



ABSTRACT

National AYUSH Mission -Constitution of State Ayush Society – Orders -Issued.

G.O(Ms).No.394

Health and Family Welfare (IM2-2) Department

Dated: 12.12.2014

திருவள்ளூர் ஆண்டு – 2045

ஜய, கார்த்திகை -26

Read:

From the Director, Government of India, Department of Ayurveda, Yoga and Naturopathy, Unani Siddha and Homoeopathy (AYUSH) Ministry of Health and Family Welfare, F.No. R.14011/02/2014-H&D Cell, dated 10.10.2014.

ORDER:

The Director, Department of Ayurveda Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH), Ministry of Health and Family Welfare, New Delhi has informed that the Government of India has approved the National AYUSH Mission comprising the components of AYUSH Health Service, AYUSH Educational Institutions, Quality Control of Ayurveda, Siddha, Unani and Homoeopathy Drugs and Promotion of Medicinal Plants. The Mission at State level will be steered by a State /UT AYUSH Society. The State/ UT. AYUSH Society will have a Governing Body and Executive Body. The Director, Government of India has also forwarded the draft Instructions/Guidelines for the formation of State AYUSH Society and members to be appointed for the Governing Body and Executive Body. The Director, Government of India has requested to constitute the Governing and Executive bodies for expeditious transaction of financial releases further down to the implementing agencies and to Register the Sate AYUSH Society. Hence, Government of India has recommended to take following actions at the state level.

- a. Constitution of the State AYUSH Society
- b. Registration of the State AYUSH Society

2. The Government of India have also forwarded general guidelines for the constitution of the State AYUSH Society, General Memorandum of Association, Rules and regulations and Bye-Laws.

3. As per the direction of Government of India, the Government direct that a State Ayush Society be constituted with a Governing Body and Executive Committee for the State AYUSH Society with the following members.

a. Governing Body of State AYUSH Society

1.	Chief Secretary	Chairperson
2.	Secretary, Health and Family Welfare Department	Member – Secretary
3.	Principal Secretary, Finance Department,	Member
4.	Principal Secretary, Planning Development and Special Initiatives Department,	Member
5.	Principal Secretary, Environment and Forest Department,	Member
6.	State Mission Director, National Health Mission	Member
7.	Commissioner of Indian Medicine and Homoeopathy	Member
8.	State Licensing Authority (IM)	Member

Terms of reference:

The Governing body of state AYUSH Society will meet at least once in six months to carry out the following business:

- i. Providing AYUSH System overview
- ii. Review of AYUSH policy and programme implementations in the State,
- iii. inter-sectoral co-ordination.
- iv. Advocacy measures required to promote AYUSH visibility and approval of State Annual Action Plan (SAAP)

b. Executive Committee of State AYUSH Society:

1	Secretary, Health and Family Welfare	Chairperson
2	Commissioner of Indian Medicine and Homoeopathy,	Member Secretary
3.	State Mission Director, National Health Mission	Member
4.	Representative of Finance and Planning Departments	Member
5	Director of Horticulture or his Nominee	Member
6	Chief Conservator of Forests or his nominee	Member
7	State Licensing Authority (Indian Medicine)	Member
8.	Joint Director of Indian Medicine and Homoeopathy	Member

Terms of reference:

The Committee will meet at least once in every month to carryout the following business.

- i. Review of detailed expenditure and implementation of Mission
- ii. Preparation of State Annual Action Plan

- iii. Follow up action on decision of the Governing Body
- iv. Monitoring, evaluation and maintenance of accounts of the society and
- v. Administration of the society

4. The memorandum of Association, Rules and Regulations and By laws of the State AYUSH Society are annexed to this order. The Commissioner of Indian Medicine and Homoeopathy is directed to take action to register the State AYUSH Society, Tamil Nadu under Tamil Nadu Societies Registration Act 1975.

(BY ORDER OF THE GOVERNOR)

**J. RADHAKRISHNAN
SECRETARY TO GOVERNMENT.**

To

The Commissioner of Indian Medicine and Homoeopathy, Chennai -106

The Principal Secretary, Finance Department, Chennai-9

The Principal Secretary, Planning Development and Special Initiatives Department, Chennai-9

The Principal Secretary, Environment and Forest Department, Chennai

The Mission Director, National Health Mission, Chennai-6

The Director of Horticulture , Chennai-5

The Chief Conservator of Forests Chennai-15

The State Licensing Authority (IM)Chennai-106,

The Joint Director, Indian Medicine and Homoeopathy , Chennai-106.

Copy to:

The Director, Department of Aurveda, Yoga, Naturopathy, Unani, Siddha and Homoeopathy (AYUSH), Ministry of Health and Family Welfare AYUSH Bhawan, B Block, GPO complex, INA New Delhi 110023

The Senior PA to Hon'ble Minister for Health, Chennai-9

The P.S to Chief Secretary to Government, Chennai-9

The P.S to Secretary to Government, Health and Family Welfare Department, Chennai-9

✓ The Health and Family Welfare (Data Cell) Department, Chennai-9
Sf/Scs

/FORWARDED BY ORDER/

J. Arundha
12.12.14
SECTION OFFICER

(To G.O(Ms).No.394, Health and Family Welfare (IM2-2) Department, dated 12.12.2014)

MEMORANDUM OF ASSOCIATION

Tamil Nadu AYUSH Society

1.	Name of the Society	The Name of the Society shall be "State AYUSH Society (Tamil Nadu)" hereinafter referred to as the "Society".
2.	Area of operation	The area of operation of the Society shall be whole of the State of Tamil Nadu
3.	Location	The Society shall have its office at the Directorate of Indian Medicine, Anna Hospital, Campus, Arumbakkam Chennai - 600 106. in the State of Tamil Nadu with liberty for it to establish one or more subordinate offices or outlets elsewhere in the State, if so required.
4.	Objectives	The Society shall serve in an additional managerial and technical capacity to the Department of AYUSH, Government of Tamil Nadu for the implementation of National AYUSH Mission (NAM) in the State
5.	Scope of functions	<p>To achieve the above objectives, the Society shall direct its resources towards performance of the following key tasks:</p> <ul style="list-style-type: none">• Receive, manage (including disbursement to implementing agencies e.g. Directorate, District Societies, NGOs etc.) and account for the funds received from the Department of AYUSH, Ministry of Health & Family Welfare, Government of India.• Manage the NGO / PPP (publicprivate partnership) components of the NAM in the State, including execution of contracts, disbursement of funds and monitoring of performance.• Function as a Resource Centre for the Department of AYUSH in policy/situational analysis and policy development (including development of operational guidelines and preparation of policy change proposals for the consideration of Government).• Mobilize financial /non-financial resources for complementing/supplementing the NAM activities in the State.• Organize training, meetings, conferences, policy review studies / surveys, workshops and inter-State exchange visits etc. for deriving inputs for improving the implementation of NAM in the State.• Undertake such other activities for strengthening NAM in the State as may be identified from time to time, including mechanisms for intra and inter-sectoral convergence of inputs and structures. <p>For performing the above tasks, the Society shall:</p> <ul style="list-style-type: none">• Establish and carry out the administration and

		<p>management of the Society's Secretariat, which will serve as the implementation arm of the Society.</p> <ul style="list-style-type: none"> • Create administrative, technical and other posts in the Secretariat of the Society as deemed necessary. • Establish its own compensation package and employ, retain or dismiss personnel as required. • Establish procurement procedures as contained in Government of India Guidelines in case wherever it is exclusively mentioned and establish procurement procedure as per the prevalent codal formalities of the State/U.T. Government in other cases and employ the same for procurement of goods and services. • Make rules and bye-laws for the conduct of the activities of the Society and its Secretariat and add, rescind or vary them from time to time, as deemed necessary.
6.	First members of the Governing Body	The names, addresses, occupations and designations of the First Members of the Governing Body of the Society 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:

S.No	Status of Governing Body	Name / Designation
1.	Chairperson	Chief Secretary
2	Member Secretary	Secretary to Government, Health and Family Welfare Department, Chennai-9.
3	Member	Principal Secretary to Government, Finance Department, Chennai-9
4.	Member	Principal Secretary to Government, Planning Development and Special Initiatives Department, Chennai-9
5.	Member	Principal Secretary to Government Environment and Forest Department Chennai-9.

6.	Member	Mission Director, National Health Mission, Chennai -6.
7.	Member	Commissioner, Indian Medicine and Homoeopathy, Chennai-106
8.	Member	State Ayush Drug Licensing Authority

Executive Body

S.No	Status in Executive Body	Name / Designation
1	Chairperson	Secretary to Government, Health and Family Welfare Department, Chennai-9.
2.	Member Secretary	Commissioner, Indian Medicine and Homoeopathy, Chennai-106
3.	Member	Mission Director, National Health Mission, Chennai-6
4	Member	Director of Horticulture, Chepaukam, Chennai-5
5	Member	Chief Conservative of Forest, Panugal Building, Saidapet, Chennai-15
6.	Member	State Ayush Drug Licensing Authority Arumbakkam, Chennai-106.
7	Member	Joint Director, Indian Medicine and Homoeopathy Arumbakkam, Chennai-5.

A copy of the rules of the Society certified to be a correct copy by three members of the Governing Body is filed along with this Memorandum of Association.

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 2014 at...

Sl. No.	Name	Occupation and address	Status in society	Signature	Attested by
1.			Secretary, Health and Family Welfare Department,		
2.			Commissioner of Indian Medicine and Homoeopathy		
3.			Mission Director, National Health Mission		
4.			Joint Director, Commissioner of Indian Medicine and Homoeopathy		
5.					
6.					

J. RADHAKRISHNAN
SECRETARY TO GOVERNMENT

//True Copy//

J. Arudha
12.12.14
SECTION OFFICER

(To G.O(Ms).No.394, Health and Family Welfare (IM2-2) Department, dated 12.12.2014)

State AYUSH Society, Tamil Nadu

The Rules and regulations

1. Short title

1. These Rules and Regulations shall be called" The Rules and Regulations of the State AYUSH Society Tamil Nadu 2014."
2. These Rules shall come into force with effect from the date of registration of the Society by the Registrar of Societies.

2. Definitions

In the interpretation of these Rules and Regulations, the following expressions shall have the following meaning unless inconsistent with subject or context:

- i. Act means the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act,27 of1975).
- ii. "SAS" means the State AYUSH Society, Tamil Nadu
- iii. 'Central Government' means the Government of India.
- iv. 'Chairperson means' the Chairperson of the Governing Body of the Society.
- v. 'Executive Committee' means the Executive Committee of the Society.
- vi. 'Executive Secretary' means the Executive Secretary of the Society.
- vii. 'Governing Body' means the Governing Body of the Society.
- viii. 'Member' means the Member of the Society.
- ix. 'Rules' means these Rules and Regulations registered alongwith the memorandum of Association and as may be amended by the Governing Body of the Society from time to time.
- x. 'Secretariat' means the Secretariat of the Society.
- xi. 'State' Government means the Government of Tamil Nadu
- xii. 'Year' means the financial year of the State Government of Tamil Nadu

3. Office

1. Registered office of the Society shall be situated in the premises of Directorate of Indian Medicine and Homoeopathy located at the Anna Hospital Campus, Arumbakkam, Chennai 106.
2. The Society may set up its branch offices in the State.

4. Membership

1 The following shall be the members of the Society:

- i. The Chief Secretary
- ii. The Secretary to Government, Health and Family Welfare Department, Chennai-9
- iii. The Principal Secretary, Finance Department, Chennai -9.
- iv. The Principal Secretary, Planning Development and special Initiative Department, Chennai-9
- v. The Principal Secretary, Environment and Forest, Chennai-9
- vi. The mission Director, National Health Mission, Chennai -6
- vii. The Commissioner, Indian Medicine and Homoeopathy, Chennai -106
- viii. The State Licensing Authority(Indian Medicine), Chennai -106

2. The membership of an ex-officio member of the Society and of the Governing Body shall terminate 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.
3. Non official members of the Society will be nominated by the Chairperson in consultation with other members 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.
4. The Society 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. 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 s/he was holding the membership.
6. Resignation of membership shall be tendered to the Governing Body in person to its Executive Secretary and shall not take effect until it has been accepted on behalf of the Governing Body by the Chairperson.
7. If a member of the Society changes his/her address he/she shall notify his/her new address to the Executive Secretary 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.
8. Any vacancy in the Society or in the Governing Body shall be filled by the authority entitled to make such appointment. No act or proceedings of the Society 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.

9. No member of the Governing Body, except the Executive Secretary to be appointed as per these Rules, shall be entitled to any remuneration.

5. Funds of the Society

- 1 The funds of the Society shall consist of the following:
 - Grants-in-Aid received from the Government of India through State Consolidated funds.
 - Grants-in-Aid from the State Government.
 - Receipts from disposal of assets.

6. Accounts and Audit

- 1 The Society shall cause regular accounts to be kept of all its monies and properties in respect of the affairs of the Society
- 2 The Executive Committee may cause separate Bank Account for implementation of different components of NAM including flexible pool of funds. The Governing Body shall prescribe written instructions relating to submission of Statement of Expenditure (SoE) for each components of NAM. The separate Accounts of different components could be audited by different auditors, and submitted to Programme Units separately. However, the SPMU will ensure one integrated audit of the State AYUSH Society.
- 3 The accounts of the Society shall be audited annually 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/State Government and any expenditure incurred in connection with such audit shall be payable by the Society to the Auditors from the administration expenditure. The Office of the Accountant General of State may also, at its discretion, audit the accounts of the society.
- 4 The Chartered Accountant or any qualified person appointed by the Govt. of India/State Government in connection with the audit of the accounts of the Society shall have the same rights, privileges and authority in connection with such audit as the Auditor General of the State has in connection with the audit of Government accounts and in particular shall have the right to demand the production of books, accounts, connected vouchers and other necessary documents and papers.
- 5 The report of such audit shall be communicated by the auditor to the Society, which shall submit a copy of the Audit Report alongwith its observation to the State Government.
6. The Auditor shall also forward a copy of the report to the Chairperson of the Society.

7. Bank Account

1. The account of the State AYUSH Society shall be opened in a bank approved by the Executive Committee. All funds shall be paid into the Society's 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 authorised by such authorities of the Society Secretariat as may be determined by the Executive Committee.
2. The Society shall switch over to e-banking procedures as and when the MoHFW, Government of India directs the Society to do so as the principal donor to the Society.
3. The Executive Committee of the State AYUSH Society shall authorise its member secretary to operate the accounts of the Society in conjunction with another senior official as may be decided by the Committee.

8. Annual Report

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 Chairperson of the Governing Body.

9. Suits and Proceedings

1. The Society may sue or be sued in the name of Society through member secretary of its Governing body.
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 Member Secretary or any office bearer authorised in this behalf.
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, Member Secretary or any office bearer of the Society.
4. Nothing in sub-rule 10.3 above shall exempt the Chairperson, Member Secretary or office bearer of the Society from any criminal liability or entitle him/her to claim any contribution from the property of the Society in respect of any fine to be paid by him/her on conviction by a criminal court.

10. Amendments

1. The Society may alter or extend the purpose for which it is established and/or the Rules of the Society.
2. The proposition for any alteration or extension to the objectives of the Society and / or the Rules must be circulated to all members of the Governing Body and must be

included in the written agenda of the ensuing meeting of the Governing Body or a special meeting of the Governing Body.

3. No amendments shall be effective unless the proposals in this regard have been endorsed by 3/5th of the members of the Governing Body provided that either during the meeting of the Governing Body or through a written communication.

11. Dissolution

1. The Governing Body may resolve to dissolve the Society by bringing a proposal to that effect in a special meeting to be convened for the purpose.
2. Upon the dissolution of the Society, all assets of the Society, after the settlement of all its debts and liabilities, shall stand reverted to the State/U.T. Government of for such purposes as it may deem fit.

12. Miscellaneous

1 Contracts

- i. 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 authorised by the Governing Body.
- ii. 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.

2. Common Seal

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

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 and experts employed by it and/or consultancies / contracts awarded by it in the course of performance of its tasks.

4. Government Power to Review

- i. Notwithstanding anything to the contrary contained in these Rules, Department of AYUSH, Ministry of Health & FW, Government of India, as the principal donor to the Society, 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, get the accounts of the society audited by the internal audit parties of the Chief controller of Accounts, MoHFW, GoI, and issue directions, as deemed appropriate, to the Society.

- ii. The Chairperson of the Governing Body shall have the right to nominate one or more persons to be part of the review / enquiries
- ii. The progress review reports and / or enquiry reports shall be included in the written agenda of the ensuing meeting of the Governing Body.

We, the undersigned being three of the members of the first Governing Body of the State/U.T.AYUSH Society, (State/U.T. name) certify that the above is a correct copy of the Rules and Regulations of the said Society.

Sl. No.	Name and address	Signature
1.		
2.		
3.		

Dated: _____

J. RADHAKRISHNAN
SECRETARY TO GOVERNMENT

//True Copy//

J. Arredha
12.12.16
SECTION OFFICER

(To G.O(Ms).No.394, Health and Family Welfare (IM2-2) Department, dated 12.12.2014
Bye-laws of the State AYUSH Society, Tamil Nadu.

A. Procurement Policy and Procedures

Procurement of goods and services to be financed from funds received from Government of India shall be done as per the procedures laid down in the guidelines of NAM.

In all other cases, where no guidelines is prescribed, including where the GoI allows the State a choice, following order of preference shall be applied for procurement of goods and services

Procurement of Goods:

- Rate contracts of the DGS&D, failing which,
- Rate contracts of other GOI agencies, like CGHS/NHM/ESIC failing which,
- Tender procedure to Government of Tamil Nadu.

Procurement of services: Procedure as stipulated in General Financial Rules of Government of India.

B. Procedure for release of funds and Financial Powers of the Office Bearers of the Governing/Executive Committee

Classification of Items of Expenditure and Financial powers of the bodies and office bearers of the Society

Activity	Authority	Extent of power
A: Approval of State Annual Action Plan (SAAP) within approved annual resource envelope	Governing Body through the recommendation of Executive Committee	Full powers
B: Release of funds for implementation of plans / allocations which have been approved by Governing Body and Central Government.	Member Secretary of Executive committee, State/U.T.AYUSH Society	Full powers.
C : Expenditure proposals not covered under categories A and/or B		
1: Procurement of goods	Chairperson of Executive Committee, State AYUSH Society	More than Rs 5.00 lakh and uptoRs. 10.00 lakh per case.
2: Repairs and minor civil works		
3: Procurement of services for specific tasks including		
	Member Secretary of	UptoRs. 5.00 lakh per case.

<p>outsourcing of support services for the Directorate following Government of India guidelines, wherever available and following State Codal procedures wherever GOI guidelines are not available.</p>	<p>Executive committee, State AYUSH Society</p>	
<p>4: Outsourcing/Hiring of contractual staff within approved administrative budget.</p>	<p>Chairperson, Executive Committee, State AYUSH Society</p>	<p>Full powers.</p>
<p>5 : Miscellaneous items not mentioned above such as hiring of taxis, hiring of auditors, payments relating to documentation and other day-to-day services, meetings and workshops, training, purchase of training material/ books and magazines, payment of TA/DA and honoraria to resource persons and guest speakers invited to meetings / workshops, and payment of TA/DA allowances for contractual staff and/or non-official invitees to Governing Body /Executive Committee meetings and/or Government/ Society staff deputed to meetings outside the State.</p>	<p>Chairperson, Executive Committee, State AYUSH Society Member Secretary of Executive committee, State AYUSH Society</p>	<p>UptoRs. 5.00 lakh at a time subject to a maximum of Rs. 50 lakh per annum. UptoRs 2.00 lakh at a time, subject to a maximum of Rs. 25.00 lakh per annum.</p>

Procedure for release of funds

The Society funds shall be paid through cheques and/or bank drafts and/or through e-banking instruments.

All cheques shall be signed by two authorised signatories of the Society Secretariat on the basis of a written authorisation from Executive Committee of the Society in this behalf.

Wherever releases are decided to be made through bank drafts and/or through e-banking, the authorisation letter to the bank shall be signed by the concerned authorised signatories.

Wherever, under e-banking procedures, releases are to be made through electronic authorisation to the bank to issue cheque/draft/account transfer on behalf of the Society, the electronic authorisation will be executed by the same two authorised functionaries of the Society Secretariat who have been authorised to sign cheques on the basis of a written authorisation in this behalf.

Review / revision of financial powers

The Executive Committee may review and revise the financial powers of the office bearers of the bodies of the Society on an annual basis and revise the same, if considered necessary.

C. Human Resource Policy and Procedures

Recruitment and Appointment:

No regular appointment should be made by the State AYUSH Society.

- i. Appointments for the State Programme Management Unit (SPMU) shall be made only on outsourcing basis and the expenditure of their salary shall be met out of admissible administrative and managerial cost for the mission. The State Programme Management Unit (SPMU) will provide the technical support to the implementation of National AYUSH Mission in the state through its pool of skilled professionals.
- ii. All other appointment would be on outsource basis / contractual and central Government's liability will be limited only to the extent of financing Central share admissible for administrative and management costs on salary head for the mission period on year to year basis.

J. RADHAKRISHNAN
SECRETARY TO GOVERNMENT

//True Copy//

J. Anandha 12.12.16
SECTION OFFICER