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**புதுச்சேரி மாநில அரசிதழ்**  
**La Gazette de L'État de Poudouchéry**  
**The Gazette of Puducherry**

**PART - II**

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No.	53 Poudouchéry	Mardi	20	Juin	2023
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GOVERNMENT OF PUDUCHERRY  
HEALTH SECRETARIAT

(G.O. Ms. No. 39, Puducherry, dated 08th June 2023)

NOTIFICATION

The Lieutenant-Governor of Puducherry is pleased to notify "The Memorandum of Association, Rules and Regulations and Bye-Laws" for the Puducherry State Health Agency, in Puducherry as detailed in Annexure.

(By order of the Lieutenant-Governor)

**K. CANDANE @ SIVARADJANE,**  
Under Secretary to Government (Health).

[ 1085 ]

MEMORANDUM OF ASSOCIATION  
PUDUCHERRY STATE HEALTH AGENCY  
(UNION TERRITORY OF PUDUCHERRY)

1. **Name of the Society :** The Name of the Society shall be Puducherry State Health Agency.

2. **Location :** The Society shall have its office in the Office of the Director of Health and Family Welfare Services, Victor Simonel Street, Puducherry-605 001.

3. **Area of operation :** The area of operation of the Society shall be whole of Union territory of Puducherry.

4. **Aims and Objectives :** The objective of the Puducherry State Health Agency is to reduce catastrophic health expenditure, improve access to quality health care, reduce unmet needs and reduce out of pocket Healthcare expenditures of families of the Union territory of Puducherry through implementing various Programmes/Schemes to provide secondary and tertiary health care services including speciality and super speciality treatment to all the section of the people of Union territory of Puducherry either through Insurance Mode or Trust Mode.

The Puducherry State Health Agency aims to undertake and support the implementation of the Health Protection Scheme or similar Programme launched by both the Government of India and Government of Puducherry from time to time for providing quality and timely delivery of health care facilities for trauma, critical illness, treatment requiring speciality and super speciality services, *etc.* Apart from this, the Scheme aims for the upliftment of the poor and vulnerable families in the Union territory of Puducherry generally and especially to those who are Below the Poverty Line (BPL), for effective implementation and supervision of various activities in order to have a healthy workforce in the Union territory of Puducherry.

***In particular the objectives are :***

- \* To provide health insurance cover to the workers and their families announced by the Government of India or its Agencies.

- \* To provide health insurance cover to all sections of the Society under the Universal Health Coverage (UHC) announced by the Central and/or Government of Puducherry either by Insurance Mode or Trust Mode.
- \* To identify, formulate, implement and support implementation of Health Protection Scheme of the Government of India namely, Ayushman Bharat - Pradhan Mantri Jan Arogya Yojana (AB-PMJAY) aimed at the welfare of beneficiaries in the Union territory of Puducherry.
- \* To identify and negotiate with consultants of repute for implementation of the project of the Government of India or the Government of Puducherry towards reducing out of pocket expenditure on medical care and hospitalization of the citizens which is a major insecurity leading to their poverty.
- \* To provide technical, financial or other assistance for the formulation of the programme meant for the beneficiaries of AB-PMJAY identified as per the of guidelines of National Health Authority.
- \* To receive and monitor the use of funds, equipment and materials received from Central Government, State Government and other Donors/Agencies/Voluntary organizations.
- \* To invest and deal with funds and moneys of the Agency.
- \* To coordinate with various Departments and agencies of the Government of India or Government of Puducherry, Financial Institutions Health Insurance Providers, Empanelled Health Care Providers, Co-operatives or Non-Governmental Organisations (NGOs) for implementation of the project meant for the welfare of people identified as AB-PMJAY beneficiaries.
- \* To undertake or sponsor training programmes, seminars, workshops, *etc.*, to create awareness of the Scheme AB-PMJAY and similar Scheme of the Government of Puducherry available to the community in the Union territory of Puducherry.
- \* To do all such lawful acts as are incidental to pattern of the Scheme or as conducive to the attainment of the objectives of the Scheme.

**5. Deliveries/Functions of State Health Agency :** To achieve the above objectives, the Society shall direct its resources towards performance of the following key tasks:

(1) To act as the Nodal Forum for all stakeholders, Line Departments, Panchayat Raj Institutions and Non Governmental Organizations to participate in planning, implementation and monitoring of the AB-PMJAY programme and similar projects of the Union territory of Puducherry.

(2) Policies related issues of State Health Protection/Insurance Scheme and its linkage to AB-PMJAY.

(3) Selection of Implement Support Agency (ISA).

(4) Awareness generation and Demand creation.

(5) Aadhaar seeding and issuing print out of E-card to validated AB-PMJAY beneficiaries/beneficiaries of Schemes implemented by the Government of Puducherry

(6) Empanelment of network hospitals which meet the criteria including field verification.

(7) Fraud and abuse control.

(8) Punitive actions against the providers.

(9) Pre-authorisation of claims or monitoring of pre-authorizations which are approved by ISA.

(10) Administration of hospital claims.

(11) Payment of claims.

(12) Carrying out medical and claims audits.

(13) Package price revisions or adoption of AB-PMJAY list; Adoption AB-PMJAY treatment protocols for listed therapies to State needs, as needed.

(14) Adapting operational guidelines in consultation with National Health Agency, where necessary.

(15) Monitoring of services provided by Health Care Providers.

(16) Forming Grievance Redressal Committees and overseeing the grievance redressal function.

(17) To strengthen the technical/management capacity of the Puducherry State Health Agency through recruitment of individual/institutional experts as and when needed with approval of the Governing Body.

(18) Capacity development planning and undertaking capacity development initiatives.

(19) Development of proposals for policy changes (*e.g.*, incentive systems for public providers and implementation thereof).

(20) Management of funds through the Escrow Account set up for receipt of grant-in-aid under AB-PMJAY and other State/Union Territory Health Protection Schemes.

(21) Data analytics.

(22) Evaluation through independent agencies.

(23) Convergence of AB-PMJAY with State funded health Insurance/Protection Scheme(s).

(24) Alliance of State Scheme with AB-PMJAY.

(25) Setting up District Level Officers and hiring of the staff of District.

(26) Oversee District Level Offices.

(27) Preparation of periodic reports based on Scheme data and implementation status.

(28) Implementation incentive systems for field functionaries and public providers in line with nation guidance.

(29) Any other such activity required for effective functioning AB-PMJAY in the Union territory of Puducherry including the Schemes operated by the Union territory of Puducherry for providing Health coverage to the Union Territory population.

(30) To undertake such other activities for strengthening AB-PMJAY and similar Union Territory Scheme activities in the Union territory of Puducherry as may be identified from time to time, including mechanisms for intra and inter-sectoral convergence of inputs and structures.

**6. First Members of the Governing Body :** The names, addresses, occupations and designations of the First Members of the Governing Body of the Agency to whom by the rules and regulations of the Society, the management of the affairs of the Society is entrusted as required under section 2 of the Societies Registration Act, 1860 (No. XXI of 1860) are as follows:—

**PUDUCHERRY STATE HEALTH AGENCY  
(Union territory of Puducherry)**

Sl. No.	Name and Designation	Status in the Governing Body
(1)	(2)	(3)
1	Chief Secretary to Government, Government of Puducherry.	Chairperson, <i>Ex-officio</i>
2	Secretary to Government (Health), Government of Puducherry.	Chief Executive Officer, <i>Ex-officio</i> .
3	Secretary to Government (Finance), Government of Puducherry.	Member, <i>Ex-officio</i>
4	Secretary to Government (Information Technology), Government of Puducherry.	Member, <i>Ex-officio</i>
5	Secretary to Government (Civil Supplies and Consumer Affairs), Government of Puducherry.	Member, <i>Ex-officio</i>
6	Secretary to Government (Labour), Government of Puducherry.	Member, <i>Ex-officio</i>
7	Collector, Karaikal	Member, <i>Ex-officio</i>
8	Regional Administrator, Mahe	Member, <i>Ex-officio</i>
9	Regional Administrator, Yanam	Member, <i>Ex-officio</i>
10	Director of Health and Family Welfare Services, Puducherry.	Member, <i>Ex-officio</i>
11	Mission Director, National Health Mission.	Member, <i>Ex-officio</i>
12	Representative of National Health Agency	Special Invitee

A copy of the rules and regulations of the Society certified to be a True copy by the Members of the Governing Body is filed with the District Registrar, Puducherry along with this Memorandum of Association.

7. **Declaration :** We, the several persons whose names and addresses are given below having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our several and respective hands hereunto and form ourselves into a Society under the Societies Registration Act, 1860 (Act No. XXI of 1860) this day ..... of 2022 at Puducherry.

Sl. No.	Name	Designation and Official Address	Status in Society	Signature
(1)	(2)	(3)	(4)	(5)
1	Shri. Rajeev Verma, I.A.S.	Chief Secretary to Government	Chairperson, <i>Ex-officio</i> .	Sd./-
2	Shri. Prashant Goyal, I.A.S.	Development Commissioner -cum-Principal Secretary to Government.	Member, <i>Ex-officio</i> .	Sd./-
3	Shri. Prashant Goyal, I.A.S.	Secretary to Government (Information Technology).	Member, <i>Ex-officio</i> .	Sd./-
4	Shri. C. Udaya Kumar, I.A.S.	Secretary to Government (Health).	Chief Executive Officer, <i>Ex-officio</i> .	Sd./-
5	Shri. C. Udaya Kumar, I.A.S.	Secretary to Government (Civil Supplies and Consumer Affairs).	Member, <i>Ex-officio</i> .	Sd./-
6	Shri. S.D. Sundaresan, I.A.S.	Secretary to Government (Labour).	Member, <i>Ex-officio</i> .	Sd./-

(1)	(2)	(3)	(4)	(5)
7	Shri. L. Mohamed Mansoor	District Collector, Karaikal.	Member, <i>Ex-officio.</i>	Sd./-
8	Shri. Aman Sharma	Regional Administrator, Yanam.	Member, <i>Ex-officio.</i>	Sd./-
9	Shri. Shivraj Meena	Regional Administrator, Mahe.	Member, <i>Ex-officio.</i>	Sd./-
10	Dr. G. Sriramulu	Director of Health and Family Welfare Services, Puducherry.	Member, <i>Ex-officio.</i>	Sd./-
11	Dr. G. Sriramulu	Mission Director Puducherry State Health Society.	Member, <i>Ex-officio.</i>	Sd./-

Place : Puducherry

Date :

*Witness:*

- (1) Signature : Sd./-  
Name : S. Siva  
Detail Address : Private Secretary,  
Director of Health and Family Welfare Services,  
Puducherry.  
Occupation :
- (2) Signature : Sd./-  
Name : Dr. S. Chitradevi  
Detail Address : Project Director,  
Pondicherry AIDS Control Society,  
Puducherry.  
Occupation :



## PUDUCHERRY STATE HEALTH AGENCY

**THE RULES AND REGULATIONS**

1. **Short title.**— 1.1 These rules and regulations shall be called “The Rules and Regulations of the Puducherry State Health Agency 2022”.

1.2 These rules shall come into force with effect from the date of registration of the Agency by the Registrar of Societies,

2. **Office and Jurisdiction.**— 2.1 Registered office of the Agency shall be situated in the complex of the Office of the Director of Health and Family Welfare Services, Victor Simonel Street, Puducherry-605 001.

2.2 The jurisdiction of the Agency shall be the Union territory of Puducherry comprising the regions of Puducherry, Karaikal, Mahe and Yanam.

3. **Definitions.**— 3.1 In the interpretation of these rules and regulations, the following expressions shall have the following meaning unless inconsistent with subject or context:

(a) ‘Act’ means, Societies Registration Act, 1860.

(b) ‘Central Government’ mean, the Government of India.

(c) ‘Union Territory Government’ mean, the Government of Puducherry.

(d) ‘State Health Agency’ mean, the Puducherry State Health Agency of Union territory of Puducherry.

(e) ‘Secretariat’ means, the Office of the Society as referred to in these Rules.

(f) ‘Chairperson’ means, the Chairperson of the Governing Body of the Society.

(g) ‘Chief Executive Officer (CEO)’ mean, the Chief Executive Officer of the Governing Body or the Executive Committee as the case may be.

(h) ‘Governing Body’ mean, the Governing Body of the Society as referred to in these rules.

(i) ‘Executive Committee’ mean, the Executive Committee of the Society as referred to in these rules.

(j) 'Member' means, the Member of the Society as referred to in these rules.

(k) 'Rules' means these rules and regulations registered along with the Memorandum of Association and as may be amended by the Governing Body of the Society from time to time.

(l) 'Health Insurance Provider' means, the agency, company or corporation which has undertaken to provide medical insurance cover under a contract.

(m) 'Health Service Provider' means, the Empanelled hospitals or other agencies both in the public, private which have agreed to provide medical/Surgical interventions, hospitalization and/or day-care services to beneficiaries under a medical insurance cover;

(n) 'Medical Insurance Cover' means, an insurance coverage given to beneficiary and his/her family for meeting expenses of hospitalization or day-care treatment under the Scheme AB-PMJAY and/or Health Insurance Scheme operated by the Government of Puducherry by a Health Insurance Provider on agreed terms and conditions;

(o) 'Scheme' means, Health Insurance Scheme formulated for the welfare of the beneficiaries residing in the Union territory of Puducherry or beneficiaries holding valid Identity Card issued by the Puducherry State Health Agency in respect of Scheme(s) implemented by the Government of Puducherry and/or Government of India.

(p) 'Beneficiarie' means, a Citizen falling within the criteria prescribed by the National Health Authority and/or Puducherry State Health Agency for the purpose of determining eligibility of benefits under health insurance Schemes announced by the Government of India and/or Government of Puducherry.

(q) 'Year' means, the financial year, namely from 1st April of a calendar year to 31st March of the next calendar year.

**4. Power of State Health Agency.— 4.1** *For effectively carrying out the objective laid down in the Memorandum of Association, the Society shall have the following powers:—*

(i) To accept Grant-in-Aid or financial assistance from Union Territory Government and Central Government with view to fulfill all the above objectives;

- (ii) To cooperate and affiliate, if necessary, with other similar institutions, associations or bodies;
- (iii) To acquire, hold and receive property of any kind including securities and negotiable instruments;
- (iv) To manage the property, utilize and apply the incomes and earnings of the Society towards the promotion of the aim of the Society, aim and objects as set forth in the Memorandum of Association;
- (v) To purchase of properties of any kind and utilize the income derived there from for managing the Society of fulfilling its obligations or redeeming liabilities;
- (vi) To appoint persons by deputation or on contract basis after obtaining the prior approval of the Government;
- (vii) To sanction incentives, honorarium or allowance to those persons other than its own employees whose services are utilized for carrying out the affairs of the Society;
- (viii) To enter into contracts and/on legal actions for and in connection with the declared object of the Society.

**5. Membership.—** 5.1 *The following shall be the Members of the Society:*

- (a) *First Members of the Governing Body.*
  - (i) Chief Secretary to Government
  - (ii) Secretary to Government (Health)
  - (iii) Secretary to Government (Finance) or His representative
  - (iv) Secretary to Government (Information Technology)
  - (v) Secretary to Government (Civil Supplies and Consumer Affairs).
  - (vi) Secretary to Government (Labour)
  - (vii) Collector, Karaikal region
  - (viii) Regional Administrator, Mahe region
  - (ix) Regional Administrator. Yanam region
  - (x) Director of Health and Family Welfare Services, Puducherry
  - (xi) Mission Director, Puducherry State Health Society, Puducherry.
  - (xii) Representative of National Health Authority

(b) *Other Members of the Society.*

- (i) Medical Superintendents of District Hospitals, Community Health Centres and other Public Hospitals in the Union territory of Puducherry.
- (ii) State Nodal Officer and State Coordinator to be appointed under these Rules.
- (iii) Representatives of Development Partners supporting health and family welfare activities in the District, if any.
- (iv) Non-Government Organization representatives of the vertical programme/project Societies in the Health and Family Welfare sector.
- (v) Representatives of other organisations as may be determined by the Governing Body from time to time.
- (vi) Individuals as may be nominated by the Governing Body from time to time.

5.2 The membership of an *ex-officio* Member of the Agency and of the Governing Body shall be terminated when he/she ceases to hold the office by virtue of which he/she was Member and his/her successor to the office shall become such Member.

5.3 Non-official Members of the Agency will be nominated by the Chairperson with the approval of the Governing Body. Nominated Members shall hold office for a period of three years from the date of their nomination by the Chairperson. Such Members will be eligible for re-nomination for another period of 3 years.

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

5.5 All Members of the Governing Body shall cease to be Members if they resign, become of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude or removal from the post by virtue of which he/she was holding the membership.

5.6 Resignation of membership shall be tendered to the Governing Body in person to its Chief Executive Officer and shall not take effect until it has been accepted on behalf of the Governing Body by the Chairperson.

5.7 If, a Member of the Agency changes his/her address he/she shall notify his/her new address to the Chief Executive Officer who shall thereupon enter his/her new address in the roll of Member. But if, a Member fails to notify his/her new address the address in the roll of Members shall be deemed to be his/her address.

5.8 Any vacancy in the Agency or in the Governing Body shall be filled by the authority entitled to make such appointment. No act or proceedings of the Agency or of the Governing Body shall be invalid merely by reason of the existence of any vacancy therein or of any defect in appointment of any of its Members.

5.9 No member of the Governing Body to be appointed as per these Rules, shall be entitled to any remuneration.

**6. Authorities of the Puducherry State Health Agency.—** 6.1 *The following shall be the bodies and authorities of the Society:*

- (i) Governing Body
- (ii) Executive Committee
- (iii) Sub-Committees of the Executive Committee, such as State Empanelment Committee and District Empanelment Committee.
- (iv) State Grievances Redressal Committee and District Grievances Redressal Committee.
- (v) Any other Committee constituted by the Governing Body for effective functioning of the Puducherry State Health Agency.

6.2 *Governing Body:*

6.2.1 All First Members of the Agency as set out in para 5.1(a) shall constitute the Governing Body of the Agency.

6.2.2 The First Members of the Governing Body of the Agency shall be those mentioned in clause 6 of the Memorandum of Association. They shall hold office until a new Governing Body is appointed according to these rules.

6.2.3 The control, administration and management of the affairs of the Society shall be vest in accordance with the rules and regulations of the Society in the Governing Body.

6.2.4 The Society may sue or be sued in the name of the Chief Executive Officer of the Society or of such other Members as shall, in reference to the matter concerned, be appointed by the Governing Body for the occasion.

*6.3 Proceedings of the Governing Body:*

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

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

- \* Compliance to Standards and Protocols issued by Government.
- \* Annual report of the Society relating to last financial year, including (a) income and expenditure account, (b) balance sheet and (c) audit report.
- \* Periodical review of Physical and financial progress of the programme/projects.
- \* Work Plan (including budget) for the next financial year.
- \* Other business brought forward with the permission of the Chairperson.

6.3.3 Every notice calling meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall be served upon every Member of the Governing Body not less than twenty-one clear days before the date fixed for the meeting. Such, notice shall be issued by the Chief Executive Officer/ Convenor of the Society and shall be accompanied by an agenda of the business to be placed before the meeting provided that accidental omission to give such notice to any Member shall not invalidate any resolution passed at such meeting. In the event of any urgent business the Chairperson may call the meeting of the Governing Body at clear ten days notice.

6.3.4 The Chairperson shall Chair the meetings of the Governing Body. In his/her absence, the Governing Body shall elect one from among the Members present as Chairperson of the meeting.

6.3.5 One-third of the Members of the Governing Body, including the substitutes nominated under rule 6 present in person, shall form a quorum at every meeting of the Governing Body.

6.3.6 All disputed questions at the meeting of the Governing Body shall be determined by votes. Each Member of the Governing Body shall have one vote and in case of any equality of votes, the Chairperson shall have a Casting vote.

6.3.7 Should any Official Members be prevented for any reason whatsoever from attending a meeting of the Governing Body, the Chairperson of the Society shall be at liberty to nominate a substitute to take his place at the meeting of the Governing Body. Such, substitute shall have all the rights and privileges of a Member of the Governing Body for that meeting only.

6.3.8 Any Member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Chief Executive Officer of not less than ten clear days before the day of such meetings.

6.3.9 Any business which it may become necessary for the Governing Body to perform, except the agenda prescribed for the full meeting as set out in para 6.3.2 above, may be carried out by circulation among all its Members and any resolution so circulated and approved by majority of the Members signing shall be as effectual and binding as if, such resolution had been passed at a meeting of the Governing Body provided that at least one-third Members of the Governing Body have recorded their consent of such resolution.

6.3.10 In the event of any urgent business, the Chairperson of the Agency may take a decision on behalf of the Governing Body. Such a decision shall be reported to the Governing Body at its next meeting for ratification.

6.3.11 A copy of the minutes of the proceedings of each meeting shall be furnished to the Governing Body Members within 2 weeks after completion of the meeting.

6.4 *Powers of the Governing Body:*

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

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

- \* Consider and approve the annual budget, annual account, annual report and the annual action plan, its subsequent alternations placed before it by the Chief Executive Officer from time to time and to pass it with such modifications as the Governing Body may think fit.
- \* Monitor the financial position of the Society in order to ensure smooth income flow and to review annual audited accounts.
- \* Accept donations and endowments or give grants upon such terms as it thinks fit.
- \* To purchase assets, immovable properties, movable properties and to receive monies, securities and instruments for and on behalf of the Society.
- \* To appoint auditors as needed for auditing the accounts of the Society every year and consider the reports of auditors.
- \* To assign from time to time such functions and duties and delegate such powers as it may deem fit to the Executive Committee.
- \* Authorize the Chief Executive Officer to execute such contracts on behalf of the Society as it may deem fit in the conduct of the business of the Society.
- \* Appoint committees, sub-committees and boards, *etc.*, for such purpose and on such terms as it may deem fit, and to dissolve/ remove any of them.
- \* To select Health Insurance Providers and Health Service Providers under the Health Insurance Schemes implemented by the Government of India and/or Government of Puducherry.
- \* To grant receipt, to sign and execute instruments and to endorse or discount cheques or other negotiable instruments through its accredited agents.



- \* To make, sign and execute all such documents and instruments as may be necessary or proper for carrying on the management of the property or affairs of the Society.
- \* To sue and defend all legal proceedings on behalf of the Society.
- \* To manage, sell, transfer or otherwise dispose of any movable property of the Society with the prior approval of the Government.
- \* Recruit administrative/technical staff for the Agency secretariat as per the Operational Manual of the Society.
- \* Procure goods and services in accordance with the procedures laid down in the Operational Manual of the Society.
- \* Do generally all such other acts and things as may be necessary or incidental to carrying out the objectives of the Society or any of them, provided that nothing herein contained shall authorize the Governing Body to do any Act or to pass any Bye-laws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Governing Body and other authorities, or which may be inconsistent with the objectives of the Society.
- \* Make, amend, repeal or modify any Bye-laws relating to administration and management of the affairs of the Society subject to the observance of the provisions contained in the Act, provided that such amendments are brought to the Governing Body after obtaining endorsement/approval from the State Government namely:—
  - ◆ Management of the properties, funds affairs and work of the Society;
  - ◆ Procedure for transaction of business by circulation, proxy, or otherwise, as may be deemed fit;
  - ◆ Delegate/assign powers, functions and duties of the officers of the Society;
  - ◆ Such other purposes as may be found necessary;
  - ◆ To collect data for implementing any project of the Agency either directly or through any other agency or agencies; and
  - ◆ To delegate all or any of its powers to the Committee.

6.5 *Powers and Functions of the Chairperson of the Governing Body:*

6.5.1 The Chairperson shall have the powers to call for and preside over all meetings of the Governing Body.

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

6.5.3 The Chairperson shall enjoy such powers as may be delegated to him/her by the Governing Body.

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

6.5.5 Nothing in these rules shall prevent the Chairperson from exercising any or all the powers of the Governing Body in case of emergencies in furtherance of the objects of the Society. However, the action taken by the Chairperson on such occasions shall be reported to the Governing Body subsequently for ratification.

6.6 *Executive Committee and its Sub-Committees:*

6.6.1 The Governing Body will constitute an Executive Committee, Union Territory Empanelment Committee and District Empanelment Committee which will be responsible for acting for and doing all deeds on behalf of the Governing Body and for taking all decisions and exercising all the powers, vested in the Governing Body except those which the Governing Body may specifically specify to be excluded from the respective jurisdiction of by the Executive Committee, State Empanelment Committee and District Empanelment Committee.

**Executive Committee**

6.6.2 *The composition of the Executive Committee shall be as follows:*

Sl. No.	Name / Designation	Status in Executive Committee
(1)	(2)	(3)
1	Secretary to Government (Health), Government of Puducherry.	Chief Executive Officer, <i>Ex-officio</i> .
2	Secretary to Government (Labour), Government of Puducherry.	Member, <i>Ex-officio</i>
3	Director of Health and Family Welfare Services, Puducherry.	Member, <i>Ex-officio</i>
4	Mission Director, National Health Mission.	Member, <i>Ex-officio</i>
5	Senior/Junior Accounts Officer, Directorate of Health and Family Welfare Services.	Member, <i>Ex-officio</i>
6	State Nodal Officer, AB-PMJAY (Government of India Scheme)	Member, <i>Ex-officio</i>
7	State Nodal Officer, Union Territory Scheme.	Member-Secretary

**Union Territory Empanelment Committee**

6.6.3 *The composition of the State Empanelment Committee shall be as follows:*

1. Secretary to Government (Health), Government of Puducherry. . . Chairperson
2. Director of Health and Family Welfare Services, Puducherry . . Member
3. Specialist (Any 1 Member from the discipline of Medicine, Radiology, Surgery, Cardiology), Indira Gandhi Government General Hospital and Postgraduate Institute, Puducherry. (through Medical Superintendent, Indira Gandhi Government General Hospital and Postgraduate Institute, Puducherry). . . Member

4. Deputy Director (Public Health) in-charge of implementation of Clinical Establishment Regulation Act. . . Member
5. Nominee from the Insurance Company not below the rank of Additional General Manager or equivalent. . . Member

#### **District Empanelment Committee**

*6.6.4 The composition of the District Empanelment Committee shall be as follows:*

**(a) Puducherry District**

1. District Collector, Puducherry . . Chairperson
2. The Medical Superintendent, Indira Gandhi Government General Hospital and Postgraduate Institute, Puducherry. . . Member
3. The Medical Superintendent, Rajiv Gandhi Government Women and Children Hospital, Puducherry. . . Member
4. Specialist (through the Medical Superintendent, Indira Gandhi Government General Hospital and Postgraduate Institute, Puducherry). . . Member
5. The Deputy Director, Government General Hospital, Mahe. . . Member
6. The Deputy Director, Government General Hospital, Yanam. . . Member
7. Representative from Insurance Company . . Member

**(b) Karaikal District**

1. District Collector, Karaikal . . Chairperson
2. Deputy Director (Immunisation), Karaikal . . Member
3. Chief Medical Officer, CHC, Thirunallar . . Member
4. Representative from Insurance Company . . Member

6.6.5 The Union Territory Nodal Officer appointed by the Government of Puducherry shall Execute and Monitor the day to day activities of the programme.

*6.7 Powers, Rights And Duties Of The Executive Committee.*

6.7.1 Subject to the provisions of these regulations, the Committee shall have the following powers and duties and shall perform the following functions:

- (i) To take decision in any matter that may be referred to it by the Central / Union Territory Government or the Chairperson of the Agency;
- (ii) To make alter and revise the rules and regulations of the Agency;
- (iii) Sanctioning of Expenditure;
- (iv) Paying all costs and expenditure incurred for the promotion of establishment and registration of the Society;
- (v) To appoint persons to posts on Contract basis or on Outsourcing basis or on consolidated pay after obtaining the prior approval of the Government for creation of posts and posting of Staffs to the Society;
- (vi) Payment of honorarium or remuneration to the staff appointed by the Agency after obtaining the prior approval of the Government;
- (vii) To exercise control and discipline over the employees of the Society;
- (viii) To propose Bye-laws for any of the matters for which they may be made, for consideration and approval by the Governing Body;
- (ix) To purchase all articles including computers and accessories and materials necessary to the functioning of the Society with the approved budget;
- (x) To give advertisement for selection by tender procedures or for giving publicity of the Scheme.
- (xi) To initiate action to recover any amount due to the Society;
- (xii) To appoint from time to time, such committees as may be needed and to assign or delegate thereto such powers duties and functions as it may deem fit;

- (xiii) To arrange for the audit of the Society annually;
- (xiv) To do all steps necessary for keeping the list of BPL families/ APL families/EWS families/details of the workers in the unorganized sector in every district up to date;
- (xv) To present every year in proper time to the Governing Body, an annual report, an annual budget and audited annual accounts for its consideration and approval;
- (xvi) To perform all such acts and duties and exercise all such powers as may be delegated or assigned to it by the Governing Body; and
- (xvii) To delegate any or all of its powers to the Chief Executive Officer for furtherance of the objectives of the Agency.

6.8 *Quorum* : (i) Quorum for a meeting of the Governing Body shall be Five.

(ii) Quorum for a meeting of the Committee shall be three including the Chairperson

**7. Funds of the Society.**—7.1 *The funds of the Society shall consist of the following:*

(i) Grant-in-aid from the Union Territory Government and Central Government;

(ii) Grants, donations, contributions or other financial assistance from Quasi Governmental or Non-Governmental agencies or any other sources.

(iii) Receipts from disposal of assets.

(iv) The assets and liabilities of the Society merged into the integrated Society shall be subsumed within the new Society.

**8. Accounts and Audit.**—8.1 The Society shall cause regular accounts to be kept of all its monies and properties in respect of the affairs of the Society.

8.2 The Puducherry State Health Agency may cause two separate Bank Accounts in respect of Grant-in-aid account and administrative expenditure account for the Scheme as per the guidelines

of National Health Authority, Government of India, The Grant-in-aid account should maintain only the Grant-in-aid amount (Premium) to be paid to the Insurance company if in Insurance Mode, and settlement of claims if, the Union Territory is in Trust Mode, and the remaining amount should be transferred to the Admin account for recurring and non-recurring expenditures. The separate Accounts of AB-PMJAY/State Scheme could be audited by different auditors, and submitted to SHA.

8.3 The Puducherry State Health Agency shall operate separate Bank Accounts in respect of the Health Insurance Scheme or Health Protection Scheme implemented by the Government of Puducherry which will be operated as per guidelines of the Government of Puducherry.

8.4 The accounts of the Society shall be audited annually either by a Chartered Accountant firm included in the panel of Comptroller and Auditor General of India or any qualified person appointed by the Government of India/Union Territory Government and any expenditure incurred in connection with such audit shall be payable by the Society to the Auditors, The Office of the Accountant General of Union Territory Government may also, at its discretion, audit the accounts of the Society,

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

8.6 The report of such audit shall be communicated by the auditor to the Society, which shall submit a copy of the Audit Report along with its observation to the Union Territory Government.

8.7 *The Auditor shall also forward a copy of the report to the following:*

- (i) Puducherry State Health Agency which is the Designated Agency of ABPMJAY.
- (ii) Chairperson of the Governing Body of the Agency and Union Territory Government.

8.8 Utilization Certificates for the Grants-in-aid received from Government of India and Government of Puducherry shall be submitted to NHA/Ministry of Health and Family Welfare/concerned authorities prescribed by the Government of Puducherry along with the audited statement of account within a period of nine months from the date of closing of the financial year.

9. **Bank Account.**— 9.1 The Grant-in-aid account and Admin account of the Scheme shall be opened in a Nationalized Bank approved by the Executive Committee or in a Scheduled Commercial Bank as may be specified by the NHA /MoHFW/Government of India / Government of Puducherry. All funds shall be paid into the Grant-in-aid account with the appointed Bank and shall not be withdrawn except through a cheque, bill note, other negotiable instruments or through electronic banking (e-banking) procedures signed/electronically authorized by such authorities of the SHA as may be determined by the Executive Committee,

9.2 The Agency shall switch over to e-banking procedures as and when the Ministry of Health and Family Welfare, Government of India directs the Society to do so as the principal donor to the Society.

10. **Annual Report.**— 10.1 A draft annual report and the yearly accounts of the Society shall be placed before the Governing Body at next meeting for consideration and approval. A copy of the annual report and audited statement of accounts as finally approved by the Governing Body shall be forwarded within six months of the closure of a financial year to the following:

- (i) Chairperson, Governing Body, and
- (ii) Designated Authority of the Union Territory Government.

11. **Suits and Proceedings.**— 11.1 The Society may sue or be sued in the name of Society through its Chief Executive Officer,

11.2 No suit or proceedings shall abate by the reason of any vacancy or change in the holder of the office of the Chairperson or Chief Executive Officer or any Office Bearer authorised in this behalf.

11.3 Every decree or order against the Society in any suit or proceedings shall be executable against the property of the Society and not against the person or the property of the Chairperson, Chief Executive Officer or any Office Bearer of the Society.



12. **Amendments.**— 12.1 The Agency may amend these rules and regulation and/or the Memorandum of Association provided that such changes shall not alter the nature and/or the objectives and/or the purposes for which it has been set up, The proposals for any amendments shall be carried out only through the following process.

12.1.1 Proposals for amendments have been circulated to all Members of the Governing Body and have been duly included in the written agenda of the ensuing meeting of the Governing Body or a special meeting of the Governing Body;

12.1.2 The Governing Body has endorsed the proposal at least 3/5th of the Members of the Governing Body

13. **Dissolution.**— The Society shall be dissolved if, not less than three-fourths of the Members of the Society determine by resolution that it shall be dissolved, and thereupon it shall be dissolved with the consent of the Government and all necessary step shall be taken for the disposal and settlement of the properties to the Society, its claims and liabilities according to law.

14. **Miscellaneous.**—

14.1 *Contracts:*

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

14.1.2 No contracts for the sale, purchase or supply of any goods and material shall be made for and on behalf of the Society with any Member of the Society or his/her relative or firm in which such member or his/her relative is a partner or shareholder or any other partner or shareholder of a firm or a private company in which the said Member is a Partner or Director,

14.1.3 All orders and decision of the Agency shall be authenticated by the signatures of the Chairperson/Chief Executive Officer and all instruments shall be authenticated by the signature of the Director of Health and Family Welfare Services/State Nodal Officer appointed for implementation the Scheme.

**Common Seal:** The Society shall have common seal of such make and design as the Governing Body may approve.

14.2 *Government Power To Review:*

14.2.1 Notwithstanding anything to the contrary contained in these rules, the Union Territory Government and/or Ministry of Health and Family Welfare may appoint one or more persons to review the work and progress of the Society and hold enquiries into the affairs thereof, and report thereon. The Central/Union Territory Government may also cause the accounts of the Society to be audited by the internal audit parties of the Chief Controller of Accounts, Ministry of Health and Family Welfare, Government of India or do Management Audit through the Financial Management Group, and issue directions, as deemed appropriate, to the Agency.

14.2.2 The Chairperson of the Governing Body shall have the right to nominate one or more persons to be part of the review/enquiries.

14.2.3 The progress review report and or enquiry reports shall be included in written agenda of ensuring meeting of the Governing Body.

We, the undersigned being the Members of the first Governing Body of the State Health Agency of the Union territory of Puducherry, certify that the above is a true copy of the rules and regulations of the said Society.

Sl. No.	Name	Designation and Official Address	Status in Agency	Signature
(1)	(2)	(3)	(4)	(5)
1	Shri. Rajeev Verma, I.A.S.	Chief Secretary to Government	Chairperson,	Sd./-
			<i>Ex-officio.</i>	

(1)	(2)	(3)	(4)	(5)
2	Shri. Prashant Goyal, I.A.S.	Development Commissioner -cum-Principal Secretary to Government.	Member, <i>Ex-officio.</i>	Sd./-
3	Shri. Prashant Goyal, I.A.S.	Secretary to Government (Information Technology).	Member, <i>Ex-officio.</i>	Sd./-
4	Shri. C. Udaya Kumar, I.A.S.	Secretary to Government (Health).	Chief Executive Officer, <i>Ex-officio.</i>	Sd./-
5	Shri. C. Udaya Kumar, I.A.S.	Secretary to Government (Civil Supplies and Consumer Affairs).	Member, <i>Ex-officio.</i>	Sd./-
6	Shri. S.D. Sundaresan, I.A.S.	Secretary to Government (Labour).	Member, <i>Ex-officio.</i>	Sd./-
7	Shri. L. Mohamed Mansoor	District Collector, Karaikal.	Member, <i>Ex-officio.</i>	Sd./-
8	Shri. Aman Sharma	Regional Administrator, Yanam.	Member, <i>Ex-officio.</i>	Sd./-
9	Shri. Shivraj Meena	Regional Administrator, Mahe.	Member, <i>Ex-officio.</i>	Sd./-
10	Dr. G. Sriramulu	Director of Health and Family Welfare Services, Puducherry.	Member, <i>Ex-officio.</i>	Sd./-

(1)	(2)	(3)	(4)	(5)
11	Dr. G. Sriramulu	Mission Director Puducherry State Health Society.	Member, <i>Ex-officio.</i>	Sd./-

Place : Puducherry

Date :

#### BYE-LAWS OF THE PUDUCHERRY STATE HEALTH AGENCY

**A. Procurement Policy and Procedures :** Procurement of goods and services will be done as per the procedures recommended by the Government of India and Government of Puducherry.

**B. Procedure for release of funds:** Funds would be ordinarily released from the Government of Puducherry to the Puducherry State Health Agency as Grant-in-Aid in instalments after obtaining sanction of the Competent Authority through presenting of bills to the Directorate of Accounts and Treasuries, Puducherry. The Society funds shall be drawn through Cheques and/or Bank Drafts or through e-banking mechanism as and when the same is introduced.

All cheques should be signed by two authorized signatories comprising of State Nodal Officer, AB-PMJAY/State Scheme and Senior /Junior Accounts Officer, DHFWS.

All releases will be made on the basis of a written authorization from the State Nodal Officer of AB-PMJAY programme.

Wherever, releases are decided to be made through Bank Drafts and/or through e-banking, the authorization letter to the Bank shall be signed by the concerned authorized signatories.

*Note:* Wherever, under e-banking procedures, releases are to be made through electronic authorization to the Bank to issue Cheque/ Draft/account transfer on behalf of the Agency, the electronic authorization will be executed by the same two authorized functionaries who have been authorized to sign Cheques on the basis of a written authorization from the State Nodal Officer of AB-PMJAY/Government of Puducherry,

**C. Financial Powers of the Office Bearers of the Society (Governing Body, Executive Committees), Chief Executive Officer and Union Territory Government Nodal Officer of the Scheme.**

Type of expenditure (1)	Authority (2)	Extent of power (3)
<b>A:</b> Release of funds to Hospitals/Hospital Societies, Block Medical Officers and other implementing agencies as per State Government approved norms and/or proposals approved by State Government.	State Nodal Officer of the Health Protection Scheme.	Full powers
<b>B:</b> Release of funds for implementation of plans/allocations approved by Governing Body/Executive Committee, as approved by the Executive Committee.		
<b>C-1:</b> Procurement of goods.	Chief Executive Officer.	More than ₹ 2.00 lakh and up to ₹ 6.00 lakh per case.
<b>C-2:</b> Repairs and minor civil works.		
<b>C-3:</b> Procurement of services for specific tasks including outsourcing of support services.	State Nodal Officer/ Director (Health).	Up to ₹ 2.00 lakh per case.
<b>C-4:</b> Miscellaneous items not mentioned above such as hiring of taxis, hiring of auditors, meetings and workshops, training, purchase of training material/ books and magazines, payment of TA/DA allowances for contractual staff and/or non-official invitees to meetings at Head Quarters and/or officials deputed to meetings outside the District.	Chief Executive Officer.	Up to ₹ 1.00 lakh at a time subject to a maximum of ₹ 10 lakh per annum.
	Director (Health)	Up to ₹ 50,000 at a time, subject to a maximum of ₹ 5.00 lakh per annum.
	Union Territory of Government Nodal Officer.	Up to ₹ 5,000 at a time, subject to a maximum of ₹ 1.00 lakh per annum.

### D. Human Resources Policy and Procedures

D-1: *Recruitment and Appointment:* Recruitment and appointment would be through either of the following two routes.

(i) Appointments from open market: All such appointments will be on contractual basis for a fixed tenure.

(ii) Appointments on Deputation basis: All such appointments will be regulated in terms of Union Territory Government rules relating to Deputation.

(iii) Recruitment may be made by the Puducherry State Health Agency from open market on contractual basis.

(iv) Recruitment on deputation basis may be determined by the Puducherry State Health Agency.

(v) All appointments will be temporary basis either made on contract or deputation basis for a fixed period as determined by the Union Territory Government.

D-3: *Compliance of Statutory Requirements:* The Society shall register itself with relevant Government agencies for the purpose of complying with the statutory requirements including regulations governing deduction of tax at source relating to the staff, consultants, settlement of Claims to Hospitals and experts employed by it and/or consultancies/ contracts awarded by it in the course of performance of its tasks.

Sl. No.	Name	Designation and Official Address	Status in Society	Signature
(1)	(2)	(3)	(4)	(5)
1	Shri. Rajeev Verma, I.A.S.	Chief Secretary to Government	Chairperson,	Sd./- <i>Ex-officio.</i>
2	Shri. Prashant Goyal, I.A.S.	Development Commissioner -cum-Principal Secretary to Government.	Member,	Sd./- <i>ex-officio.</i>

(1)	(2)	(3)	(4)	(5)
3	Shri. Prashant Goyal, I.A.S.	Secretary to Government (Information Technology).	Member, <i>ex-officio</i> .	Sd./-
4	Shri. C. Udaya Kumar, I.A.S.	Secretary to Government (Health).	Chief Executive Officer, <i>ex-officio</i> .	Sd./-
5	Shri. C. Udaya Kumar, I.A.S.	Secretary to Government (Civil Supplies and Consumer Affairs).	Member, <i>ex-officio</i> .	Sd./-
6	Shri. S.D. Sundaresan, I.A.S.	Secretary to Government (Labour).	Member, <i>ex-officio</i> .	Sd./-
7	Shri. L. Mohamed Mansoor	District Collector, Karaikal.	Member, <i>ex-officio</i> .	Sd./-
8	Shri. Aman Sharma	Regional Administrator, Yanam.	Member, <i>ex-officio</i> .	Sd./-
9	Shri. Shivraj Meena	Regional Administrator, Mahe.	Member, <i>ex-officio</i> .	Sd./-
10	Dr. G. Sriramulu	Director of Health and Family Welfare Services, Puducherry.	Member, <i>ex-officio</i> .	Sd./-
11	Dr. G. Sriramulu	Mission Director, Puducherry State Health Society.	Member, <i>ex-officio</i> .	Sd./-

Place : Puducherry

Date :

*Witnesses:*

- (1) Signature : Sd./-  
Name : S. Siva  
Detail Address : Private Secretary to Director of Health and  
Family Welfare Services,  
Puducherry.  
Occupation :
- (2) Signature : Sd./-  
Name : Dr. S. Chitradevi  
Detail Address : Project Director,  
Pondicherry AIDS Control Society,  
Puducherry.  
Occupation :
- \_\_\_\_\_