

**The Naga Hospital Authority Act, 2003**  
**(Act No. 1 of 2004)**

Received the assent of the governor of Nagaland on 23/02/2004 and published in the Nagaland gazette extraordinary on 23<sup>rd</sup> of march, 2004.

An  
-Act-

To establish and incorporate an authority for managing the affairs of the Naga Hospital as an autonomous institution and to develop the Naga Hospital into an institution of excellence for providing various services connected with health care.

It is hereby enacted in the fourth year of the republic of India as follows:

**Short title and commencement:**

- (1) The act may be called the Naga Hospital Authority Act, 2003.
- (2) It shall come into force on such date as the state government may, by notification in the official gazette, appoint.

**2. Definition:**

In this act, unless the context otherwise requires.

- (a) Committee means the committee constituted under section II of the Act.
- (b) Fund means the Fund of the Naga Hospital Authority referred to in section 16.
- (c) Governing body means the Governing body of the Naga Hospital Authority
- (d) Member means a member of the governing body of the Naga Hospital Authority.
- (e) Regulation means a regulation framed under Section 23.
- (f) Rule means rule made under Section 22 and
- (g) Section means a section of the Act.

**3 Establishment and incorporation:**

- 1) With effect from such date, as may be specified by notification in the official Gazette, the state government shall cause to be constituted an authority to be called as the Naga Hospital Authority
- 2) The Naga Hospital Authority shall be a body corporate, which shall consist of-

The governing body, Committee and Chief Executive Officer as may be designated as Director.

3)The Naga Hospital Authority shall have perpetual succession and seal and shall sue and be sued by the said name.

**4. Powers and functions of the Naga hospital Authority:**

It shall be the duty of the Naga Hospital Authority to manage the affairs of the Naga Hospital and to take all such measures to develop it into an institution of excellence for providing various services connected with health care.

**5. Other functions:**

The Naga Hospital Authority shall take up and continue to take up such activities connected with nurse education or any para medical education as may be provided under any law for the time being in force.

**6. Composition of governing body:**

The governing body shall be composed of-

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|--|----------------|
| (i) Minister incharge of Health & Family welfare   | – Chairperson  |
| (ii) Members of Parliament from the State of Nagaland  | – Member       |
| (iii) Finance Commissioner and Secretary to the State Government   | – “            |
| (iv) Development Commissioner and Secretary to the State Government  | – “            |
| (v) Secretary to the State Government, Health and Family Welfare   | – “            |
| (vi) Director, Medical Service   | – “            |
| (vii) 3 members to be nominated by the State Government from Amongst the Medical Officer and Nurses serving in the Naga Hospital | – “            |
| (viii) 2 Members to be nominated by the State Government from Amongst prominent citizens   | – “            |
| (ix) 2 members to be nominated by the State Government of person eminent in Medical Sciences from inside or outside the State    | – “            |
| (x) Director of Naga Hospital Authority  | – Member Secy. |

**7. Terms of office of Members of the Governing Body:**

(1) Save as otherwise provided in this section the term of office of the member shall be three years from the date of his nomination or election:

Provided that the term of office of a member under clause (ii) of Section 6 shall come to an end as soon as he cease to be a Member of Parliament from which he was elected.

- (3) The term of office of an ex-officio member shall continue so long as he holds the office by virtue of which he is a member
- (4) The term of office of a member nomination or elected to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he is nominated or elected.
- (5) An out-going member shall, unless the state government otherwise directs, continue in office until another person is nominated or elected as a member in his place.
- (6) An out-going member shall be eligible for re-nomination or re-election.
- (7) A member may resign his office by writing under his hand addressed to the State Government but he shall continue in office until his resignation is accepted by that Government.
- (8) The manner of filling vacancies among members shall be such as may be prescribed by rules.

**8. Allowance of members:**

The members shall receive such allowance, if any, from the Naga Hospital Authority, as may be prescribed by rules.

**9. Meeting of Governing body:**

- (1) The Governing Body shall hold its first meeting at such time and place as may be appointed by the State Government and shall observe such rules of procedure in regard to the transaction of business at the first meeting as may be laid down by the government and thereafter the Governing Body shall meet at such times and places and observe such rules procedure in regard to the transaction of business at its meetings as may be prescribed by regulations.
- (2) The chairman shall preside over the meeting of the Governing Body and in his absence the members present shall elect one among themselves to be the Chairman for that particular meeting.

**10. Powers and functions of the governing body:**

- (1) The Governing Body shall be the executive committee of the Naga Hospital Authority and shall exercise such powers and discharge such functions as may be conferred or imposed by this Act and rules and regulation made on this behalf.

- (2) The procedure to be followed in the exercise of its powers and discharge of functions by the Governing Body shall be as such as may be prescribed by regulations.

**11. Constitution of committees:**

- (1) Subject of such control and restrictions as may be prescribed by rules, the Governing Body may constitute as many standing committees and as many ad hoc committee as it thinks fit for exercising any power or discharging any function of the Naga Hospital Authority or for inquiring into, or reporting or advising upon, any matter which the Naga Hospital Authority may refer to them.
- (2) A standing committee shall consist exclusively of the members of the governing body but an ad hoc committee may include persons who are not members of the Governing Body but the number of such persons shall exceed one half of the total membership of the Governing Body.
- (3) The members of a standing committee or an ad hoc committee shall receive such allowance, if any, as may be prescribed by regulations.

**12. Appointment, Powers & Functions of Director:**

- (1) The shall be Chief Executive Officer of the Naga Hospital Authority who shall be designated as the Director of the Naga Hospital Authority and shall appointed as may be prescribed by rules.
- (2) The Director shall act as the Member-Secretary to the Naga Hospital Authority as well as the Governing Body.
- (3) The Director shall exercise such powers and discharge such functions as may be prescribed by regulation or as may be delegated to him by the Governing Body.

**13. Staff of the Naga Hospital Authority:**

- (1) Subject to such rules as may be made by the State Government in this behalf, the Naga Hospital Authority may appoint such number of officers and employees against the post sanctioned with the prior approval of the State Government as may be necessary for exercise of powers and discharge of its functions and may determine the designations and grades of such officers and employees.

Provided the officers and such other employees of the State Government so posted at the Naga Hospital on the appointed date of the establishment of the Naga hospital shall be treated as appointment on deputation.

Provided further that subject to such order issued from time to time regarding the strength of various categories of posts on consideration of the requirement of the Naga Hospital Authority, the officers and the employees of the state government so posted at the Naga Hospital on the appointed date of the establishment of the Naga Hospital Authority shall be deemed to be appointed against the respective posts held by them on deputation and such respective posts shall be treated as transferred to the establishment of the Naga Hospital Authority and the posts under the respective establishment of the state government controlling such posts shall be treated as deputation vacancy.