

INDIAN MEDICAL ASSOCIATION

MAHARASHTRA STATE BRANCH

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CORRECTED AND UPDATED

25th NOVEMBER 2011.

PART - I

MEMORANDUM OF THE ASSOCIATION

NAME

1. The name of the Association is the Indian Medical Association, Maharashtra State branch, herein after called "State Branch".

OFFICE

2. The Office of the "State Branch" shall be in the state of Maharashtra and shall be located either at Mumbai, Pune or Nagpur. Jurisdiction of State Branch shall be geographical area of Maharashtra State.

OBJECTS

The objects of the State Branch are:

3. To promote and advance Medical and Allied Sciences in all their different branches and to promote the improvement of Public Health and Medical Education, in the State of Maharashtra.
4. To maintain the honor and dignity and to upkeep the interests of the Medical profession and to promote co - operation amongst the members thereof.
5. To work to bring uniformity in Basic Medical Education. Medical Research, Medical Services, Registration and to achieve sense of Brotherhood among all members of the profession who are registered to practice Modern Scientific Medicine (Allopathy).
6. **To work for welfare of the members and their family members.**
7. **To work for updating Members with the latest advancement in the field of Medical and allied subjects.**

METHODS

For the attainment and furtherance of these objects the "State Branch" may:

8. Hold periodical meetings and conferences of the members of the Association and the Medical Profession in general **and to establish academic wings as per HQ directive, such as College of General Practice – State Faculty, Academy of Medical Specialties – State Chapter etc.**
9. Arrange from time to time, Congress, Conferences, Lecturers, Discussions and Demonstrations on any aspects of the Medical and Allied Sciences.
10. Publish and circulate a journal, which shall be the official organ of the "State Branch" of a character specially adapted to the needs of the medical profession in Maharashtra and which shall undertake publicity and propagate work of the Association through its columns and publish other literature in accordance with the objects of the state branch.
11. Maintain a library and "State Branch" office.
12. Publish from time to time translation and other papers embodying medical researches conducted by the members or under the auspices of the "State Branch".
13. Encourage research in Medical and allied sciences with grants out of the funds of the "State Branch" by establishment of scholarships, prizes or rewards in such other manner as may from time to time be determined by the "State Branch".
14. Conduct an educational campaign among the people of Maharashtra in the matter of public Health and sanitation by co-operating whenever necessary with different public bodies working with the same object..
15. To provide medical manpower and to organize medical relief operations during Epidemic, Natural calamities and other emergencies.
16. Consider and express its views on all questions and laws of the state, Indian Republic, or proposed legislation affecting public health, the medical profession and medical education, and initiate or watch over or take such steps and adopt such measures from time to time regarding the same as may be deemed expedient or necessary.
17. Purchase, take on lease of or otherwise acquire, hold, manage, let sell, exchange, mortgage or otherwise dispose of movable or immovable property of every description and all rights or privileges necessary or convenient for the purpose of the State Branch and particular and land, building, furniture, household or other effects, utensils, books, newspapers, periodicals, instruments, fittings, appliances, apparatus, conveyance and accommodation and when deemed necessary or desirable in the interest of the "State Branch" sell, dispose, let, hire out, mortgage, transfer or otherwise dispose of the same.
18. Erect, maintain, improve or alter and keep in repair any buildings for the purpose of the "State Branch".
19. Borrow or raise money in such manner as the "State Branch" may think fit and collect subscription and donations for the purpose of the "State Branch".
20. Invest any money of the "State Branch" not immediately required for any of its objects in such manner as may from time to time be determined by the "State Branch".

21. Assist, subscribe to or co-operate or affiliate or be associated with any other public body whether incorporated, registered or not and having altogether or in part objects similar to those of the
22. Create or assist in creating branches for any of the purpose aforesaid.
23. Do all such other things as are cognate to the objects of the State Branch or incidental or conducive to the attainment of the above objects.
24. **To establish welfare Schemes for members and for the family of the members, as Social Security Scheme, Professional Protection Scheme, medical Insurance Scheme etc.**

PART - II

RULES OF THE ASSOCIATION

The words working committee and the Central Council in the following rules mean the Central Working Committee of the Indian Medical Association and the Central Council of the Indian Medical Association, respectively.

DEFINITIONS:

HQ means Indian Medical Association – Head Quarters, New Delhi.

CWC means Central Working Committee – IMA HQ.

CC means Central Council – IMA HQ.

State means Indian Medical Association – Maharashtra State.

State Executive means State Executive Committee of IMA – Maharashtra State.

State Council means State Council of IMA MS.

Local Branch means Local Branches under State Branch.

COMPOSITION

1. The "State Branch" shall consists of members, whose names are on the register of members of the Association at the time when these revised rules and bye laws come into operation and of subsequent members who, being eligible shall be duly elected in such manner and on such conditions as may be prescribed from time to time in the Rules and bye- laws.
2. There shall be a register of members in which the names of all the members of the state branch shall be entered with their qualifications and addresses and be kept in such manner as laid down by the Executive Committee.

BRANCHES

3. All local branches of the Indian Medical Association formed according to its rules and bye laws and situated within the state of Maharashtra shall form the local branches of this "State Branch".
 - a) Local branches shall be independent of each other.
 - b) Subject to the Rules and Bye laws of the Indian Medical Association, each local branch shall be free.
 - i) To govern itself in such manner as it shall think fit and for the purpose.
 - ii) To make from time to time rules and Bye laws as it may think fit and
 - iii) To repeal or alter the same as and when it shall consider it expedient.

The Rules and Bye laws so made and for the time being in force will conform to the Rules and Bye laws of the Indian Medical Association and this State Branch shall have been approved by the Honorary Secretary General of the Indian Medical Association subject to subsequent ratification by the Central Working Committee.

- c) Local branches which have no Constitution with Rules and Bye laws shall accept the model Constitution provided by IMA HQ.

4. Maharashtra state branch shall guide the Local Branches pertaining to the aims and objects of the Association. The State Branch shall be the link between the local branches and the Central Headquarters of the Indian Medical Association in all matters. Any Local Branch dispute will be referred to the State Branch within 30 days of its arising. The Office Bearers of the State Branch will arrive at the decision on this dispute within 30 days of having received information of dispute which will be binding on the Local Branch. In case Local Branch disagrees with the decision, it may appeal to the Central Working committee within 30 days of receiving the decision of the State Branch, pending the decision of the Central Working Committee, the decision of the State Branch shall hold.
5. This State Branch shall not be liable for any debts or liabilities of any of its branches, nor shall any of its branches, be liable for any of the debts or liabilities of this State Branch.

FORMATION OF BRANCHES

6. Local Branch shall be formed by the eligible members of the profession residing or practicing in that area resolving to form themselves into a branch of the IMA (not crossing over the geographical area of other branch) and getting the IMA application forms duly filled in and signed by all the persons wishing to join IMA through the said branch and forwarding them to the Headquarters of IMA (through the Maharashtra State Branch) with the subscription of all members at the rate hereinafter fixed and the names of the Office Bearers. The Working Committee will by a resolution at its next meeting, approve of formation of that particular Branch which shall be communicated to the Branch through the State Branch.

GENERAL RULES ABOUT BRANCHES

7.
 - a) A minimum of 10 members residing or practicing in a place or its neighbourhood where there is no branch, shall form a branch.
 - b) Branch shall submit to the Headquarters through the Maharashtra State Branch, an annual return of the members on their roles as on 1st April each year which shall include a list of new members, a list of members who have left the branch with their new addresses, if available and an account of the activities of Branch.

ELIGIBILITY OF MEMBERS

8. Any person possessing Medical Qualification as laid down in to Indian Medical Degree Act, 1916 (Act VII OF 1916) and the Indian Medical Council Act of 1956 as amended from time to time and approved by this Association and registered with MCI or any of the State Medical Council in India will be eligible for membership.

CLASSIFICATION OF MEMBERS / HONORARY MEMBERS

9. I.M.A. Maharashtra State Branch shall have the right to elect Honorary Members of the Association as the Direct Members of the State branch provided:
 - a) The person is above the age of 65 Years.
 - b) Has been continuous member of IMA for 25 years.
 - c) Has outstanding achievements to his credit and /or has substantially contributed to the cause of IMA.
 - d) If direct member of the State Branch is made as Honorary Member, his Head Quarter Fund Contribution will be borne by the State Branch.
 - e) He shall have no privilege of receiving notices of Meetings or voting at meetings or holding any office. Privileges other than these may be conferred on him from time to time under the Bye - Laws.

SUBSCRIPTION MEMBERS

10. Branch Members : Persons enlisting as members through a local branch as per Bye-Laws shall be called Branch Members.
11. Direct Member : Persons who are eligible for Membership and reside or practice or are employed in a place in Maharashtra State and where no local branch exists, may be enlisted as Direct Members as per bye - laws.
12. Life Members : Members eligible for membership who pay a lump sum in lieu of yearly subscription according to the Bye Laws laid down for the purpose shall be called Life Members.
13. Year of Association : The year of the Association and all its branches for H.F.C. Purpose shall be from 1st April of one year to 31st March of following year.

SUBSCRIPTION AND CONTRIBUTION

14. Subscription: Honorary member shall not have to pay any subscription.
15. Branch members shall pay their subscription to the Branch according to the scale and instalments fixed by the branch. The branch shall, however pay a contribution at the rate fixed from time to time by the Central Council **and State Council** per head per year for all members on its roll on 1st April each year. This shall be paid to this Association. Such contribution shall become due on the 1st April and shall be **paid one month in advance i.e. before 1st March every year since HQ considers zero annual membership on 1st April.**
16. Direct Members shall pay such subscription as may be determined by the Maharashtra State Council from time to time **before 1st March every year.**
17. Life Members shall pay a lump sum in lieu of the yearly subscription as per Rules and Bye laws of the Indian Medical Association.

PRIVILEGES OF MEMBERSHIP

18. Payment of each year's HFC by the branch on behalf of its members and /or subscription of the State branch in case of direct members as the case may be shall entitle the member for that period to all privileges of membership of Association and those of the branch of which he is a member.
19. A member shall be entitled to receive a copy of the journal of the Indian Medical Association or other publication either free of charge or at such rates as may be fixed from time to time.
20. All members shall have the right to attend and take part in the discussions at all the General and Clinical Meetings, lectures and demonstrations organized by the Association or its branches of which they are members. Honorary members and visitors can not vote on resolutions or at elections.
21. All Life Members shall have the right to enjoy the privileges of membership of the branch within whose jurisdiction they may happen to reside or practice or be employed for the time being.
22. All Members shall have the right to attend Medical Conference organized by the State Branch on such terms as laid down in the Bye - Laws.
23. All Members shall enjoy any other privileges that may hereinafter be conferred by the Association.
24. On cessation of membership, the person concerned shall automatically cease to hold any office or appointment held on recommendation of the Association or the branch.

MANAGEMENT OF THE "STATE BRANCH"

25. The general control, management and direction of the policy and affairs of the Association shall be vested in a body styled as Maharashtra State Council.

COMPOSITION OF THE MAHARASHTRA STATE COUNCIL

26. The Maharashtra State Council shall be composed of the following members of the Association:

1. Ex- Officio Members

- a) The President & **PRESIDENT ELECT.**
- b) All the Past Presidents and Vice Presidents of the Indian Medical Association of the Central from Maharashtra State.
- d) All the past presidents of IMA Maharashtra State. Provided that they are members of IMA Maharashtra State Branch.
- d) Honorary State Secretary.
- e) Four Vice Presidents.
- f) **Four** Honorary Joint Secretaries
- g) Honorary Treasurer.
- h) **All Office Bearers of all wings of State Branch.**
- i) **Regular and alternate** Representatives of the State on the Central Working Committee of IMA.
- j) Such members of the Executive Committee who are not members of the State Council.
- k) **Members of the Election Commission.**

2. Branch Representatives

a) Representatives from Branches:

The Representative from the branches is appointed by the branches according to the following. One representative for the first 20 members or less. One additional representative for a complete unit of ten subsequent members. Names of the representatives shall be communicated to State Office at least six weeks before the Annual Meeting of the State Council. In case any of the representatives of a branch is unable to attend the meeting of the Maharashtra State Council, the President of the said branch may nominate any other member of the branch to deputize for him for that particular meeting. The names of such members, who are deputized, shall be communicated to the Honorary State Secretary of the Maharashtra State Branch before the meeting.

b) Representatives of Direct Members:

Direct Members shall elect their representatives according to the same scale as the branches, the election being held by the State Office. If the Honorary State Secretary feels that it is not convenient to hold election, the Honorary State Secretary in consultation with the Present, elects / appoints them as per above basis.

27. a) All casual vacancies occurring due to death, resignation or any other reason in case of Office Bearers shall be temporarily filled by the President until the next Executive Committee Meeting which shall ratify the appointments or make new appointments.
- b) Vacancies on State Executive Committee or State Council occurring due to death, resignation or any other reason shall be filled by the respective branches. In case of representatives from branches with less than 50 members, the Executive Committee shall fill these vacancies.
- c) In the event of Death, infirmity, **RESIGNATION, DISQUALIFICATION OR** inability in case of President elect (before installation) fresh election shall be called. **Election commission will conduct the fresh Election during the next immediate State Council Meeting.** In case of similar situation of President after installation, senior Vice President shall work as President for remaining part of the tenure.

FUNCTIONS AND POWERS OF THE MAHARASHTRA STATE COUNCIL

28. The Maharashtra State Council will administer the affairs of the State Branch in accordance with the Memorandum, the Rules and Bye- Laws of the State Branch. The council shall exercise such powers and do such acts as and things as may be exercised or done by the state branch.
29. The State Council shall have the right to delegate all or some of its powers except those relating to the changes in the Rules, Bye - Laws and other specific reservation **such as matter related to finance etc** to the Executive Committee.
30. The Council shall have the right to appoint special and 'Ad-hoc Committee' and to delegate some of its powers to such Committee. Ad-hoc Committee members will be entitled to claim T.A. for their attendance except at the Annual State Council Meeting and the State Executive Committee Meeting to be held along with the Annual State Conference.
31. To frame, alter or repeal Rules & Bye - Laws for the conduct of business at Meetings of the State Branch and the maintenance and administration of State Branch and the maintenance and administration of State Branch rooms, Library and other properties for the organization and direction of publication.
32. To frame, alter or repeal the Memorandum, Rules and Bye Laws of the State Branch.
33. To represent any matter in which they consider the interests of the Association or the Medical Profession are affected before the State Government or other public bodies or any properly constituted authority.
34. To consider and recommend applications for direct membership of the state branch, registrations of the direct membership of the State Branch and the question of taking disciplinary action against any of the direct members of the State Branch.
35. To write off whole or part of arrears against any individual member or a branch or other outstanding if considered desirable.
36. The decision of the Maharashtra State Council in all matters concerning the Maharashtra State Branch shall be final.
37. The Office Bearers of the State Branch except the President, **President Elect (President and President Elect for one year in 2012 and thereafter only President Elect from year 2013).** and the Vice Presidents shall be elected or appointed by the State Council, as per provisions laid down in the Bye – Laws.
38. Terms of office of the Maharashtra State Council: The Maharashtra State Council shall be a continuous body.

39. Ordinarily, the Maharashtra State Council shall meet twice a year. However, the Maharashtra State Council shall have the following four types of meetings:

a) The Annual Meeting of the Maharashtra State Council shall be held ordinarily at the time of the Annual Conference at convenient place date and time to be decided by the State Secretary in consultation with the President. The inaugural function and the installation of the incoming state president shall be held after completion of the deliberations of the Annual State Council Meeting. The host Branch may collect regular hospitality charges as decided by the host Branch in consultation with IMA MS **Office Bearers and approved by State Executive Committee.**

a) (1) In case the Annual Conference is not held for any reason the Annual Meeting of the State Council shall be held preferably in November during that year at a place fixed by the President and the State Secretary. Newly elected office Bearers shall be installed after this meeting.

a) (2) The Business to be transaction at the Annual Meeting of the State Council shall be the following:
Business of the Annual Meeting of the State Council:

- i) The Election of the Chairman - if necessary (in the absence of the President and the Vice Presidents)
- ii) Confirmation of the Minutes of the previous ordinary State Council Meeting
- iii) Adoption of Annual Report of the previous year **with all its wings such as CGP, AMS, SSS and PPS.**
- iv) Adoption of the audited accounts **and Consideration of the Budget for the ensuing year.**
- v) Amendments of the Rules or/ and Bye Laws, if any.
- vi) Election of members and Alternate members on the Working Committee of IMA.
- vii) Election of the Office Bearers as per Bye - Laws and 15 members and Alternate members of the Executive Committee from branches with less than 50 members.

a. Member of Election Commission 1 Post.

b. Hon. State Secretary 1 Post.

c. Hon. Treasurer 1.Post.

d. Hon. Joint Secretaries 3 Posts.

e. Director of studies of IMA CGP State Faculty 1 Post.

f. Hon. Secretary of IMA CGP State Faculty 1 Post.

g. Hon. Jt. Secretary of IMA CGP State Faculty 1 Post.

h. Members of IMA CGP State Faculty Governing Council 3 Posts.

i. Chairman IMA AMS State Chapter 1 Post.

j. Hon. Secretary IMA AMS State Chapter 1 Post.

k. Member on the Central Governing Council CGP-HQs 1 Post.

NOTE: 1. Posts at no. b, c, and 1 of d are from area where IMA MS office is situated.

2. 4th Hon. Jt. Secretary is nominated by the President.

3. Posts at no. i and j are for three years and election will be every 3 years.

- viii) Election of member of Election Commission.
- ix) Resolutions brought forward by the Executive committee of the State Branch.
- x) Resolutions brought forward by the local branches.
- xi) Resolutions brought forward by the individual members of the State Branch
- xii) Any other business with the permission of the President.

NOTE:

- a) Except with the special permission of the Chairman, no resolution shall be placed before the Annual Meeting of the State Council that has not given previous notice of and duly circulated with the agenda of the meeting.
- b) Resolution sponsored by the Local Branches shall be sent to the Honorary State Secretary Resolutions by individual members shall be ordinarily sent through the local Branch. But members may send the resolutions directly to the State Secretary with Copy to the local branch, if they belong to a branch.
- c) Notice of resolutions to be moved at the Annual meeting of the State Councils shall reach the State Secretary at least **SIX WEEKS** before the meeting.
- d) A member who wishes to move an amendment to any items included in the agenda shall give notice thereof to the State Secretary not less than one week before the date fixed for the meeting. Members shall however, have the right to propose amendments to any motion when it is put before the house.

- e) The State Secretary shall make available to all members attending the meeting a list of all amendments so received.
39. b) **Ordinary Meeting of the Maharashtra State Council:**
Ordinary Meeting of the Maharashtra state Council shall be held subsequent to the Annual Meeting of the Council, for purposes of confirmation of the Minutes of the Annual Meeting of the Maharashtra State Council, for delegation of powers to the Executive Committee and for such other business as may be brought forward before it.
39. c) **Special Meeting of the Maharashtra State Council:**
The Executive Committee shall have the right to direct the State Secretary to convene a special meeting of the Maharashtra State Council whenever necessary. A special Meeting of the State Council, will be called along with the Annual Meeting whenever notice has been received of amendment to the Memorandum of Association under rule No. 50.
39. d) **Requisition Meeting of the Maharashtra State Council:**
A requisition meeting of the Maharashtra State Council shall be held within six weeks on receipt of a requisition signed by at least **150** members of the Council stating the business for which the meeting is required. The time, date and place of such meeting shall be fixed by the State Secretary in consultation with President.
40. **Notice of the meeting of the State Council:**
The notice of the meeting shall be posted at least 30 Days prior to the meeting to all members, stating the place, the date and the hour of the meeting and the agenda of business to be transacted there at. This notice shall be sent to members whose names have been on record at State Office one month before the date of meeting.
41. In case any change has taken place and the notice is sent to an old representative, the old Representative shall hand over the notice, etc. to his successor who is eligible to attend the meeting. The successor who is attending the meeting shall, bring the letter of appointment from President or Honorary Secretary of the branch and submit to the Honorary State Secretary.

QUORUM FOR THE MEETING OF THE STATE COUNCIL

42. The Quorum for all meetings of the State Council other than the requisition meeting, shall be 25 of which at least 15 shall be other than the Office Bearers of the State Branch. The quorum for the requisition meeting shall be 100. **In absence of quorum meeting shall be adjourn for 15 minutes and will meet after 15 minutes at the same venue and transect the same business, where no quorum will be required. In case of requisition meeting, it shall stand dissolve and there will be no requisition meeting called for six months for the same agenda.**
43. The President and the Vice Presidents of the Maharashtra State Branch elected as per Bye – Laws and other Office Bearers will take charge preferably at the Annual Conference or in the manner convenient as decided by the State Council.
44. All office bearers shall continue to hold office till their successors are installed.

EXECUTIVE COMMITTEE

45. The Executive Committee shall be a continuous body and will be constituted as follows:

The Executive Committee will consist of:

- a) Ex-Officio Members.
b) Elected Members.
c) Co-opted Members.
45. (a) **Ex-Officio Members** : The President, **PRESIDENT elect**, three Immediate Past Presidents, four Vice Presidents, the Honorary State Secretary, **four** Honorary Jt. Secretaries, the Honorary Treasurer and the **Regular** members of the Central Working Committee, Chairman, **Hon. Secretary & Hon. Jt, Secretary cum Treasurer of the Social Security Scheme of the State, Director of Studies of IMA C.G.P., Secretary and Jt. Secretary of CGP Maharashtra State Faculty, Chairman I.M.A. Academy of Medical Specialities, Hon. Secretary AMS State Chapter, Chairman and Hon. Secretary of PPS, Chairman and members of Election Commission.**

45. (b) Elected Members:

- i) The Local Branches shall elect their representatives and alternate members in the following scale:
50 to 199 members - 1 member.
200 to 299 members - 2 members.
300 to 399 members - 3 members.

For every representative over the Executive Committee elected by a local branch, the respective local branch shall elect an alternate member who is entitled to attend a particular meeting of the Executive Committee as a substitute, in case the regular member is unable to attend the particular meeting.

- ii) 15 members and alternate members to be elected by the Maharashtra State Council, at its Annual General Meeting from the members of the branches having less than 50 members, provided there will not be two members from any one branch.

45. (c) Co-opted members of the Executive Committee.

- i) The President may co-opt up to **5** members for any particular meeting of the Executive Committee, **two from the place of President and one each from three regions.**
- ii) The President will also co-opt for a particular meeting, the president and the Secretary of the Local Branch where the meeting will be held.

The co-opted members will be paid T.A. as per Bye - Laws. The co-opted members shall enjoy all the rights and privileges of the regular members for the purposes of the particular meeting for which they have been co-opted.

POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE

46. The Executive Committee shall be the executive authority and as such shall have the power to carry into effect the policy and the program of the State Branch as laid down by the State Council and shall remain responsible thereto.

The Executive Committee shall have the right:

- a) To regularise and issue instruction for the proper working of the State Branch and for maintenance and administration of the State Branch Office, library and properties and for the organisation and maintenance of its publications.
- b) To appoint Committee, Sub Committees. Ad - hoc committees as and when necessary. To fill - if necessary incidental vacancy in the **Office Bearers** and Election Commission.
- c) To represent any matter in which they consider the interest of the Association or the Medical Profession are affected, before Government or other public bodies or any properly constituted authority.
- d) To consider and recommend applications of direct membership and resignation of direct members of the State Branch and the question of taking disciplinary action against any of the direct members of the State Branch.
- e) To fix up the rates of travelling allowance to be paid to the Office Bearers of the State Branch and members of the Executive Committee and other committees, Ad-hoc Committees and Sub Committees.
- f) To consider all matters and make necessary recommendations as far as possible, before these are discussed by the State Council.
- g) Subject to the provisions of the Rules, to exercise in addition to powers expressly given by the Rules and Bye - laws, all such powers and do all such acts and things as may be done by the Association.

MEETINGS OF THE EXECUTIVE COMMITTEE

47. a) The Executive Committee shall hold minimum two meetings in a year excluding the one held during the Annual Conference.
- b) Notice: The notice of the meeting shall be posted at least 30 days prior to the meeting to all Members, stating the place, the date and the hour of the meeting. The agenda of business to be transacted at the meeting shall accompany the notice of the meeting. "Ordinarily, a copy of the notice and the agenda of the meeting will also be sent to all the branches - for information.

- c) The quorum for the meeting shall be 15 of which at least 10 shall be members other than the Office Bearers of the Association. d) Venue: The meetings of the Executive Committee shall be held at a convenient place, the date time and place to be decided by the State Secretary in consultation with President except that the meeting which will be held at the time of the Annual Conference will be held at the place where the conference is held.

TRAVELLING ALLOWANCE

48. Both ways (AC 2 tier) fare shall be paid to the members of the Executive Committee for attending the meeting of the Executive Committee, except at the meeting held along with the Annual Conference, similar T.A should be paid to the members attending the meeting of the Sub-Committees of the State Council or Executive Committee, if any. The Executive Committee will also make rules regarding the payment of T.A to the President or any other Office Bearers of the State Branch, travelling on Association work.

THE ANNUAL CONFERENCE

49. These shall ordinarily be organised as a Maharashtra State Medical Conference every year preferably in October or November Or as the Maharashtra State Council may decide under the auspices of the Indian Medical Association Maharashtra State Branch at a suitable place and time as decided by the Maharashtra State Council. The branches shall have the privilege of inviting the conference **WITH non refundable, Rs. 25,000/- as advance part payment. Branch hosting any CONFERENCE (other than MASTACON conference) under the banner of IMA MS Branch will pay minimum of Rs. 100/ or 40% of the delegate fees – whichever is more to the State Office.**

VALIDITY OF PROCEEDINGS

50. The proceedings of the Maharashtra State Council or any of its Committees or Sub-Committees or other bodies acting under the Rules and Bye - Laws of the State Branch shall not be invalidated by any accidental omission to give any notice thereby required or by any vacancy among their members or by any defect in the election or qualification of any of its members, or for any irregularities whatsoever.

DELEGATION OF AUTHORITY

51. Where, by or under the Rules or Bye-Laws any act or thing is required to be done by the Association, the same may be done by such Office Bearers, Officers or member or members of the State Branch as the Maharashtra State Council may appoint for the purpose.

AMENDMENTS TO THE MEMORANDUM, RULES AND BYE - LAWS

52. Proposals for change in the Memorandum of the Association as and when necessary shall be considered at the meeting of the Maharashtra State Council specially convened for the purpose. The proposed alterations must reach the Maharashtra State Office at least two months before the date of the special meeting and shall be circulated to all branches for opinion at least 1 month before the date of the meeting. Due notice of the proposed changes must be given in the agenda of the special meeting. No such proposal shall be carried into effect unless it is agreed to by votes of the 2/3 of the members present and voting at the special meeting and confirmed by 2/3 of members present and voting at a special meeting convened for the purpose. The special meeting will be called along with the Annual State Council Meeting.
53. Proposals for change of Rules and Bye-Laws shall ordinarily be considered only at the Annual Meeting of the State Council. The proposed alterations must reach the Maharashtra State Office at least two months before the date of annual meeting and be circulated to the branches one month before the Annual Meeting and due notice of it must be given in the agenda of the Annual Meeting of the State Council. Rules can only be changed by 2/3 majority of those members present and voting. Any addition, modification or repealing of the rules shall be considered to have come into force only after the proceedings of the meeting at which they were passed have been confirmed at the next meeting of the Council.
54. In anticipation of the approval, of the Maharashtra State Council, the Executive Committee may amend the Bye-laws at any of its meetings provided that the proposed amendments have been duly circulated to the branches 15 days before the date of the Executive Committee Meeting and provided 2/3 of the members of the Executive Committee present and voting at the meeting, vote for the amendments. Immediate effect may be given to such amendments if the Executive Committee so decides. These amendments will have to be ratified at the next meeting of the Council, by majority of votes.

BUSINESS BY CIRCULAR

55. Whenever necessary, the Honorary State Secretary shall in consultation with the President, ascertain the opinion of the Maharashtra State Council or the Maharashtra State Executive committee, by circular.

ELECTION COMMISSION

56. There shall be an independent Election Commission of IMA Maharashtra State to conduct Elections of the Office Bearers of IMA Maharashtra State.
- It shall have maximum **5** members.
 - All the members shall have equal powers.
 - State Council at its annual meeting shall elect one member (for first year 3 members shall be elected with tenure of 1 year, 2 years and 3 years)
 - Tenure of each member shall be 3 years.
 - No member shall be eligible for re-election for more than 2 consecutive terms.
 - After Constitution of 3 members' body, one member shall retire just before Annual State Council Meeting.
 - Retiring member, if eligible can avail the opportunity of re-election.
 - Member if resigns before completion of the term shall not be eligible for re-election for one year.
 - The three members shall elect one of them as Chairman.
 - Incidental vacancies in the Election Commission can be filled in by State Executive Committee.
 - Members of Election Commission shall not be eligible to contest any other post of the State Branch.

Powers and Functions of Election Commission

- 57.
- Election Commission shall conduct the election of State President and 3 Vice Presidents.
 - It shall, conduct the elections of other Office Bearers, etc. on the day of Annual State Council Meeting.
 - It shall undertake any such election related work as may be desired by the President, **State Executive or State Council.**
 - It may suggest improvement in the Bye-laws for free and fair elections and smooth conduction of the process.
 - It shall prepare and produce its own budget.
 - It shall obtain from state office all necessary logistic support.
 - The report given by the election commission will be considered as valid and final and binding on all the members.
 - Election Commission can take the help of some members of the local branch or other members from the members present at the meeting for scrutiny work.
 - Candidate or representative can observe the Election Process.

PART III

BYE-LAWS OF THE ASSOCIATION

MEMBERSHIP

1. Honorary Members as per Rule No. 9

Subscription Members

2. Branch Members: Branch Members shall be elected as per Rules and Bye-Laws of the Indian Medical Association.

Direct Members

3. Persons wishing to be direct members shall fill in and sign the prescribed form of application for membership and send it to the Honorary State Secretary. The application shall be accompanied with one year's subscription. The application shall be put up at the next meeting of the Executive Committee for admission of the applicant as a member and the resolution of the Executive Committee shall be communicated to him or her. In the meanwhile, he or she may be admitted as a member only provisionally.

Life Membership

4. A person who is an ordinary member or is eligible to be an ordinary member, seeking enlistment as a Life Member shall pay a lump sum as determined by the Central Council **and State Council** from time to time. Procedure of membership shall be the same as in the case of a branch or direct member.

Subscription and Head Quarter Fund Contribution

5. Honorary Members shall not have to pay any subscription.
6. Branch Members shall pay their subscription to the branch according to the scale and instalments fixed by the branch. The branch shall, however, pay a contribution and H.F.C. to the Maharashtra State Branch at the rate to be fixed from time to time by the State Council and Central Council, as per head per year for all the members on its roll on the April each year. Such contribution shall become due on 1st April. **However it will be paid in advance to State before 1st March each year.**
7. Direct member shall pay such subscription as may be determined by the Maharashtra State Council from time to time.
8. Life Member shall pay a lump sum in lieu of the yearly subscription as determined by the Indian Medical Association – **“Central Council and State council from time to time.”**

General Rules about Subscription and Contribution

9. If subscription and contribution on behalf of any member is not paid **before** one month from its becoming due, the privileges of membership of such member shall be withheld by the Honorary State Secretary pending the decision of the Executive Committee.
10. All subscriptions and contributions become due on the first April every year.
11. If a branch member leaves the area of his or her branch permanently and goes to another branch according to the rules of another branch. The fact of transfer shall be notified by the branches to each other and to the Head Quarters through the Maharashtra State Branch. **If a Life member wish to change the Branch in Maharashtra or under other State branch, transfer will be governed as per the rules of H.Q.**
12. If a branch member leaves a branch and goes to a place where there is no branch he or she shall enjoy privileges of membership for the period for which the Central Fund Contribution on account of him or her has been paid by the branch. After that he or she shall cease to be a member unless he or she applies to be classified as direct member.

TERMINATION OF MEMBERSHIP

13. **Membership may be terminated by: Resignation.**

A member may at any time resign his or her membership by giving notice in writing to:

- a) The Branch Secretary in case of a branch member.
- b) The Honorary Secretary General, I.M.A. through the Honorary State Secretary of the Maharashtra State Branch - in case of direct members. The resigning member shall pay all the dues against him or her and the Secretary concerned shall put up a statement of dues outstanding against the member, if all dues are not paid up along with his resignation, to the state Executive Committee for information and necessary action.

14. **By removal of name on account of non-payment of subscription:**

All Annual members' subscription must pay their HFC (State & HQ share) before 1st March to the State Office, either through the Branch for Branch members and direct to State office for Direct member. (Since as per rules of HQ non-payment of HFC before 1st April, strength of all Annual members are automatically suspended /terminated and becomes zero.)

15. **By removal of name on the ground of undesirable conduct:**

If the conduct of any member shall be deemed by the State Executive Committee of branch, prejudicial to the interests of the Association or calculated to bring the Medical Profession into disrepute, he or she may be asked to submit a written explanation of his or her conduct. In the event of the explanation being found unsatisfactory, the member may be asked to apologize or to resign from the Association. If the member is agreeable, his apology or resignation shall be accepted and in case of a branch member it shall be sent to the Head Quarters through State Branch with a confidential note giving details of the case for future reference. In the event of the said member refusing either to apologize or to resign when asked to do so, a general body meeting of the branch shall be called to consider the case. At least seven days notice of the meeting shall be given to the members concerned and he or she shall be given an opportunity to explain his or her conduct, if he or she desires to do so. If at the meeting 3/4 of the members present and voting record their votes for removal of his/her name from membership, the resolution shall be sent to the Central Council through the State Branch for confirmation and his/ her name shall be removed from the register of membership of the branch only after receipt of such confirmation. In the meantime he shall be suspended from enjoying all privileges of membership. In case of direct members the same procedure shall be followed by the State Branch.

RE- ADMISSION

16. **Persons who have ceased to be members under Rule 14 can be readmitted on fresh application being made by them and on payment of any dues outstanding on the date when they ceased to be members. The Working Committee shall however have the power to write off a part or whole of any outstanding dues against such member or on recommendation of the branch concerned.**

17. **Persons who have ceased to be members under Rule 15 can be readmitted on fresh application on expiry of two years or thereafter provided their application for readmission is supported by ten members of association testifying to their good conduct during the intervening period. But the members who have resigned under this clause can be readmitted on submitting a written apology acceptable to the working committee on recommendation of the branch concerned.**

18. **General Procedure of Meeting:**

- a) Minutes of all meetings shall be kept and shall be duly confirmed at the following meeting. However, the minutes of Sub-Committee or Ad-Hoc or Special Committees can be confirmed by circular.
- b) No resolution adopted or negatived at a meeting shall be reconsidered unless, either 6 months have elapsed or 1/5 of members of the Council or the Committee or Sub-Committees concerned sign a requisition for its reconsideration.
- c) The Chairman of a meeting may adjourn a meeting, if deemed necessary, particularly if the majority of the members present are in favour of adjournment. At the adjourned meeting, only unfinished business of the meeting shall be transacted. At the adjourned meeting, the new Chairman will preside if there is a change of office in between.
- d) The Chairman shall, in case of equality of votes have a casting vote.

- e) No business shall be transacted at a special or requisition meeting other than that for which the meeting is called.
- f) A notice may be served on any member either personally through a servant of the State Branch or by **registered with AD/ speed post or courier with POD.**"
- g) **If there is no quorum at the appointed time, the requisition meeting shall stand cancelled and no other meeting shall be called within 6 months for the same agenda.**

19. Funds of the State Branch:

Income: The funds or the income of the State Branch shall be derived from the following sources:

- a) Subscription of the direct members after deducting the share of the office of the I.M.A. Headquarters.
- b) Contribution from the branches to the State Branch on account of members on their rolls.
- c) Contribution from the Life Members as determined by the Head Quarters **and State council.**
- d) Special contributions or donations raised directly or through the branch.
- e) Income derived from the publication of the State Branch.
- f) Contributions received from the branch organising the Maharashtra State Annual Medical Conference as per Bye -Law No. 41.
- g) Requests received by legacies from persons who desire to benefit the State Branch.
- h) Such other sources as may be authorised by the State Council.

20. There shall be a reserve fund of the State Branch. At least **40%** of the surplus each year shall be credited to this fund. The reserve fund shall only be drawn upon by a special resolution of a meeting of the State Council at which $\frac{3}{4}$ of members' present vote in favour of the resolution of withdrawal. The Maharashtra State Council shall have the power to create a special fund earmarked for a specific purpose and shall make suitable rules for the management of the same.

21. a) All the funds and properties of the State Branch shall stand vested in the name of "Indian Medical Association, Maharashtra State Branch" and shall be operated upon on behalf of the State Branch jointly by:

- i) President or Treasurer.
- ii) Honorary State Secretary or one of the Joint Secretaries. If there is any special or earmarked fund, it shall bear the name of the said fund as follows: "Indian Medical Association, Maharashtra State Branch (Name of Fund) "and shall be operated as above unless specified otherwise.

21. b) The Life Membership Contribution received by the State Branch shall be earmarked separately as "Life Membership Fund" and shall not be utilised without prior sanction of the State Council. However, interest out of this fund can be used for the functioning of the State Branch. Ordinarily Finance Committee, **President, Hon. Secretary and** the Treasurer will see that this fund is properly invested.

22. **Expenditure : The Office Bearers shall** out of the Funds of the State Branch, defray all ordinary expenses and shall pay rents, salaries, wages and such other charges as may be necessary for carrying on the work of the State Branch. It shall further provide for the publications as authorised, and shall be empowered to spend money on scientific investigations, conferences, prizes, scholarships and on such other purposes as it may consider advisable in furtherance of the objects of the State Branch.

23. The Office Bearers of the State Branch:

The following Office Bearers shall be elected for the proper management of activities of the State Branch.

- a) The President **and President Elect.**
- b) Three Vice Presidents: 4th Vice President shall be nominated by the Branch holding the Annual State Conference.
- c) One Honorary State Secretary.
- d) **Three** Honorary Joint Secretaries. One of the Elected Joint Secretaries shall be from the Branch where the State Headquarters is situated. **4th Joint Secretary – nominated by the President."**
- e) One Treasurer.
- f) **Chairman, Hon. Secretary and Hon. Jt. Secretary of IMA MS CGP Faculty.**
- g) **Chairman and Hon. Secretary of AMS Chapter of IMA MS.**
- h) **Chairman and Hon. Secretary of IMA MS PPS and Chairman, Hon. Secretary and Hon. Jt. Secretary cum Treasure of IMA MS SSS, elected by respective General Body Meeting will be considered as Office Bearers of the State Branch.**

Note: No one in receipt of Salary or honorarium from the funds of the Association can be elected as an Office Bearer of the State Branch.

Duties and Powers of the Office Bearers.

24. The President:

- a) Shall be the Chairman of all meetings of the State Council and any other committee of which he may be a member.
- b) Shall guide and control the activities of the State Branch.
- c) Shall preside at the Annual Conference.
- d) Shall regulate the proceedings of the meetings and conference. Interpret the rules and regulations, and decide doubtful points.
- e) Shall, in addition to his ordinary vote, have a casting vote in case of equality of votes.
- f) **Shall be Ex - Officio member of all Sub Committees and Standing Committees.**

25. The Vice Presidents:

(They will take precedence according to the number of votes received by each of them.)

- a) Shall act as Chairman of meetings of the State Council in absence of the President.
- b) Shall be Chairman of all Sub-Committees and Committees of which he is a member, in case the President is not a member.
- c) Shall help in the organisation of the branches by making tours and addressing Medical Association, etc.

26. The Honorary State Secretary:

- a) Shall be in charge of the State Office.
- b) Shall conduct all correspondence.
- c) Shall have general supervision of accounts, pass all bills for payment and sign cheques.
- d) Shall get prepared by the Honorary Treasurer a quarterly and annual statement of accounts duly audited by the auditor for presentation before State Council.
- e) **Shall get prepared by the Hon. Treasurer, a budget for presentation at the Annual Meeting of the State Council.**
- f) Shall organise, arrange and convene meetings, conferences, lectures and demonstrations.
- g) Shall attend meetings of the State Council and the other Committees if and when formed and keep proceedings thereof.
- h) Shall be Ex - Officio member of all Committees.
- i) Shall maintain a correct and up-to-date register of all members of the State Branch.
- j) **Shall organize meeting of eligible doctors for encouraging the formation of new Branch, where it does not exist by creating interest in activities of IMA."**
- k) Shall prepare the Annual Report and present it at the Annual Meeting of the State Council, through the Executive Committee.

27. The Honorary Joint Secretaries will assist the Honorary State Secretary in his work, they shall attend meetings of the State Council and Executive Committee and other committees where specified.

28. The Honorary Treasurer:

- a) Shall receive all money of the association and deposit them in the bank approved by the State Council to the credit of the "Association."
- b) Shall dispose of bills for payment as sanctioned by the Honorary State Secretary on his written orders.
- c) Shall be responsible for the collection of the subscription and contributions from all members of the Association either directly or through branches.
- d) Shall be responsible for keeping up-to-date accounts of the Association with all the account books posted up-to date.
- e) Shall get all accounts audited by the auditor of the State Branch.
- f) Shall prepare the annual statement of accounts and a balance sheet showing the financial position of the State Branch, get it audited by the auditor elected at the annual meeting of the State Council and **"prepare the BUDGET** and put it before the meeting through the Honorary State Secretary for adoption.
- g) Shall prepare a statement of accounts to be put before the state Executive Committee before the State Council.

ELECTION OF THE OFFICE BEARERS

President, **President Elect** and Three Vice Presidents

29. The election commission shall on or before 20th June year invite the branches to nominate one member for the office of the President, for **President Elect, (for One year in 2012, and then only President Elect from 2013)** and 3 members for the office of Vice presidents of the Maharashtra State Branch of IMA. The members nominated by the branch must have been LIFE Members of the Association for at least 10 years. The nominations can be filled by the branch using printed letterheads signed by the Honorary Secretary or President of the branch. :[[**President and President Elect for one year in 2012 and thereafter only President Elect from year 2013. There will election of President for the year 2012-2013 and President elect for the year 2013-2014 in the year 2012. The President will be installed in November 2012 and President elect will be installed as President in November 2013. There after from 2013 onwards there will be election of President elect every year.]]]**
- The nominee for the post of President, **President Elect** and Vice Presidents should have held some post at the local branch. The nominee for the post of President and **President Elect** must have attended at least 5 State Council meetings. Nominee for vice President MUST have attended at least 3 State Council meetings. The 4th Vice President shall be nominated by the branch hosting the Conference and shall not be required to contest the Election.
30. The nominations should be sent by the branches so as to reach the Election Commission not later than as per decision of the Election Commission and nominations received after the above date shall not be considered. The nominations will be scrutinized by the Election Commission before as per decision of the Election Commission. H.F.C. in respect of nominees and the nominating branches should have been paid up to date. The nominee for the President **and President Elect** shall deposit Rs. 10000/- in the State Office along with his consent, nominee for Vice President Rs. 5000/- in the State Office along with his consent. In case of rejection of nominations the amount will be forfeited. In case of withdrawal before stipulated date, the deposit will be refunded. Candidates will forfeit their deposit if they fail to get at least 15% of total votes polled. In case of multiple nominations from different branches for the same candidate, the above mentioned amount needs to be paid with each nomination.
31. The Election Commission shall inform by registered post before as per decision of the Election Commission to members whose nominations have been received for the Post of President and Vice President giving full list of the nominations received. Members desiring to withdraw their names must inform the Election Commission on or before as per decision of the Election Commission by a letter personally signed on the withdrawal form, sent by the State Office. Non receipt of any reply by the members in this respect by the due date shall be interpreted as consent of the candidate concerned.
32. The Maharashtra State Office shall inform all the local branches of their effective membership strength along with the H.F.C. Status on or before 20th June every year. In case the Maharashtra State Office fails to inform the local branches as above by 20th June of the year, the list of effective membership as well as H.F.C. status as sent by the local branches shall be considered valid for election purpose. The candidates shall be provided with list of branches with their effective strengths & the H.F.C. status by as per decision of the Election Commission by the Maharashtra State Office.
33. The Election Commission shall as per decision of the Election Commission send to each local branch a printed or cyclostyled and numbered ballot paper signed by the Election Commission or his nominee containing the names of the candidates duly nominated for President / President elect and 'Vice Presidents & request the branches to enter in it, the number of votes obtained by each candidate for the Election of President, President elect & Vice President at a general body meeting of the branch duly convened and send the ballot paper in a sealed cover, by Registered Post or E.M.S. Speed Post to reach the State Office by 10th September of the same year. There shall be separate ballot papers for the election of President with President Elect and Vice Presidents. The total strength of the local branch for life Members as well as for Annual Members shall be mentioned on the outer envelope.

34. The ballot paper shall contain columns for:

- a) Total attendance.
- b) Votes Cast.
- c) Invalid Votes.
- d) Date of General Body Meeting.

There shall be separately coloured ballot papers for Life Members and for Annual Members. There shall be separately coloured inner cover for the ballot papers of life members and ballot papers of Annual members. Both the envelopes shall be placed in one outer cover addressed to the Maharashtra State Office. The method of receiving ballot paper by the Maharashtra State office from local branches shall be either by Registered Post or Speed Post.

35. On receipt of the ballot papers from branches the Election Commission shall call a meeting on convenient date to scrutinize the ballot papers and declare the results which will be always final & binding. The candidates securing the highest number of votes shall be declared elected to those offices.

36. **Tentative programme shall be as follows:**

Sr. No.	Description	On or Before
1	Notice of Election	20 th June
2	Information to be send to all the branches about HFC membership strength as on 31 st May.	
3.	Receipt of Nominations up to 5.00 pm.	As per the decision of the Election Commission, dates will be finalised .
4.	Scrutiny of Nomination papers by Election Commission (HFC to be paid fully)	
5.	To inform individual candidates about valid list of nominations along with withdrawl forms.	
6.	Withdrawal of the Nomination up to 5.00 pm.	
7.	Effective strength of Membership & HFC status of all branches to be informed to contesting candidates.	
8.	To send Election papers / Ballot Papers to all branches.	
9.	Last date of receipt of Ballot papers up to 5.00 pm.	10 th September.
10.	Counting of Votes from 10.00 am onwards & declaration of results.	Next Sunday.

The convenient dates shall be decided by the Election commission as per the schedule of holidays and Sundays.

37. The Seniority of the Vice Presidents will be decided as under:

- a) By the number of votes secured by each candidate.
- b) In case of unanimous or uncontested election.
 - i) By Seniority of membership.
 - ii) By lots when seniority of Membership can't be determined.

38. The time and date of counting the ballot be communicated to the contesting candidates who will be allowed to remain present, or send an authorised representative.

RECEIPT OF BALLOT PAPERS IN STATE OFFICE

39. a) On receipt at the Election Commission, every outer cover containing ballot papers will be diarised on the same day in a separate diary register to be maintained for this purpose by the Election Commission or any responsible official authorised by them for this purpose. The date of receipt and diary number should also be recorded on the outer cover containing the ballot paper and signed by the Authorised official daily and during his absence by any other official authorised by him. Any discrepancy / deficiency noted on the outer cover containing ballot papers should also be recorded against the relevant entry in the diary register for consideration of the Scrutineers at the time of scrutiny of ballot papers.
- b) At the end of the last date of receipt of ballot papers, all the sealed envelopes containing the daily receipts of ballot papers along with summary thereof and an authenticated statement of Branch wise valid strength of Electoral College should be sealed by the Election Commission or Authorised Official in Steel Box in the presence of candidates or their authorised representatives, if any, who may be present at that time in the State Office. Thereafter, the Sealed Box shall be kept in safe custody till it is handed over by the Authorised Official to the Election Commission.

APPOINTMENT OF OBSERVERS

40. a) Each Candidate or his duly authorized representative will be entitled to be present during the scrutiny and counting of votes. The authority letter issued by a candidate to any person to act as an observer on his behalf shall be submitted for perusal of the Scrutinizing Committee and shall be treated as part of the election records after obtained signature of observer thereon. A record of attendance of the candidates/observers, sheet of paper and shall be kept by the Scrutiny Committee.
- b) Neither any candidate nor any observer shall be permitted to handle any envelopes / ballot papers. However, they may take down the number of votes obtained by each candidate as announced by the Scrutineers.

SCRUTINY OF OUTER ENVELOPES

41. a) The Chairman, Scrutineers Committee after taking charge of the Steel Box containing ballot papers will proceed with the work of scrutiny of ballot papers & counting of votes in a separate room under the supervision of Election Commission. The sealed boxes will be opened in the presence of all the Scrutineers and candidates or their observers and all the envelopes containing daily receipts of ballot papers will be taken out and tallied with the summary thereof. Thereafter, these will be opened and all outer envelopes contained therein will be taken out.
- b) Each Scrutinizer shall proceed with the scrutiny of outer envelopes without opening them, to determine their Validity. For this purpose, any discrepancy / deficiency recorded against the relevant entry in the diary register will also be referred to. The outer envelopes will be declared invalid for any of the following reasons, which shall be recorded on the outer envelope and signed by the scrutinisers.
- i) Received after due date.
 - ii) Received in an envelope other than the prescribed envelope supplied.
 - iii) Received by Ordinary Post.
 - iv) Name of the branch not written. Name of the branch written on the outer cover is different from the branch to which the outer envelope bearing the serial number was issued.
 - v) Any reason found by the scrutiniser to be justified. The decision of the Election Commission regarding the invalidity will be final.

SCRUTINY OF INNER ENVELOPES

42. a) The valid outer covers will be opened and the inner envelopes will be taken out to determine its validity or otherwise. An inner envelope will be declared invalid for any of the following reasons which shall be recorded thereon and signed by the scrutiniser.
- i) If no inner envelope is found inside the outer envelope.
 - ii) A ballot paper is found to have been kept outside the inner envelope.
 - iii) The inner envelope carries on it some mark or writing or rubber stamp or signature or any seal or monogram, etc., If the flap of inner envelope has not been pasted and left open, it should not be treated as invalid.
 - iv) If inner envelope is other than the supplied.
 - iv) The inner envelope declared invalid shall be put back inside their respective outer envelope and closed by stapling & the reason for declaring invalid shall be written thereon by the Scrutineer. They will be arrange branch wise in alphabetical order, tied up in a bundle.
- b) The inner envelopes found valid, be opened and the ballot papers taken out from them. After opening and scrutiny of the inner envelopes, the ballot papers will be declared invalid for the following reasons:
- i) If an inner envelope contains any other paper, the inner envelope will be declared invalid and the ballot papers will be put back inside the inner envelope and the reason for declaring it as invalid will be recorded thereon and signed by the Scrutinisers.

SCRUTINY OF BALLOT PAPERS

43. The Ballot papers for President and Vice Presidents shall be scrutinized separately and shall be declared invalid for the following reasons which shall be recorded on the inner envelope & signed by the scrutiniser on the relevant ballot paper:
- a) The Strength of Electoral College written on the ballot paper is found to have been tampered with, by erasing, cutting, overwriting or otherwise.
 - b) Date of General Body meeting for election is not written.
 - c) There are cuttings or re-writing or over writing or scratching in the ballot paper.
 - e) The ballot paper carries unauthorised marking, signature, initial, rubber stamp, cuttings, etc.
 - f) If the total number of members voting is more than the strength of Electoral College written on the ballot paper.
 - g) Total number of votes obtained by all candidates for Vice Presidentship is more than 3 times the number of members voting, written in the ballot paper.

Note: A ballot papers shall not be declared invalid for using any coloured ink or ball pen for writing date of General Body Meeting or number of members voting or if the number are written in words or figures or in both or are type written.

Ballot paper will be made invalid – if date of General Body meeting, no. of votes etc. are written in different ink &or different hand writing.

COUNTING OF VOTES

44. a) All valid ballot papers will be mixed together separately for President and Vice Presidents and formed in to bundles.
- b) The Scrutineers will pick up valid ballot papers one by one for President and Vice Presidents separately for counting and shall read out the number of votes obtained by each candidate loudly from each ballot paper and enter the votes obtained by each candidate on separate counting sheets for President and Vice Presidents, using one vertical column for one ballot paper. Where there is no vote, a cross mark (x) should be put in the counting sheet. The Observer present will also be allowed to note down the number of votes obtained by each candidate.
- c) After the number of votes from all ballot papers have been entered in the counting sheets for President and Vice Presidents, total votes obtained by each candidate on each counting sheet shall be made by the scrutineer and by the observer also if they so desire and tallied before the Scrutineer proceeds with checking and counting of votes of the next bundle.
- d) When the votes from all the ballot papers have been counted and entered in the master sheet, the Chairman will consolidate and total the figures from master sheets of all scrutineers and complete all the consolidated statements which will be checked and signed by all the scrutineers and the Chairman.

- e) Thereafter, the Chairman will dictate the Report of the scrutineer in triplicate and the report shall be signed by all the scrutineers and the Chairman. The original report shall be presented by the Chairman to the State Office; duplicate copy shall be kept along with ballot papers and other records in a steel box which shall be sealed along with all the relevant election documents, in the presence of all Scrutineers and the Candidates / Observers.

45. "All relevant papers and ballot papers will be preserved for one year - if there is no dispute or till the dispute is resolved."

46. Candidate or his/her authorised representative shall have right to observe election process at local branch.

47. Election of office bearers other than. President, **President Elect** and Vice Presidents shall be held at Annual State Council Meeting.

- a) Election Commission shall invite application from eligible members for all the posts required to be filled in by the State Council.
- b) Time of Nomination, Withdrawal and if necessary time of Polling shall be declared well before State Council Meeting.
- c) Election Commission shall invite through Branches the Nominations of the entire elective posts of IMA MS to be held at the Annual State Council meeting on or before 6 weeks before the date of Annual State Council Meeting.**
Nomination should be in a sealed envelope and must be super scribed with "Nomination for the Election at State Council Meeting" and addressed to "Election Commission".
the Envelope should not contain any other letter other than Nomination and should not address to Hon. Secretary IMA MS.
- d) Last date of receiving the Nominations shall be 7 days before the date of Annual State Council meeting up to 5 pm. in State Office.
- e) The Election Commission shall display the list of valid Nominations at 10.00 am on the day of the Annual State Council meeting at the venue of the meeting.
- f) Withdrawal of the Nomination shall be up to 1 pm on the day of the Annual State Council meeting. The Contesting member must be physically present and signed the attendance register before 11 am, failing which, the nomination shall automatically be taken as withdrawn.
- g) Election, if any, shall be conducted between 3 pm. To 5pm.on the day of the Annual State Council Meeting.
- h) The counting of votes shall commence at 5.30 pm. on the day of the Annual State Council meeting.
- i) Report of scrutiny and counting of votes shall be submitted by the Election Commission to the State President.
- j) President shall declare the result soon after.

48. In case of the election disputes not amicably settled at the State President level, the aggrieved party will first have to approach Tribunal (as per the procedure laid down in the manual) and this will be applicable to all the elections at the time of the annual state council. If the dispute still persists after the tribunal's decision, He/she can approach appropriate regular court at his/her own expenses. The disputes must be put in the appropriate High court having jurisdiction over the office area i.e. currently, Mumbai.

APPOINTMENT OF AUDITOR

49. An Auditor shall be appointed by the State Council every year at its Annual Meeting for auditing the accounts of the Association. He shall be Registered Chartered Accountant.

50. **Duties of the Auditor**

- a) He shall audit the accounts at the end of each year or often if decided by the State Council and shall certify as to their correctness.
- b) He shall give suggestions for the proper keeping of accounts as required.

51. As soon as the venue of the Conference is decided the State Secretary will: Notify all branches to inform the names of the representatives on the State Council & Executive Committee, if not informed.

52. The Annual Conference:

- a) There shall be organised a Maharashtra State Medical Conference every year or as the State Council may decide under the auspices of the I.M.A. Maharashtra State Branch, at a suitable place and time to be decided by the State Council. The branches shall have the privilege of inviting the Conference **with NON-REFUNDABLE Rs. 25,000/- as part/advance payment.**
- b) All medical practitioners possessing qualifications, as laid down in rules 6 and 8 shall be entitled to join the conference as delegates on terms hereinafter laid down and shall be called the delegates of the conference.

53. Reception Committee:

- a) The branches inviting the conference shall form the Reception Committee of the Conference.
- b) Membership of the Reception Committee shall be open to the following:
 - i) All members of the branch inviting the conference.
 - ii) All members of the neighbouring branches.
 - ii) All medical men with registerable qualifications as per Rule 8 and residing in town which invites the conference or in the neighbourhood.
- c) Fee for membership of Reception Committee shall not be less than Rs. **200/-** but may be more if so decided by the Branch inviting the Conference.
- d) Office bearers of the Reception Committee shall be elected by the members of the Reception Committee & shall consist of a Chairman and Organising Secretary, a Treasurer and others as required.

54. Delegates:

- a) **Delegate fees will be as decided by the host branch in consultation with the Office bearers and approved by the State Executive Committee. And will be split as 40% to State and 60% for the host branch.**
- b) It is expected that all the delegates shall register as conference delegates on payment of registration charges fixed and approved by the State Executive Committee. **IF a member does not register as Delegate for the Conference and wish to attend only the business meetings, he will only the Hospitality charges to the Host Branch as decided by the Reception Committee and approved by the State Executive Committee.**

55. Visitors: The Following can attend the Conference as visitors:

- a) Prominent Public Men who are specially invited by the Reception Committee to attend the Conference without payment of any fee as Distinguished Visitors.
- b) Medical men & other scientists who wish to take part in the scientific session only on payment of **Rs. 200/-** as special visitors.
- c) Medical students on payment fixed by the Reception Committee.

56. Rights of Visitors:

The Visitors shall enjoy the privileges of the following rights:

- a) Distinguished visitors may address the conference on request.
- b) Special visitors shall have a right to speak in the Scientific Session only and can attend the open conference. But they shall not have the right to speak on any resolution nor the right to vote in the open conference.
- c) Medical students can attend the Scientific Session and the open conference but shall have no right to speak on any resolution or to vote.

57. The President:

The President of the Indian Medical Association, Maharashtra State Branch for the year shall be the President of the Conference.

58. Board and Lodging Arrangements:

The Reception Committee shall make arrangements for the Boarding & Lodging of the members attending the Conference, if so desired by the on previous intimation & on payment for the same when required at rate fixed by the Reception Committee.

59. The Expenses of the Conference shall be born wholly by the branch inviting the Conference. The State Council shall not be responsible for any part of the expenses. **The host branch will contribute minimum Rs. 25,000/- to State Reserve Fund/Premises Fund."**

60. Program of the Annual Conference:

The Conference will have:

- a) Inaugural Session.
- b) Scientific Session and
- c) Such other-Business and Functions as may be arranged.

The Inaugural Session may have the following in order:

1. Address by the Chairman of the Reception Committee.
2. Reading of Messages.
3. Report and address by State Secretary.
4. Address by the President of the Conference.
5. Inauguration of the Conference.
6. Prize and Award presentation.
7. Inauguration of Exhibition
8. Installation of the NEW PRESIDENT. And Presidential Speech.
9. Speech of Guest of Honour and other Guests.
10. Speech of Chief Guest.
11. Vote of thanks.

61. The Reception Committee in consultation with the President and the Honorary State Secretary will make the arrangements for the Scientific Session, for papers and discussions during the Conference. All papers read at the Session will be the property of the Association.

62. General Rule:

All resolutions proposed to be put before the Annual State Council shall be sent to the Honorary State Secretary **at least Six weeks** before the Conference.

DR. MILIND NAIK
PRESIDENT

DR. JAYESH LELE
HON. SECRETARY

Dr. SHIVKUMAR UTTURE
HON. TREASURER

Dr. JAYAGHOSH KADDU
Immediate PAST PRESIDENT

DR. SHAILENDRA MEHTALIA
Chairman, Constitution Committee.

As amendments approved in the 51st Annual State Council meeting held on 25th November 2011 at Chandrapur and confirmed in Ordinary State Council meeting held on 27th November 2011 at Chandrapur.

DR. MILIND NAIK
PRESIDENT

DR. JAYESH LELE
HON. SECRETARY

DR SHAILENDRA MEHTALIA
Chairman, Constitution Committee