act, 1860;
- 24.12 To sell, mortgage, lease, exchange and otherwise transfer or dispose of all or any property, movable or immovable of the Centre for the furtherance of its objectives or any of them as per Sec 5A of Societies Registration Act, 1860; and
- 24.13 To accept and undertake the management of any endowment or trust fund or donation to further the objectives of the Centre.
- 24.14 To do, perform and exercise such other powers, authorities and functions as are necessary or incidental for carrying out the aforesaid objectives.

(25) INTERPRETATION OF THE OBJECTIVES

The Centre is established for public benefit and accordingly the objectives of the Centre set forth above will be interpreted in accordance with the applicable laws to mean such objectives and purposes as are regarded in law to be a public and charitable in nature.

(26) CENTRE OPEN TO ALL

- 26.1 The Centre shall be open to all persons of whatever race, religion, creed, caste, class, gender and geographical area of the country. No test or condition shall be imposed as to religious belief or occupation in admitting or appointing members, students, teachers, and workers or in any other connection whatsoever.
- 26.2 No capitation fee shall be charged in any form in consideration for admission.
- 26.3 Fees to be prescribed shall be as per regulations prescribed under the University Grants Commission Act, 1956 (the “UGC Act”) as amended or re-enacted or replaced from time to time.
- 26.4 The Centre shall not accept any benefaction that involves conditions and obligations, which are inconsistent with the objectives of the Centre.

(27) ADMISSION

Admission to the Centre shall be made on an all India basis to the identical courses through a common entrance test conducted either by the Centre or by the Universities Grants Commission/or by an institution/agency identified and approved by UGC or by the Centre.

(28) INCOME AND PROPERTY OF THE CENTRE TO BE APPLIED FOR PURSUING THE OBJECTIVES OF THE CENTRE ONLY

28.1 The Centre is authorised to:

28.1.1 To receive grants, donations and contributions in cash, in kind or in other forms including those from the Government of India, State Governments, Charitable Trusts/ Institutions, and industry within the country.

28.1.2 To receive, with prior approval of the Government, monetary assistance from foreign sources including international organizations for training programmes, scientific research and other activities as per the provisions of the Foreign Contribution Regulations ACT 1976.

28.1.3 To acquire by way of gift, purchase, exchange, lease, hire or otherwise howsoever any property moveable and/or immovable and to construct, develop, improve, turn to account, alter, demolish or repair buildings and structures as may be necessary or convenient for carrying out the activities of the Centre as per Sec 5A of Societies Registration Act, 1860.

28.1.4 For the purpose of the Centre, to draw and accept, make and endorse, discount and negotiate promissory notes, bills of exchanges, cheques or other negotiable instruments, bonds, commercial papers, debt instruments and other instruments as per Sec 5A of Societies Registration Act, 1860

28.1.5 To establish, open, maintain, operate and close bank account(s), deposit account(s), and other accounts with banks, financial institutions, and other legal entities and bodies corporate;

28.1.6 To invest or deposit moneys and funds of the Centre in such deposit accounts, securities, instruments and investments options as the Governing Council may approve from time to time and to withdraw, encash, transfer, sell, transpose or otherwise dispose of such deposits, securities, instruments and investments as per Sec 5A of Societies Registration Act, 1860;

28.1.7 For investing the funds or money of the Centre or entrusted to the Centre, to open such securities or in such manner as may from time to time be determined by the Governing Council and to sell or transpose

such investments, as permitted under the provisions of the income tax ACT, 1961

28.1.8 To do all other such things as may be necessary, incidental or conducive to the attainment of all or any of the above objectives;

28.2 The income and properties of the Centre, howsoever derived, shall be applied towards promotion of the objectives of the Centre.

(29) INCOME AND PROPERTY OF THE CENTRE NOT BE PAID OR DISTRIBUTED BY WAY OF PROFIT OR DIVIDEND

All the incomes, earnings, movable and immovable assets and properties of the Centre shall be solely utilised and applied towards the promotion of its objectives only as set forth in this Memorandum of Association. No portion of the income and property of the Centre shall be paid or distributed, directly or indirectly, by way of profit or dividend or otherwise, to persons, who are, or have been, members of the Centre or to any of them, provided that nothing herein contained shall prevent the payment in good faith of remuneration or providing any benefit to any member thereof or other persons in return for any service rendered to or on account of the Centre or for travelling, halting and other similar charges. No member of the Centre shall have, by virtue of being a member of the Centre, any right, interest or claim in any of the assets, properties, income or receivables of the Centre or make any profits.

(30) REVIEW AND INSPECTION

30.1 The Government shall have the right to cause an inspection to be made of the Centre, its buildings, laboratories, examinations, teaching and other work conducted or done by the Centre; and to cause an enquiry to be made, if considered necessary by the Government in respect of any matter of the Centre.

30.2 Following the inspection, the Government may issue directions to the Centre that shall be binding on the Centre.

(31) MANAGEMENT OF THE CENTRE

The management of the Centre shall vest in the Governing Council. The first members of the Governing Council shall comprise of the subscribers to the Memorandum of Association, whose names and addresses are set forth in Clause 13 below. The Governing Council shall be reconstituted in accordance with the Rules of the Centre, within six months from the date of registration of the Centre as a society under the Societies Registration Act, 1860.

(32) **FILLING OF CASUAL VACANCIES**

Casual vacancies among the members (other than ex-officio members) of the Centre or any Authority or any other Committee of the Centre shall be filled as soon as it may be convenient by the person or the Authority who appointed or co-opted the member whose place has become vacant. The provisions contained in these Rules shall be applicable to filling of casual vacancies. Subject to the provisions of these Rules, the person appointed or co-opted to a casual vacancy shall hold office for the remainder of the term of the member, whose office had fallen vacant.

(33) **BYE-LAWS**

Subject to the provision of the Memorandum of Association and the Rules, the Governing Council shall have, in addition to all other powers vested in it, the powers to frame Bye-Laws (the “**Bye-Laws**”) necessary for internal management and smooth working of the Centre and all matters incidental thereto. In framing the Bye-Laws, the Governing Council shall abide by any directions or orders issued by the Government.

Matters that may be dealt with in the Bye-Laws shall include, without limitation, the following:

Establishment of Committees, constitution of Committees, Membership of the Committees, rules governing convening, and conduct of meetings of Committees, quorum for meetings of Committees, and all matters in relation thereto;

Establishment of departments of teaching and halls of residence;

Admission of students to the Centre and their enrolment as such;
Courses of study to be laid down for all degrees, diplomas and certificates of the Centre;

- (a) The grant of academic awards (such as degrees and diplomas) and distinctions;
- (b) The fees and other charges to be charged for courses of study in the Centre and for admission to the Centre and to examination, degrees, diplomas and certificates of the Centre;
- (c) The institution of and prescription of the conditions of the award of fellowships, scholarships, studentships, medals and prizes;

- (d) The conduct of examinations, appointment of examiners and approval and publication of results thereof;
- (e) The maintenance of discipline among the students;
- (f) The maintenance of discipline among the employees of the Centre;
- (g) The conditions of residence and health of the students of the Centre;
- (h) The classification, emoluments, methods of appointment and the determination of the terms and conditions of service of the teaching staff and employees of the Centre;
- (i) The setting up provident, gratuity, superannuation and other retirement benefit funds for the benefit of the officers, teachers, academic staff and employees of the Centre;
- (j) The establishment of special centers;
- (k) The appointment of any committee or sub-committee, composition of such committees and delegation of powers and authorities to such committees;
- (l) The preparation and submission of budget estimates;
- (m) Rules and regulations governing convening and conduct of meetings of the Committees and sub-committees and transacting business by such committees;
- (n) To constitute any other body as an Authority of the Centre;
- (o) All other matters which by this Memorandum or the Rules may be provided for in the bye-laws;

Provided that no Bye-Laws, which adversely affect the conditions of residence, health of disciplines of student, admission or enrolment of students, conditions, mode of appointment or duties of examiners or the conduct or standard of examinations of any course of study shall be made without consulting the Academic Council.

(34) INTERPRETATION CLAUSE

In the event of conflict of opinion with regard to interpretation of Memorandum of Association or the Rules and Bye-Laws, the opinion of the Government shall be final.

(35) INCOME AND PROPERTY OF THE CENTRE TO BE UTILIZED FOR ITS OBJECTIVES ONLY

The income and property of the Centre howsoever derived shall be utilized solely for promoting the objectives of the Centre as set out in the Memorandum of Association.

To receive with prior approval of the Government, monetary assistance from foreign sources including international organizations for training programmes, scientific research and other activities.

To receive grants, donations and contributions in cash or in other forms from the Government of India, State Governments, Charitable Trust/Institutions and Industry within the country.

(36) **BAR ON PAYMENTS OR TRANSFERRING OF THE INCOME AND PROPERTY OF THE CENTRE BY WAY OF PROFIT.**

No portion of the income and property of the Centre shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the persons who were at any time or are members of the Centre or to any of them provided that nothing herein contained shall prevent the payment in good faith remuneration to any member or other person as consideration for any service rendered to the Centre or for travelling or other allowances and such other charges.

(37) **ADJUSTMENT OF INCOME AND PROPERTY ON DISSOLUTION OF THE CENTRE**

After, on the winding up or dissolution of the Centre there shall remain, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the Centre or any of them but shall be transferred to the Centre, or other bodies in consultation with the agencies concerned who have helped in creation of those assets.

(38) **LEGAL PROCEEDINGS**

38.1 For the purpose of Section 6 of the Registration of Societies Act, 1860, the person in whose name the Centre may sue or be sued shall be the Administrative Officer.

38.2 No suit or legal proceedings shall lie against the Government or UGC or the Centre or an Officer of the Centre or a Member of the Authority of the Centre in respect of anything done or purported or intended to be done in the pursuance of any article of Memorandum of Association or the Rules or Bye-Laws made there under.

(39) **ALTERATION, AMENDMENTS AND ADDITIONS IN THE RULES**

The Rules and Bye-Laws of the Centre may be altered, amended and added to by the Governing Council in accordance with the provisions of the Registration of Societies Act, 1860 as in force for the time being provided any such alterations, amendment and addition in the Rules of the Centre shall become effective only after the receipt of concurrence of the Government of U.P.

(40) FUNDS, ACCOUNTS, AUDITS AND ANNUAL REPORTS

- 40.1 The funds of the Centre shall be utilized solely for the purpose of the Centre.
- 40.2 The accounts of the Centre shall be maintained in the name of the Centre and not in the name of a particular trust or society whether financing or sponsoring the Centre or not. The accounts of the Centre shall be kept in such forms as may be laid down by the Governing Council and shall conform to the rules, if any, prescribed by the Government of Uttar Pradesh. The accounts of the Centre will be open to examination by the Comptroller and Auditor General of India as also by the concerned authorities of the Government of U.P./Government of India.
- 40.3 All funds belonging to the Centre or under the control of the Governing Council shall be shown separately in the accounts of the Centre.
- 40.4 Annual Reports and the audit reports shall be submitted to the Government of U.P. within nine months of the closure of the accounting year.

(41) RECORDS TO BE KEPT BY THE CENTRE

Records like proceedings register, stock register, cash book, ledger book etc, shall be preserved by the Centre and shall be properly audited annually.

(42) ACCOUNTS AND AUDIT

The Accounts of the Centre shall be audited by an auditor, who is a chartered accountant or by a firm of chartered accountants. The auditor shall be appointed by the Governing Council. The nature of audit to be applied and the detailed arrangements to be made in regard to the form of accounts and their maintenance and the presentation of Accounts for audit shall be prescribed by Bye-Laws to be framed by the Governing Council and approved by the Government.

(43) ANNUAL REPORT

An Annual Report of the working of the Center and of all works undertaken during the year shall be prepared by the Governing Council. The Annual Report together with the audited annual account of the Centre shall be presented to the General Body of the Centre for its adoption at the Annual General Meeting. Thereafter, the Annual

Report together with the audited annual account shall be submitted to the Government.

(44) **CONTINUANCE OF CERTAIN RULES**

The Statutes, Regulations and Rules which were in force immediately before the commencement of these Rules, shall subject to such adaptations of modifications as may be made therein by the Director with the approval of the Governing Council in so far as they are not inconsistent with the provisions of these Rules, be deemed to be Statutes, Regulations and Rules made under the appropriate provisions of these Rules.

(45) **AMENDMENT OF THE MEMORANDUM AND THE RULES**

Any amendment in the Memorandum and the Rules may be made in accordance with the applicable provisions of the act and with the prior approval of the Government.

(46) **DISSOLUTION OF THE CENTRE**

If the Centre needs to be dissolved, it shall be dissolved in accordance with the provisions of the Act, as applicable to the Centre. As per Section 13 and 14 of Societies Registration Act,1860.

Certified that this is a correct copy of the amended Rules of Centre of Biomedical Magnetic Resonance.