

# **Sri Venkateswara Institute of Medical Science University Act, 1995**

ANDHRA PRADESH

India

## **Sri Venkateswara Institute of Medical Science University Act, 1995**

### **Act 12 of 1995**

- Published on 16 February 2019
- Commenced on 16 February 2019
- [This is the version of this document from 17 February 2019.]
- [Note: The original publication document is not available and this content could not be verified.]

1. [Amended by Sri Venkateswara Institute of Medical Sciences University (Amendment) Act, 2019 (Act 2 of 2019) on 17 February 2019]

Sri Venkateswara Institute of Medical Science University Act, 1995(Act No. 12 of 1995)Last Updated 22nd October, 2019[Dated 13.2.1995]An Act to declare Sri Venkateswara institute of medical sciences, Tirupathi as University by law and for matters connected therewith or incidental thereto;Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-sixth Year of the Republic of India, as follows :-

### **1. Short title and commencement.**

(1)This Act may be called Sri Venkateswara Institute of Medical Science University Act, 1995.(2)It shall be deemed to have come into force on the 8th September, 1994.

### **2. Definitions.**

- Definition In this Act, unless the context otherwise requires,(a)[ 'Chairman-cum-Chancellor' means Chairman-cum-Chancellor referred to in section 8;] [Substituted by Act No. 9 of 2013, dated 5.7.2013.](b)[ 'Director-cum-Vice-Chancellor' means the Director-cum-Vice-Chancellor appointed under section 17;] [Substituted by Act No. 9 of 2013, dated 5.7.2013.](c)'Fund' means the fund referred to in section 26,(d)'Governing Council' means Governing Council Constituted under section 9;(e)'Government' means the State Government of Andhra Pradesh;(f)'Institute' means Sri Venkateswara Institute of Medical Sciences, Tirupathi established under section 3;(g)'member' means a member of Sri Venkateswara Institute of Medical Sciences;(h)'notification' means a notification published in the Andhra Pradesh Gazette;(i)'prescribed' means prescribed by rules

made by the Government under this Act;(j)'regulation' means a regulation made by the Institute under this Act;(k)'teacher' includes a Professor, Additional Professor' Associate Professor, Assistant Professor, Lecturer or any other person appointed under this Act for the conduct of training, research, or imparting medical or paramedical education in the Institute ;(l)'University' means Sri Vonbatoswara Institute of Medical Sciences referred to in section 3.

### **3. Declaration of Sri Vonbatoswara Institute of Medical Sciences as University.**

(1)As soon as may be after the commencement of this Act, the Government may by notification, declare that Sri Vonbatoswara Institute of Medical Sciences, Tirupathi registered as a society under the Societies Registration Act, 1860 (Central Act 21 of 1860) as University.(2)The Institute shall function as an University established under a State Act and funded and maintained by the Tirumala Tirupathi Devasthanams, Tirupathi, as per section 111(4) (ii) of the Andhra Pradesh Charitable and Hindu Religious Institutions, and Endowments Act, 1987, (Act 30 of 1987) read with the Second Scheduled thereof.(3)The Institute shall be a body corporate having perpetual succession and a common seal and shall use and be used by the said corporate name:(4)In all suits and other legal proceedings by or against the Institute the pleadings shall be signed and verified by the Register and all process in such suits and proceedings shall be issued to and on the Registrar.

### **4. Objects of the Institute.**

- The objects of the Institute shall be,-(a)to create a centre of excellence for providing medical care, educational and research facilities of a high order in the field of medical sciences in the existing super-specialities and such other super-specialities as may develop in future, including continuing medical education and hospital administration ;(b)to develop patterns of teaching in post-graduate level and in super-specialities so as to set a high standard of medical education ;(c)to provide for training in paramedical and all fields, particularly in relating to super-specialities ;(d)to function as a referral hospital ;(e)to provide for post-graduate teaching and conduct of research in the relevant disciplines of modern medicine and other allied sciences, including inter-disciplinary fields of Physical and Biological Sciences.

### **5. Powers and functions of the Institute.**

- The Institute shall have the following powers and functions, namely :-(a)to conduct experiments in new method of medical education, in order to achieve at a satisfactory standard of such education;(b)to prescribe, courses and curricula to post-graduate studies ;(c)to give training to teachers for imparting medical education;(d)to hold examination and grant such degrees, diploma or other academic distinctions and titles in post-graduate medical education as may be laid down in the regulations ;(e)to receive grants from the Government and gifts, donations benefactions, bequests and transfer of properties, both movable and immovable from donors, benefactors, testators or transferors as the case may be ;(f)to deal with property belonging to or vested in the Institute in any manner which is considered necessary for promoting the objects of the Institute

;(g)to demand and receive such fees as may be laid down by the regulations ;(h)to co-operate with other Institutions in the conduct of research and higher education in medical fields ;(i)to take decisions on questions of policy relating to the administration of the affairs and working of Institute;(j)to appoint officers, teachers and other employees as are necessary for carrying out the functions of the institute in accordance with this Act and the rules and regulations made thereunder;(k)to do such other acts and things as may be necessary to (sic) the objects of the Institute;

## **6. Authorities of the Institute.**

- The following shall be the authorities of the Institute;(a)the Governing Council ;(b)the Executive Board ;(c)the Academic Senate ; and(d)the Finance Committee.

## **7. Officers of the Institute.**

- The following shall be the Officers of the Institute, namely : -(a)[ the Chairman-cum-Chancellor;] [Substituted by Act No. 9 of 2013, dated 5.7.2013.](b)the first Vice-Chairman (Minister, Health, Medical and Family Welfare);(c)the second Vice-Chairman (Chairman, Tirumala Tirupathi Devasthanams);(d)[ the Director-cum-Vice-Chancellor;] [Substituted by Act No. 9 of 2013, dated 5.7.2013.](e)the Dean ;(f)the Registrar ; and(g)such other persons as may be proscribed to the office; s of the Institute.

## **8. The [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.].**

(1)The Chief Minister of Andhra Pradesh shall be the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] of the Institute.(2)The [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] shall after every three years, cause to be reviewed the progress of the Institute, in such manner as he thinks fit.

## **9. Governing Council.**

- There shall be a Governing Council consisting of the following members, namely :-(1)the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] ;(2)First Vice-Chairman who shall be the Minister incharge of Medical, Health and Family Welfare ;(3)the Second Vice-Chairman, who shall be the Chairman of Tirumala Tirupathi Devasthanams, Tirupathi;(4)the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] the Institute ;(5)the Secretary to Government, Health, Medical and family Welfare or an officer not below the rank of Deputy Secretary to Government nominated by the Secretary ;(6)the Secretary to Government, Finance and Planning (Finance Wing) or an officer not below the rank of Deputy Secretary to Government nominated by the Secretary ;(7)the Executive Officer, Tirumala Tirupathi Devasthanams, Tirupathi ;(8)[ the Director, Visakha Institute of Medical Sciences,

Visakhapatnam;] [Substituted by Act No. 2 of 2019, dated 16.2.2019.](9)a nominee of the University Grands Commission ;(10)the Director-General of Health Services, Government of India or his nominee ;(11)the President, Medical Council of India or his nominee ;(12)the Vice-Chancellor, University of Health Sciences, Andhra Pradesh ;(13)the Vice-Chancellor, Sri Venkateswara University, Tirupathi ;(14)the Dean of the Faculty of the Institute ;(15)two members to be nominated by the Tirumala Tirupathi Devasthanams, Tirupathi ;(16)two members of Faculty of the Institute to be nominated by the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] ;(17)four members to be elected by the Academic Senate; and(18)the Registrar of the University shall act as the Secretary of the Governing Council.

## **10. Functions of the Governing Council.**

(1)Subject to the provisions of this Act, the Governing Council shall be responsible for the general supervision, direction and control of the affairs of the Institute.(2)Without prejudice to the generality of the provisions of sub-section (1), the Governing Council shall perform, the following functions, namely :-(a)take steps for achieving the objectives of the Institute ;(b)hold, control and administer the property and funds of the Institute ;(c)acquire or transfer any movable or immovable property on behalf of the Institute;(d)administer any funds placed at the disposal of the Institute for specific purposes ;(e)manage and regulate the inances, accounts, investments, property, business and all other administrative affairs of the Institute and for that purpose appoint such agents as it may think fit ;(f)Invest the money belonging to the Institute (including any income from trust and endowed property) in such Public Financial Institutions ensuing maximum security for the amounts invested as it may from time to time think fit ;(g)enter into, carry out, vary and cancel contracts on behalf of the Institute ;(h)regulate and determine all other matters concerning the Institute in accordance with the provisions of this Act, and the rules and regulations made there under ;(i)delegate any of its powers to a Committee or the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] or to any officer of the Institute; and(j)co-operate with other Institutions, Universities and other authorities in such manner and for such purpose as it may determine.

## **11. [ Executive Board. [Substituted by Act No. 9 of 2013, dated 5.7.2013.]**

- There shall be an Executive Board consisting of the following members, namely:-

**1. The Chairman who shall be the Minister, Medical Education;**

**2. The Vice-Chairman who shall be the Chairman, Tirumala Tirupathi Devasthanams, Tirupathi;**

**3. Director-cum-Vice-Chancellor;**

**4. The Secretary to the Government, Health, Medical and Family Welfare Department or an officer not below the rank of Deputy Secretary to Government nominated by the Secretary;**

**5. The Secretary to Government, Finance Department or an officer not below the rank of Deputy Secretary to Government nominated by the Secretary;**

**6. The Dean of the Faculty of the Institute;**

**7. A Member to be nominated by the Chairman-cum-Chancellor from the two members nominated to the Governing Council by the Tirumala Tirupathi Devasthanams, Tirupathi;**

**8. A member to be nominated by the Chairman-cum-Chancellor from amongst the members of the Governing Council.]**

## **12. Powers of Executive Board.**

(1)The Executive Board shall have the following powers, namely : -(a)to constitute committees for specific or general purposes ;(b)to appoint from time to time such number of officers and other employees and on such terms and conditions as it may deem fit for carrying out the management and affairs of the Institute ;(c)to appoint such number of persons and on such terms and conditions as it may deem fit as for the conduct of the studies, Investigations, research, teaching or other work undertaken by the Institute ;(d)to exercise control and discipline over the employees of the Institute ;(e)to accept on behalf of the Institute endowments, bequests, donations, grants and transfer of any immovable property made to it;(f)to receive money, securities, instruments or any other movable property for and on behalf of the Institute ;(g)to grant receipts, sign and execute instruments and endorse or discount cheques or other negotiable instruments, through its accredited agents ;(h)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 Institute ;(i)to invest moneys and funds of the Institute and vary the investments as and when it may be necessary or proper ;(j)to introduce courses of study at the Institute and take decisions on the recommendations of the Academic Senate ;(k)to co-operate and co-ordinate with other educational and medical institutions and authorities in India and abroad ;(l)to grant fellowships and scholarship or other monetary assistance on such terms and conditions as it may prescribed such persons as it may select to carry on any research, investigation or study ;(m)to propose regulations for consideration and adoption by the Governing Council ;(n)to publish or finance the publication of studies, treatises, books, periodicals, reports and other literature and sell or arrange for the sale of them, as it may deem fit, from time to time ;(o)to cause to maintain proper books of accounts supported by necessary vouchers ;(p)to arrange for the audit of the accounts of the Institute annually ;(q)to create or abolish post of teachers of the Institute ;(r)to delegate any of its powers to a committee or the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] or to any officer of the Institute ;

and(s)to exercise all the powers of the Institute not otherwise provided for and all the powers requisite to give effect to the provisions of this Act or the rules made thereunder.

### **13. meetings of the Governing Council.**

(1)The Governing Council shall meet atleast twice in a calendar year.(2)The [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] may convene meetings of the Governing Council as and when necessary.(3)An emergency meeting of the Governing Council may be convened by the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] on the request of the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] on a requisition signed by not less than eight members of the Governing Council and in such manner as may be prescribed by the Regulations.

### **14. Meetings of the Executive Board.**

- The Executive Board shall meet atleast once in three months; an emergency meeting of the Executive Board may be convened by [Vice-Chairman] [Substituted 'one of the two Vice-Chairman' by Act No. 9 of 2013, dated 5.7.2013.] in such manner as may be prescribed by the Regulation.

### **15. Special invitees.**

- The [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] shall have the power to invite any person not being a member of the Governing in Council or the Executive Board to attend meeting of the Governing Council for the Executive Board but such invitees shall not be entitled to vote at such meeting.

### **16. Term of office and vacancies among members of Governing Council and Executive Board.**

(1)Save as otherwise provided in this section the term of nominated members of the Governing Council or the Executive Board shall be three years from the date of nomination.(2)An ex-officio member shall continue so as long as he holds the office by virtue of which he is such member.(3)Any vacancy in the membership occurring before the next reconstitution or before the expiry of the prescribed period shall be filled by nomination of another person by the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.].(4)A member nominated under sub-section (3) shall continue for the remainder of the term of the member in whose place he is nominated.(5)An outgoing member shall be eligible for re-nomination.(6)A member may resign his office by writing under his hand addressed to the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.], but he shall continue in office until his resignation is accepted by the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.].

## **17. Method of appointment of [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.].**

(1) There shall be a [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] of the University who shall be appointed by the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] for a term of three years and who shall be eligible for re-appointment for two more terms from out of the panel of names recommended by a Committee consisting of, - (a) the Vice-Chairman of the Institute ; Provided that the First Vice-Chairman shall in consultation with the Second Vice-[Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] recommend a name ; (b) a nominee of the Governing Council of the Institute ; (c) a nominee of the Academic Senate of the Institute ; (2) The Committee shall forward to the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] the panel of names together with a concise statement showing the academic qualifications and other distinctions of each of the persons included in such panel but shall not indicate any order of preference. (3) Whenever a vacancy occurs or is likely to occur in the office of the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.], the Committee constituted in accordance with the provisions of sub-section (1) shall prepare a panel of names of three persons who in its opinion are suitable to hold the office. (4) Notwithstanding anything in sub-sections (1), (2) and (3), the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] of the Institute holding office at the commencement of this Act shall be deemed to have been appointed as the first [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] for a period of three years, commencing from the date of original appointment. (5) Where a vacancy in the office of the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] occurs and it cannot be conveniently and expeditiously filled in accordance with the provisions of sub-sections (1), (2) and (3) or if there is any emergency, the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] may appoint any suitable person to be the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] and may, from time to time, extend the term of such appointment under this sub-section, so, however, that the total term of such appointment, including the term fixed in the original order, shall not exceed one year. (6) The conditions of service of the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.], including salary, allowances, leave, pension and provident fund, admissible to him, shall be such as may be prescribed by the Executive Board and until so prescribed shall be determined by the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.]

## **18. Power and duties of the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.].**

(1) The [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] shall be the Chief Executive academic Officer of the Institute. He shall preside over the meetings of the Academic Senate and Finance Committee. (2) Without prejudice to the generality of the provisions contained in sub-section (1) the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9

of 2013, dated 5.7.2013.], shall ;(a)exercise general supervision and control over the affairs of the institute and its affiliates ;(b)ensure implementation of the decisions of the authorities of the Institute ;(c)be responsible for imparting of instructions and maintenance of discipline in the Institute.(3)Where any matter is of nature requiring immediate action and the same could not be immediately dealt with by any officer or authority or other body of the Institute, empowered by or under this Act, to deal with it the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] may take such action as he may deem fit and shall forth with report the action taken by him to the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] and also the Officer authority or other body who or which in the ordinary course, would have dealt with the matter.(4)Where the exercise of the power by the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] under sub-section (3) involves the appointment of any person such appointment shall terminate on the appointment being made in accordance with the provisions of this Act or on the expiration of period of six months from the date order of the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.], whichever is earlier.(5)The [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] shall exercise such other powers and perform such other duties as may be assigned to him by or under this Act or as may be delegated to him by the Governing Council of the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] as the case may be.

## **19. Registrar.**

(1)The Registrar shall be appointed by the Institute, in such manner and on such terms and conditions as may be prescribed.(2)The Registrar shall have the following powers and duties namely :- (a)he shall be responsible for the custody of the records and the common seal of the Institute ;(b)he shall be bound to place before the Governing Council and the Executive Board and authorities of the Institute all such information as may be necessary for the transaction of their business ;(c)he shall, subject to the control of the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.], conduct the examinations and make all other arrangements necessary therefor and be responsible for the due execution of all processes connected therewith ;(d)he shall exercise such other powers and perform such other duties as may be assigned to him by or under this Act or as may be delegated to him by the Governing Council, the First Vice-Chairman the Second Vice-Chairman or the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] ;-(e)he shall be responsible to the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] for the proper discharge of his functions; and(f)he shall attest and execute the documents on behalf of the Institute.

## **20. Appointment of Dean.**

(1)There shall be a Dean of the Institute who shall be appointed by the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] from amongst the faculty of the Institute.(2)The Dean shall assist the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] in academic affairs of the Institute and shall exercise such powers and perform such functions as may be laid down in the Regulations or entrusted by the



[Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.].

## **21. Academic Senate.**

- There shall be an Academic Senate which shall consist of the following members, namely:- (a) the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] who shall be the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] of the Senate; (b) the Dean of the Faculty of the Institute who shall be Member-Secretary of the Senate; (c) the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] of Medical Education, Andhra Pradesh; (d) all Heads of Departments of the Institute; (e) two Assistant Professors of the Institute to be nominated by the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.]; (f) two Honorary Consultants to be nominated by the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.].

## **22. Selection Committee.**

- The Selection Committee for the appointment or promotion of a Professor, Associate Professor and Assistant Professor, shall consist of:- (a) the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.]; (b) the Secretary to Government, Health, Medical and Family Welfare Department; (c) one external expert in the concerned speciality nominated by the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.]; (d) Dean of the Faculty; (e) One Honorary Medical Consultant to the Institute to be nominated by the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.]; Provided that no person shall participate in the meeting of the Selection Committee for any appointment, if he or his near relative is a candidate for that appointment.

## **23. Finance Committee.**

- There shall be constituted a Finance Committee which shall consist of the following, namely :- (a) the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] who shall be the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] of the Committee; (b) the Registrar who shall be the Secretary of the Committee; (c) the Secretary to Government, Health, Medical and Family Welfare Department or his nominee; (d) the Secretary to Government, Finance and Planning Finance and Wing) Department or his nominee; and (e) an officer of the Tirumala Tirupathi Devasthanams not below the rank of Joint Executive Officer nominated by the Executive Officer, Tirumala Tirupathi Devasthanams.

## **24. Powers of the Finance Committee.**

- The Finance Committee shall have the following powers namely :- (i) to examine the annual accounts of the Institute and advise Executive Board thereon; (ii) to examine the annual budget estimate and advise the Executive Board thereon; (iii) to review the financial position of the

Institute from time to time ;(iv)to make recommendations to the Executive Board on all financial matters relating to the Institute ;(v)to made recommendations to the Executive Board on all proposals involving raising of funds, receipts and expenditure; and(vi)to make recommendations on all proposals involving expenditure for which no provision has been made in the budget or which involve expenditure in excess of the amount provided in the budget.

## **25. Payment to the Institute.**

- The Government may pay to the Institute in each financial year such sums of money as they may deem fit.

## **26. Funds of the Institute.**

(1)The Institute shall have its own fund consisting of,(a)funds provided by the Tirumala Tirupathi Devasthanams, Tirupathi ;(b)all moneys provided by the Government under section 25 ;(c)all fees and other charges received by the Institute ;(d)all moneys received by the Institute by way of grants, loans, gifts, donations, benefactions, bequests or transfers ;(e)all moneys received by the Institute in any other manner or from any other source.(2)All moneys credited to the Fund shall be deposited in such banks or invested in such manner as the Governing Council may decide,(3)The Fund shall be applied towards the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its functions.

## **27. Annual Financial Statement.**

(1)The Institute shall prepare an Annual Financial Statement on or before such date as may be proscribed by the regulations of the estimated capital and revenue receipts and expenditure for the ensuing year and submit the same to the Government.(2)The said Statement shall include a Statement of salaries and allowances at members, officers and servants at the Institute and of such other particulars as may be prescribed by the regulations,(3)The Institute may at any time during the year in respect of which a statement under sub-section (1) has been submitted submit to the Government supplementary statement, and all provisions of this section shall apply to such statements as they apply to the statement under the said sub-section.

## **28. Accounts and audit.**

(1)The Institute shall cause to be kept proper accounts and other records in relation thereto, including a proper system of internal stock and prepare an annual statement of accounts including the income and expenditure account and the balance sheet in such manner as may be prescribed by regulations.(2)The Accounts of the Institute shall be audited by such persons as may be appointed by the Government and any expenditure incurred in connection with such audit shall be payable by the Institute to the Government.(3)The person so appointed and any other person so authorised by him in connection with such audit of accounts of the Institute shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor General of

India 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 documents and papers and to inspect any of the offices of the Institute.(4)The accounts of the Institute certified by the person so appointed or any other person so authorised in this behalf together with the audit report thereon shall be forwarded mutually to the Government and she Government may issue such instructions to the Institute in respect thereof as they deem fit and the Institute shall comply with such instructions.

## **29. Annual report.**

- The Institute shall prepare for every year a report of its activities during the previous year and submit the report to the Governing Council on or before such date its may be prescribed and copies of the report shall be submitted to the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] and the Government.

## **30. Pension and provident fund.**

(1)The Institute shall constitute for the benefit of its officers, teachers and other employees in such manner and subject to such conditions, as may be prescribed by the regulations, such schemes of pension, provident funds and insurance as it may deem fit with the prior approval of the Government.(2)Where any such pension or provident fund has been constituted, the Government may declare that the provisions of the Provident Fund Act, 1925 (central Act 9 of 1925), fund as shall apply to such if it were a Government Provident Fund.

## **31. Authentication of order and instruments of the Institute.**

- All orders and decisions of the Institute shall be authenticated by the signature of the Registrar or any other member or officer authorised by the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] in this behalf and all other instruments issued by the Institute shall be authenticated by the signature of such officer of the Institute as may be authorised by the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] in this behalf.

## **32. Acts and Proceedings not to be invalidated by vacancies etc.**

- No Mt or proceeding oil the Governing Council, Executive Board or any authority of the Institute or any Committee constituted under this Act, shall be questioned on the ground merely of the existence of ally vacancy in or defect in the constitution of the Governing Council, Executive Board; authority or such Committee.

### **33. Grant of medical degree, diplomas etc, by the institute.**

- Notwithstanding anything contained in any other law for the time being in force, the Institute shall have power to grant medical degrees, diplomas and other academic distinctions and titles under this Act.

### **34. Recognition of medical qualifications granted by the University.**

- Subject to the provisions of the Indian Medical Council Act, 1956, the Medical degrees and diplomas granted by the institute under this Act shall be recognised medical qualifications for the purposes of that Act.

### **35. Directions by the Government.**

(1) In the discharge of its functions under this Act, the Institute shall be guided by such directions on question of policy relating to State purposes or in case of any emergency as may be given to it by the Government. (2) If any dispute arises between the Government and the Institute as to whether the question is or is not a question of policy relating to the State purposes or whether an emergency has arisen, the decision of the Government thereon shall be final.

### **36. Reference to the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.].**

- If any question arises whether any person has been duly appointed as, or is entitled to be, a member of the Governing Council, Executive Board or any authority or other body of the Institute or whether any decision of the Governing Council, Executive Board or any authority or other body of the Institute is in conformity with this Act or the rules or regulations made thereunder, the matter shall be referred to the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] and the decision of the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] thereon shall be final : Provided that no reference made under this section shall be made more than three months after the date when the question could have been raised for the first time: Provided further that the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] may in exceptional circumstances act suo-motu to entertain reference after the expiry of the period mentioned in the preceding proviso.

### **37. Returns and information.**

- The Institute shall furnish to the Government such reports, returns, statements and other information as it may require from time to time,

### **38. Power to remove difficulties.**

- If any difficulty arises in giving effect to the provisions of this Act, the Government may, within a period of two years from the commencement of this Act, by order published in the Gazette, make such provisions including adaptation or modification if any of the provisions of this Act not affecting the substance thereof as appears to it to be necessary or expedient for removing the difficulty.

### **39. Power to make rules.**

(1) The Government may, by notification make rules to carry out the purposes of this Act. (2) Every rule made under this Act shall immediately after it is made, be laid before the Legislative Assembly of the State if it is in session and if it is not in the session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiration of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees in making any modification in the rule or in the annulment of the rule, the rule shall from the date on which the modification or annulment is notified have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

### **40. Power to make regulations.**

(1) Subject to the provisions of this Act and the rules made thereunder, the Governing Council may, with the previous approval of the Government, make regulations to provide for any matter which is to be or may be provided for, by regulation and without prejudice to the generality of this power, such regulations may provide for, - (a) the summoning and holding of meetings, other than first meeting of the Governing Council and the quorum and conduct of business at such meetings; (b) any matter in respect of the constitution of the Governing Council or any committee or other body to be constituted under this Act; (c) the powers and functions to be exercised and discharged by the [Chairman-cum-Chancellor] [Substituted 'Chairman' by Act No. 9 of 2013, dated 5.7.2013.] of the Institute; (d) the procedure to be followed by the Governing Council and any committee or other body constituted under this Act in the conduct of their business, exercise of their powers and discharge of their functions; (e) the tenure of office, salaries and allowances and other conditions of service of the officers, teachers and employees of the Institute; (f) the powers and duties of the [Director-cum-Vice-Chancellor] [Substituted 'Director' by Act No. 9 of 2013, dated 5.7.2013.] and other officers and employees of the Institute; (g) the management of the properties of the Institute; (h) the degrees, diplomas and other academic distinctions and titles which may be granted by the Institute; (i) the creation of posts of Professors, Heads of Departments Associate Professors, Assistant Professors, Class-I Office-s, Class - II Offices and post of other teachers, officers and employees of the Institute and appointment of persons to such posts including the qualifications requisite thereof; (j) the fees and other charges which may be demanded and received by the Institute; (k) the manner in which and the conditions subject to which pension and provident funds may be constituted for the benefit of officers, teachers and other employees of the Institute; (l) any other matter for which provisions may be made under this Act by regulations. (2) Notwithstanding

anything contained in sub-section (1) the first regulations under this Act shall be made by the Government and any regulations so made may be altered or rescinded by the Governing Council in exercise of its powers under sub-section (1) with the approval of the Government.

#### **41. Repeal of Ordinance 17 of 1994.**

- Sri Venkateshwara institute of Medical Sciences (Doomed ordinance University) Ordinance, 1994 is hereby repealed.