

RULES REGARDING ACCEPTANCE OF DONATIONS & CHARITIES FROM PRIVATE INDIVIDUALS OR PUBLIC BODIES FOR MEDICAL PURPOSES

1. These Rules may be called as the Rajasthan Medical Institution (Contribution) Rules, 1980
2. In these rules :-
 - (i) Contribution (means contribution in cash or in kind or partly in cash and partly in kind and includes the dedication of building on open space or a plot of land whether bonded or not;
 - (ii) Construction includes additions to the existing building or repairs or reclamation of an existing building, with or without the land for such purposes.
 - (iii) 'Donor' means a person or persons collectively making a contribution and includes a public body making such contributions;
 - (iv) 'Equipment' means material needed for furnishing a public medical institution, such as Hospital equipment, furniture and the like;
 - (v) 'Public body' means a group of persons, by whatever designation known, formed or registered under or in pursuance of some law for the time being in
 - (vi) 'Public Medical institution' mean a medical institution maintained or intended to be maintained, wholly by or at the cost of Govt.
3. A contribution under these Rules may, subject to its acceptance by the Government consist, of cash or in kind for equipment, drugs, food materials or any property moveable or immovable, legally transferable for the purpose of Medical Institutions & Services.
4. Any person or number of persons or public body may make a contribution under these Rules, if such person or each of such persons, or such public body, is legally competent to contract and to alienate the property forming the subject matter of the contribution.
5. Every contribution made under these rules shall be applied to the specific object or purpose for which it shall have been made.
6. Any person or persons or public body desiring to make an contribution under these rules -
 - (i) Shall apply in willing to the Government making an offer for the same, specifying the purpose or object for which and the conditions, if any subject to the offer is made.
 - (ii) Such application may be addressed and presented citing to the Secretary, to the Government, Medical & Public Health Department, Rajasthan or to the Director of Medical & Health & Family Welfare Services, Rajasthan or to the Principal & Controller of Medical College & attached Teaching Hospital or Medical Superintendent of a Teaching Hospital or Medical Supdt. Associated Group of Hospitals or 10 [he Chief Medical & Health Officer of the district.
 - (iii) The officer receiving an application under these Rules shall make such in: airy, if any, as he may desire necessary for the relevant to the disposal thereof.

- (iv) In particular and without prejudice to the generality of the power conferred on him by such rules (3) such officer shall either himself or through any of his subordinates, conduct a inquiry into the matters specified in Rule 7 and shall record his finding in respect of such.
7. (i) The Government may accept an offer of a contribution made under the rules
- (a) If it fulfills the requirement of rule 3.
 - (b) If it proceeds from a person or persons or a public body competent to contract and alienate the property or things proposed to be contributed.
 - (c) It is unconditional or where any conditions are attached such conditions being reasonable.
 - (d) If the subject matter of the contribution is in its opinion sufficient to achieve the subject or purpose in view, and in accordance with the laid down policy of the Government for the development of Medical facilities in the state:-
 - (e) If the contribution is likely to meet a genuine medical need of any area or locality.
- (ii) In dealing with a conditional offer of a contribution to the Government or the officer to whom an application is made for the purpose, may suggest modification, if any, of the conditions attached to the offer and where such modifications are agreed to in writing by the intending donor the conditions as modified and accepted by the Government shall be deemed to be the condition attached to (he contribution.
8. 1. Where the Government accepts a contribution under these rules for the purpose of construction works it may, if necessary allot, free of all charges, Land best suited, in the opinion of the State Medical & Health Department for the purpose and not otherwise needed for some preferable Public utility services, on the following conditions, namely:-
- (a) That the land shall remain the property of the Govt. \
 - (b) That the building in question shall be constructed, furnished and equipped in accordance with the plan prepared or concurred in by the State **Public** Works Department and approved by the Government in the Medical & Public Health Department & ,
 - (e) That the building so constructed and all its furnishing and equipment shall vest in the Slate Medical & Public Health Department.
2. Subject to the conditions specified in sub rule (1) the Government may proceed to acquire at its cost or at the cost of the donor or at the cost partly of the donor, any land or building needed for the purpose under law for the time being in force for the compulsory acquisition of land for public purpose.
3. In particular case, the Government may, for special reasons, permit the donor to carry out and conduct such construction and, in each such case, the Govt. may under take to arrange adequate technical supervision, so far as may be possible, for the purpose of such construction.
9. Contribution, under these Rules, may be accepted by the authority or authorities in whom such powers vest, set down here under without making a reference to the Government, wherever mentioned above:-
- i. Director of Medical & Health Services, Raj. to the extent of Rs. 10 lacs
 - ii. Principal & Controller of attached Hospitals to the extent of Rs. 10 laca

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| iii. | Supdt. of Hospitals | to the extent of Rs. 10 lacs |
| iii. | Chief Medical & Health Officer to | the extent of Rs. 1.00 lacs |

Provided that :-

- (i) Such contributions are meant for the betterment of existing facilities, without any additional financial liability to the Government, except for the maintenance and up keep of the donated items.
 - (ii) The contribution shall be without any financial commitment on the part of government regarding upgrading or opening of any new institution under the Medical Department.
10. Government may, in suitable cases, if so desired by the donor;
- (a) Permit the engraving at any place in the building constructed in consequence of his contribution of all inscription descriptive of the donor's name and other specified particulars, and
 - (b) agree to name the public medical institution for which contribution shall have been made after the donor or any other person named by him in the following conditions:-
 - (1) In case 50% to 75% of the non recurring expenditure inclusive of the cost 92 of furniture and equipment been donated by a person, the institution may shall be named as desired by the donor, but that the word "Government" must be placed invariably after the desired name e.g., "Ramjilal Government dispensary "
 - (2) In case where more than 75% of such non-recurring expenditure has been donated by a person, the word "Government" need not be attached to the name of the institution e.g. "Ramjilal Dispensary".
 - (3) In case where smaller amounts have been donated for particular blocks or wards, such blocks or wards may be named as desired by the donors on the lines mentioned above.

Provided that the State Govt. may relax the minimum limit of non-recurring expenditure inclusive of the cost of furniture and equipments, subject 10 the condition that the minimum contribution should be One Crore or 20% of non-recurring cost inclusive of furniture and equipment, whichever is higher.

- 11. All offers for contributions under these rules shall be promptly dealt with the sympathetically considered.
- 12. When any contribution under these rules is accepted by the Government the fact of such acceptance alongwith full details thereof shall be notified in the Rajasthan Gazette.
- 13. A gift deed accordingly to modification draft appended with suitable modifications, if any required in specified cases and approved by the competent authority, shall invariably be executed pertaining to all items of donations accepted under these rules.

MODEL DRAFT OF A GIFT DEED FOR BUILDING

This deed of gift made this dated between (Herein after called the donor) of the one part and the Governor of the State of Rajasthan (hereinafter called "the Donee" on the other part.

Whereas the land and/or building situated at and described in the schedule hereto annexed (hereinafter called the said building) is the property of the donor free from any encumbrance;

And where as the donor has offered to gift to the donor the said building for the purpose of on the conditions herein at appearing.'

And whereas the donor has accepted the said offer. Now, this deed witnesses as follows:-

1. In pursuance of the said agreement the donor hereby transfers by way of gift to the donee the said building to the same absolutely forever.
2. The donor does hereby agree to and shall bear percent of the non recurring expenditure inclusive of the cost of furniture and equipment and institutions shall be named'.
3. The donee shall bear the cost of stamp duty and registration fees payable in respect of the deed (where the donee is Governor/Government no stamp duty shall be chargeable as prescribed in section 3 of the Indian Stamp Act, 1899 as adopted to Rajasthan by the Rajasthan Stamp Law (adaptation Act, 1952).
4. The possession of the said building has been / shall be given on to the donee.
5. The donee hereby accepts the said gift. In witness then of the parties hereto have here untosct their hands in the manner indicated below :-

Signed for and on behalf of the donee
the donor
Signature & Designation

Signed by
Signature

In Presence of:

1. Witness (1)
2. Witness (2)