

Nizams Institute Of Medical Sciences Act, 1989

13 of 1989

[29 April 1989]

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Nizams Institute Of Medical Sciences Act, 1989

13 of 1989

[29 April 1989]

An Act to provide for the Establishment of the Nizam's Institute of Medical Science Hyderabad by law and to confer the Status of a University thereon and for Matters connected therewith or incidental thereto. Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the fortieth Year of the Republic of India as follows:- *Received the assent of the Governor on the 27th April, 1989. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Part-IV A, Extraordinary, dated the 27th March, 1989 at page 31.

1. Short Title And Commencement :-

- (1) This Act may be called the Nizams Institute of Medical Sciences Act, 1989.
- (2) It shall come into force on such date as the Government may, by notification in the Andhra Pradesh Gazette Appoint.

2. Section 2 :-

In this Act, unless the context otherwise requires.

- (a) Director means the Director of the Institute appointed under section 17;
- (b) Fund means the fund of the Institute referred to in section 26;
- (c) Governing Council means Governing Council of the Institute constituted under section 9;
- (d) government means the State Government of Andhra Pradesh;
- (e) Institute means the Nizams Institute of Medical Sciences, Hyderabad established under section 3;
- (f) member means a member of the Institute;
- (g) notification means a notification published in the Andhra Pradesh Gazette;
- (h) prescribed means prescribed by rules made by the Government

under this Act;

(i) President means the President of the Institute referred to in section 7;

(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 person appointed under this Act, for the conduct of training, research, or imparting medical or paramedical education in the Institute;

3. Establishment Of The Institute :-

(1) As soon as may be after the commencement of this Act, the Government may by notification establish at Hyderabad an Institute of Medical Sciences, to be known as the Nizams Institute of Medical Sciences Hyderabad.

(2) The Institute shall function as a University established under a State Act.

(3) The Institute shall be a body corporate having perpetual succession and a common seal and shall sue and be sued 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 Executive Registrar and all process in such suits and proceedings shall be issued to and on the Executive Registrar.

4. Objects 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 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 allied fields, particularly in relation 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 methods of medical education, in order to arrive at a satisfactory standards of such education;
- (b) to prescribe courses and curricula for post-graduate studies;
- (c) to give training to teachers for imparting medical education;
- (d) to hold examinations and grant such degrees, diplomas 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 Clown 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 the 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 further the objects to 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 Council; and
- (d) the Finance Committee.

7. Officers Of The Institute :-

The following shall be the officers of the Institute namely:-

- (a) the President;

- (b) the Vice-President;
- (c) the Director;
- (d) the Dean;
- (e) the Executive Registrar; and
- (f) such other persons as may be prescribed to be officers of the Institute.

8. The President :-

- (1) The Chief Minister of Andhra Pradesh shall be the President of the Institute.
- (2) The President shall, after every five years cause to be reversed the progress of the Institute, in such manner as bethinks fit

9. Governing Council :-

There shall be a Governing Council consisting of the following members, namely:-

- (1) the President;
- (2) the Vice-President who shall be the Minister incharge of Medical, Health and Family Welfare;
- (3) the Director of the Institute who shall be the Secretary;
- (4) The Secretary to Government, Health, Medical and Family Welfare;
- (5) The Secretary to Government, Finance and Planning (Finance-Wing);
- (6) a nominee of the University Grants Commission;
- (7) The Director General of Health Services, Government of India;
- (8) The President, Medical Council of India or his nominee;
- (9) The" Vice-Chancellor, University of Health Sciences, Andhra Pradesh;
- (10) The Vice-Chancellor, Osmania University, Hyderabad;
- (11) The Vice-Chancellor, University of Hyderabad, Hyderabad; Governing Council.
- (12) One member to be nominated by the Vice-President from among the Financing Agencies;
- (13) The Dean of the Faculty of the Institute;
- (14) Two members to be nominated by the Nizams Charitable Trust; and
- (15) Two members of Faculty of the Institute to be nominated by the Vice- President.
- (16) Four members to be elected by the Academic 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 subsection (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 finances, accounts Investments, property, business and all other administrative affairs of the Institute and for that purpose appoint such agent as it may think fit;
- (f) invest the money belonging to the Institute (including any income from trust and endowed property) in such stocks, funds, shares or securities as it may from time to time think fit;
- (g) enter into, vary, carry put 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 thereunder;
- (i) delegate any of its powers to a committee or the Director or to any Officer of the Institute; and.
- (j) cooperate with other Institutions, Universities and other authorities in such manner and for such purpose as it may determine.

11. Executive Board :-

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

- (1) the Vice-President of the Governing Council;
- (2) the Secretary of the Governing Council;
- (3) the Secretary to Government, Health Medical and Family Welfare;
- (4) the Secretary, Finance and Planning (Finance Wing

Department;

(5) the Dean of the Faculty of the Institute;

(6) a member of the Nizams Charitable Trust to be nominated by the President; and

(7) a member to be nominated by the President from amongst the Financing Agencies.

12. Powers Of The 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 undertaking 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 moneys, 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 Council;

(k) to co-operate and co-ordinate with other educational and medical institutions and authorities in India and abroad;

(l) to grant fellowships and scholarships or other monetary assistance on such terms and conditions as it may prescribe to 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 posts of teachers of the Institute;

(r) to delegate any of its powers to a committee or the Director or to any officer of the Institute;

(s) to exercise all the powers of the Institute not otherwise provided for and all 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 President may Convene meeting of the Governing Council as and when necessary;

(3) An emergency meeting of the Governing Council may be convened by the President on, the request of the Director 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 the Vice-President in such manner as may be prescribed by the Regulations.

15. Special Invitees :-

The Vice-President shall have the power to invite any person not being a member of the Governing Council or the Executive Board to attend meeting of the Governing Council or the Executive Board but such invitee 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 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 Vice-President.
- (4) A member nominated under sub-section (3) shall continue for the remainder of the term of a member in whose place he is nominated.
- (5) An outgoing member shall be eligible for renomination.
- (6) A member may resign his office by writing under his hand addressed to the Vice-President, but he shall continue in office until his resignation is accepted by the Vice-President.

17. Method Of Appointment Direct :-

- (1) there shall be a Director of the Institute who shall be appointed by the President for a term of three years 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-President of the Institute;
(b) a nominee of the Governing Council of the Institute;
(c) a nominee of the Academic Council of the Institute;
- (2) The Committee shall forward to the President 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 Director, the Committee constituted in accordance with the provisions of sub-section (1) shall prepare a panel of names of three persons who are in its opinion suitable to hold the said office.
- (4) Notwithstanding anything in sub-sections (1), (2) and (3), the Director of the Institute holding office at the commencement of this Act, shall be deemed to have been appointed as the first Director.
- (5) Where a vacancy in the office of Director 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 President may appoint any suitable person to be the Director 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 service of the Director, 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 Vice-President.

18. Powers And Duties Of The Director :-

(1) The Director shall be the Chief Executive and Academic Officer of the Institute. He shall preside over the meetings of the Academic Council and Finance Committee.

(2) Without prejudice to the generality of the provisions contained in sub-section (1), the director 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;

(d) create or abolish posts in cadres other than teaching cadres of the Institute and in respect of teaching cadre to create post for a period not exceeding six months.

(3) Where any matter is of urgent 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 may take such action as he may deem fit and shall forthwith report the action taken by him to the Vice-president and also the Officer, authority or other body who or which, in the ordinary course, would have dealt with the matter:

Provided that if such officer, authority or other body is of opinion that such action ought not to have been taken by the Director, it may refer the matter to the Vice-President who may either confirm the action taken by the Director or annul the same or modify it in such manner as he thinks fit, and thereupon it shall cease to have effect or as the case may be, shall take effect only in such modified form so however that such modification or annulment shall be without prejudice to the validity of anything previously done by or under the orders of the Director.

(4) Where the exercise of the power by the Director or 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 a period of three months from the date of the order of the Director, whichever is earlier.

(5) The Director 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 or the Vice-President as the case may be.

19. Executive Registrar :-

(1) The Executive Registrar shall be appointed by the Institute, in such manner and on such terms and conditions as may be prescribed.

(2) The Executive 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, conduct the examinations and make all other arrangements necessary there for 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 Vice-President or the Director;

(e) he shall be responsible to the Director 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 Governing Council from amongst the faculty of the Institute.

(2) The Dean shall assist the Director 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.

21. Academic Council :-

There shall be an Academic Council which shall consist of the following members, namely:-

- (a) the Director, who shall be the Chairman of the Council;
- (b) the Dean of the Faculty of the Institute who shall be Member-Secretary of the Council;
- (c) the Director 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;
- (f) two Honourary consultants to be nominated by the director.

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;
- (b) the Secretary to Government, Health, Medical & Family Welfare Department;
- (c) one external expert in the concerned speciality, nominated by the Director;
- (d) Dean of the Faculty;
- (e) one Honourary Medical Consultant to the Institute to be nominated by the Director;

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 who shall be the Chairman of the Committee;
- (b) the Executive Registrar who shall be the Secretary of the Committee;
- (c) the Secretary to Government, Health Medical & Family Welfare Department;
- (d) the Secretary to Government, Finance and Planning (Finance Wing) Department or his nominee;
- (e) the member nominated from amongst the Financing Agencies on the Governing Council and the Finance Officer of the Institute.

24. Powers Of 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 estimates 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 make recommendations to the Executive Board on all proposals involving raising of funds receipts and expenditure;
- (vi) to make recommendation 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 and in such manner as may be considered necessary for the exercise of its powers and discharge its functions under this Act.

26. Funds Of The Institute :-

(1) The Institute shall have its own fund consisting of-

- (a) all moneys provided by the Government under section 25;
- (b) all fees and other charges received by the Institute;
- (c) all moneys received by the Institute by way of grants, loans, gifts, donations, benefactions, bequests or transfers;
- (d) 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 prescribed 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 of members, officers and servants of the Institute and of such other particulars as may be prescribed by the regulations;
- (3) The Government shall, as soon as may be after the receipt of the said statement, cause to be laid on the Table of the Legislative Assembly of the State.
- (4) The Institute shall take into consideration any comments made on the said statement in the Legislative Assembly of the State.
- (5) 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 a supplementary statement, and all provisions of this section shall apply to such statements as they apply to the statement under the said subsection.

28. Accounts And Audit :-

- (1) The Institute, shall cause proper accounts and other records in relation thereto be kept including the proper system of internal check 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, corrected vouchers and other documents and paper 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 authorised in this behalf together with the audit report thereon shall be forwarded annually to the Government and the Government may issue such instructions to the Institute in respect thereof as they deem fit and the Institute

shall comply with such instructions.

(5) The Government may cause the accounts of the Institute together with the audit report thereon forwarded to them under sub-section (4) to be laid annually before the Legislative Assembly of the State.

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 as may be prescribed and copies of the report shall be submitted to the President and the Government.

30. Pension And Provident Funds :-

(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 Funds Act (Central Act 9 of 1925) 1925, shall apply to such and as if it were a Government Provident Fund.

31. Authentication Of Orders And Instruments Of The Institute :-

All orders and decisions of the Institute shall be authenticated by the signature of the Executive Registrar or any other member or officer authorised by the Director 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 in this behalf.

32. Act Sand Proceedings Not To Be In-Validated By Vacancies, Etc. :-

No act or proceeding of 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 any vacancy in or defect in the constitution of, the Governing Council, Executive Board, authority or such committee.

33. Grant Of Medical Degrees, 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 Institute Central Act 102 Of 1965 :-

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. Direction By Government :-

(1) In the discharge of its functions under this Act, the Institute shall be guided by such directions on questions of policy relating to State purposes or in case any emergency as may be given to it 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

(3) The Institute shall function under the General supervision of the Government and the Government shall have power to review the actions of the Institute taken under this Act.

36. Reference To The President :-

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 President and the decision of the President 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 President may in exceptional circumstances act suo-moto 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 publish 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 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 cancelled 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 :-

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 President 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 power 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 any 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 Officers, Class-II Officers and post of other teachers, officers and employees of the Institute, and the appointment of persons to such posts including the qualifications requisite therefor;
- (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;
- (1) 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 exercise of its powers under sub-section (1) with the approval of the Government.

41. Vesting Of Properties Etc. :-

Notwithstanding anything contained in the Andhra Pradesh (Telangana Area) Public Societies Registration Act (Act 1 of 1350 F) 1350 on and from the date of commencement of this Act, the Society known as "The Nizamss institute of Medical Sciences, Hyderabad" registered with Certificate of Registration (No. 238 of 1980) issued by the Registrar of Societies, Andhra Pradesh, Hyderabad shall stand dissolved and the said certificate of Registration shall stand cancelled and thereupon,

(1) the Nizams Institute of Medical Sciences together with,

(a) all lands on which the Nizams institute of Medical Sciences Stands, and all other lands appurtenant thereto and all buildings, erections and fixtures on such lands;

(b) all furniture, equipments, stores, apparatus and appliances, drugs, moneys and other assets of the Nizams Institute of Medical Sciences;

(c) all other properties and assets, movable and immovable including, leases pertaining to the Nizams Institue of Medical Sciences, cash balances, reserve funds, investments and all other rights and interests in, or in relation to, or arising out of, such property as were, immediately before the said commencement in the ownership, possession power or control of any person in charge of the management of the affairs of the Nizams Institute of Medical Sciences; and

(d) all borrowings made or contracts entered into by or on behalf, of and all other liabilities and obligations of whatever kind, incurred in relation to, the Nizams Institute of Medical Sciences and subsisting on the appointed day, shall stand transferred to and shall vest absolutely in the Nizams Institute of Medical Sciences established under section 3 of this Act (herein-after in this section called the Institute)

(2) every deed of gift, endowment, bequest or trust or other document in relation to ail or any of the properties, and assets, referred to in clause (1), shall as from the appointed day be construed as if it were made or executed in favour of the Institute;

(3) every officer or other employee, who, immediately before the said commencement, is employed in, or in connection with the affairs of the Nizams Institute of Medical Sciences, shall become, as from the appointed day, an officer or other employee, as the case may be, of the Institute and shall hold his office by the same tenure, at the same remuneration and upon the same rights and privileges is to pension, gratuity and other matters as he would have held, if this Act, had not been enacted and shall continue to

do so unless and until his employment under the institute is duly terminated or until his remuneration, terms and conditions duly altered by the Institute:

Provided that if the alteration so made is not acceptable to any such officer or other employee, his employment may be terminated by the Institute on payment to him of an amount equivalent to three months remuneration in the case of permanent employees and one months remuneration in the case of other employees.