

# **INDIAN MEDICAL ASSOCIATION**

**OFFICE**

## **BENGAL STATE BRANCH**

### **MEMORANDUM, RULES AND BYE-LAWS**



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## PART-1

### MEMORANDUM OF THE ASSOCIATION

1. **NAME:**

The name of this Association shall be "Indian Medical Association Bengal State Branch" hereinafter to be called as the "Association"

2. **OBJECTS:**

**The Objects of the Association are :**

- 2.1 To promote and advance medical and allied sciences in all their different branches and to promote the improvement of the standard of public health and medical education in the Country particularly in the State of West Bengal.
- 2.2 To maintain the honour and dignity and to uphold the interests of the medical profession and to promote co-operation amongst members thereof.
- 2.3 To work for the abolition of compartmentalism in medical education, medical services and registration and thus to achieve equality among all members of the profession in the country particularly in the State of West Bengal.

3. **METHODS :**

For the attainment and in furtherance of the above objects, the Association may:

- 3.1. Hold periodical meetings and conferences of the members of the Association and of the medical professional of the State.
- 3.2. Arrange from time to time congresses, conferences, lectures, discussions, debate and demonstrations on any aspect of medical and allied sciences and refresher courses for the members through IMA College of General Practitioners, Bengal State Faculty and IMA Academy of Medical Specialities, Bengal State Chapter or any other bodies of IMA.
- 3.3. Assist in the circulation of the Journal of the Indian Medical Association(JIMA) which shall be the official organ of the IMA
- 3.4. Keep and maintain a library at the Association Office.
- 3.5. Publish annual reports of the Association, a periodical journal and from time to time special bulletins for furthering the objects of the Association in West Bengal.
- 3.6. Encourage research in medical and allied sciences, with grants out of the funds of the Association, by the establishment of scholarships, orations, prizes or rewards and in such other manner as may from time to time be determined upon by the Association.
- 3.7. Conduct educative campaign amongst the people of West Bengal, for improvement of the standard of health and in any matter affecting their health or sanitation by co-

operating with the Government and various public bodies working with the same object.

- 3.8 Organize medical corps for providing medical relief during epidemics, natural calamities and in times of emergency.
- 3.9 Consider and express Association's views on all questions and the laws specially of West Bengal or proposed legislation affecting the health of the people, the medical education and the medical and allied profession and initiate or watch over or take steps or adopt such measures from time to time regarding the same as may be deemed expedient or necessary.
- 3.10 Purchase, take lease of or otherwise acquire, hold, manage, let , sell, exchange, mortgage, or otherwise dispose movable or immovable property of every description and all rights or privileges necessary or convenient for the purposes of the Association and in particular, any land, building, furniture, household or other effects, utensils, books, newspapers, periodicals, instruments, fittings, appliances, apparatus, conveyance and accommodation as and when deemed necessary or desirable in the interest of the Association, sell, demise, let , hire-out , mortgage, transfer or otherwise, dispose of the same.
- 3.11 Erect, maintain, improve or alter and keep in repair and building for the purposes of the Association.
- 3.12 Borrow or raise money in such manner as the Association may think fit and collect subscriptions and donations for the purposes of the Association.
- 3.13 Invest any money of the Association not immediately required for any of its objects in such a manner as may, from time to time, be determined by the Association in a Nationalized Bank.
- 3.14 Assist, subscribe to, or co-operate or affiliate or be affiliated to or amalgamate with any other public body whether incorporated, registered or not and having altogether or in part objects similar to those of the Association.
- 3.15 Create or assist in creating branches for any of the purposes aforesaid, and
- 3.16 Do all such other things as are cognate to the objects of the Association or are incidental or conducive to the attainment of the above objects.

## **PART II**

### **RULES OF THE ASSOCIATION**

#### **1. DEFINITION :**

In these Rules and Bye-Laws, made there under, unless the context other wise requires:

- 1.1 'Association' means the Indian Medical Association, Bengal State Branch.
- 1.2 'State Council' means the State Council of Indian Medical Association, Bengal State Branch, as constituted under the Rules.

1.3 'Conference' means the Annual Bengal State Medical Conference organized under the auspices of the Indian Medical Association Bengal State Branch.

1.4 'State Head Quarter' means State Headquarters of Indian Medical Association Bengal State Branch.

1.5 'Direct Member' means, a number of IMA directly attached with State Head Quarter.

2. **OFFICE:**

The State Headquarters of the Association shall be located at IMA House, IMA Bengal State Branch, 11/3, Dr. Biresh Guha Street, Kolkata-700017, West Bengal.

3. **CONSTITUTION:**

The Association shall consist of members whose names are on the Register of the Members of the Association (residing or practicing or employed in West Bengal and its neighbourhood) at the time when these regulations came into operation and of subsequently members, who shall be those persons who being eligible, shall be duly elected in such manner and upon such conditions as may be prescribed from time to time by the rules of the Association.

4. **REGISTER OF MEMBERS:**

There shall be a Register in which the names of all the members of the Association shall be entered with their qualification and addresses arranged branch wise.

5. **LOCAL BRANCHES:**

For the better attainment of the objects of the Association, the members shall form themselves into separate local bodies, as per the Rules of the Association styled as 'Local Branches'(Annexure-I)

6. **SITUATION OF LOCAL BRANCHES:**

Local Branches may be situated either at District or Sub-Divisional Headquarters or in any other place in West Bengal. The State Working Committee / Central Working Committee may determine and approve the local area over which the local branch shall have jurisdiction.

7. **JURISDICTION OF STATE AND LOCAL BRANCHES:**

The Bengal State Branch in all matters shall guide the Local Branches and the State Office shall be the medium of communication between the Local Branches and the Headquarter Office. In case of a difference of opinion on any matter, a local branch shall have the right to appeal to the Central Council or Central Working Committee of the IMA, through the State Branch and the decision of the Central Council or Central Working Committee shall be final and binding. Pending the decision of the Central Council or Central Working Committee the decision of the Bengal State Council or its Working Committee shall hold.

8. **Liability:** The State or Central Council of the Indian Medical Association shall not be liable for any of the debts or liabilities of the local branches, nor shall any of the branches be liable for any of the debts and liabilities of the State or Central Council of the Indian Medical Association.

9. **Referral :** Local Branches within the jurisdiction of the Bengal State Branch shall refer all matters concerning the Government of India, Government of West Bengal and other State Governments to the Bengal State Branch for final decision in such matters. The Bengal State Branch shall likewise refer all matters concerning the Government of India to the Headquarters Office for necessary action.

10. **ELIGIBILITY OF MEMBERS:**

Any person registered with a Medical Council in India on the basis of his / her medical qualification as defined in the Indian Medical Degrees Act 1916(act VII of 1916) and included in the Schedules to the Indian Medical Council Act, as amended from time to time and approved by the Central Working Committee for membership, shall be eligible for membership.

11. **CLASSIFICATION OF MEMBERS:**

11.1 **Annual Members:**

Person possessing qualification as mentioned in Rule (10), may become member of a local branch by paying annual subscription and admission fee. These members shall be called Annual members

- a. **Direct Members:** Person who are eligible for membership and reside or practice or are employed in a place where no local branches exists, (when) enlisted as member, will be called Direct Member and will be attached to State Headquarters, subject to approval of State Working Committee.
- b. **Branch Members:** Any person eligible for membership who reside or practice or work within an area of a local branch or its neighbourhood, may become member of that branch. Paying subscription and will be called branch member.
- c. **Associate Members:** Persons, who being annual members of one branch are elected as Associate Members of another Branch according to rules of that branch enjoying all the privileges of membership of that branch except that of voting or holding office. Any member can be enrolled as an Associate Member of one Branch only.
- d. **Attached Members:** Medical Personnel of the Armed Forces of India possessing medical qualification prescribed under Rule 7 would be eligible to become direct members attached to the Headquarters and shall be called " Attached Members". Such members shall pay the same subscription as direct members and shall also be eligible to attach themselves to any of the local branches under whose jurisdiction they might be posted for the time being, without their having to pay any further subscription. These attached members shall have all the privileges of membership of such local branches except the right of voting and holding office.
- e. **Intern Members:** All Interns otherwise eligible and registered temporarily with Medical Council of India or State Medical Councils may be enrolled as Intern Members for the period of their temporary registration. These members will be considered for regular membership on their obtaining full registration after completion of Internship.

Intern members may have all the privileges of membership of a local branch except right to vote, right to hold any elected post and right to represent the branch in any outside body in any capacity.

- 11.2 **LIFE MEMBERS:** Persons, eligible for memberships who pay a Life Membership subscription as decided from time to time according to rules hereinafter laid down, shall be called Life Members.

12. **THE ASSOCIATION YEAR:**

The year of the Association for financial purposes shall be from 1st day of April of one calendar year to the 31st day of March of the next calendar year. The local branches shall conform to the Association year.

13. **SUBSCRIPTION:**

- a) All members of the Association pay Admission fee, re-admission fee, Annual membership Subscription, life membership subscription as decided by Central Council.
- b) Every newly formed local branch and a suspended local branch, seeking revival, shall pay formation / revival fee as provided in the Bye-Laws.

14. **HEAD QUARTERS FUND CONTRIBUTION FROM BRANCHES.**

Every local branch shall pay Head Quarters Fund Contribution (HFC) to the State Branch as provided in the Bye-Laws.

15. **PRIVILEGES OF MEMBERSHIP :**

- a) All members shall be entitled to receive a copy of the Journal of IMA free from IMA Headquarters.
- b) All members shall be entitled to receive copies of all publications of the IMA free or at such rates as the Central or State Councils may fix from time to time.
- c) All members shall be entitled to the use of the Library and the Association rooms, If any, set apart for the members.
- d) All members shall have the right to attend and take part in discussions at all General Meetings, Lectures and Demonstrations organized by the Association.
- e) All members shall have the right to vote on all resolutions put forward at any of the general meetings of the Association.
- f) All members shall have the right to attend the Medical Conferences organized by IMA on such terms laid down by the IMA.
- g) Life members shall enjoy all the privileges of membership of the branch to which he / she is attached for the time being (within whose jurisdiction they may happen to reside or practice for the time being).
- h) All members shall enjoy any other privileges that may hereinafter be conferred by the Councils, Central and State.

- i) On termination of membership, a person shall automatically cease to hold such office or appointment as he / she may be holding in the Association or in a Branch or in any body as Association nominee.

**16. MANAGEMENT OF THE ASSOCIATION :**

**16.1 Bengal State Council:**

The general management of the Association shall be vested in the Bengal State Council.

**16.1.1 Composition of Bengal State Council:**

- A. Ex-Officio Member (Elected under ( Rule 17. 3)
- i) The President of the Association for the year.
  - ii) All the Past Presidents.
  - iii) The Five Vice-Presidents for the year.
  - iv) The Hony. State Secretary
  - V) The three Hony. Jt. Secretaries
  - vi) The Hony. Finance Secretary
  - Vii) The Hony. Asstt. Finance Secretary
  - Viii) The Three Hony. Assistant Secretaries
  - ix) All the Past Hony. State Secretaries
  - x) Director of Studies, Hony. Secretary and Hony. Joint Secretary of IMA College of General Practitioners, IMA Bengal State Faculty.
  - xi) Chairman, Hony. Secretary and Hony. Joint Secretary of IMA Academy of Medical Specialities, Bengal State Chapter.
  - xii) Chairman, Hony. Secretary and Hony. Joint Secretary , Social Security Scheme, IMA Bengal State Branch.
  - xiii) Chairperson, Hony. Secretary and Hony. Joint Secretary of Women Doctors Wing of IMA Bengal State Branch.
  - xiv) Chairman, Hony. Secretary and Hony. Joint Secretary of IMA Bengal Consultant Forum.
  - xv) Chairman, Hony. Secretary and Hony. Joint Secretary of Hospital Board of India, Bengal State Chapter.
  - xvi) Chairman, Hony. Secretary and Hony. Joint Secretary of IMA Service Doctors Wing, Bengal State Chapter.
  - xvii) Chairman, Hony. Secretary and Hony. Jt. Secretary Of IMA Junior Doctors Wing.



- xviii) Chairman, Hony. Secretary and Hony. Joint Secretary of IMA Medical Students Wing.
  - xix) All Regular and Alternate Members of the Central Working Committee, representing Bengal State Branch.
  - xx) Chairman, Secretary and Members of the Trust IMA Bengal Branch.
- B. **Elected Members:** (Representatives from the Local Branches :)

Election of the Representatives from the Branches: Local Branches shall elect their representatives to the Bengal State Council on the following scale:-

- 10 - 25                    - 1 representative
- After 25,                 - 1 representative, per 25 members  
   or part thereof

The State Council Member must be a Life Member of IMA.

In determining the representation of the Local Branches to the State Council, the strength of the Local Branches shall be calculated each year on the number of members on the register of the local branch at the State Branch on behalf of whom the HFC has been received in full at the State Branch by the 15th of April, Names of such representatives to the State Council should ordinarily reach the State Office by the 15th April.

16.1.2. **Casual Vacancies:** The Bengal State Council shall have power to fill up vacancies occurring in its number whether ex-officio or elected, during its term of office, except in the case of elected members from the local branches. Such members shall hold office only for the remaining period of the year or till the successors are elected and assume office.

16.1.3 **Functions and Powers:** The Bengal State Council shall direct and regulate the general affairs of the Association and have powers-

- i) To frame, alter or repeal Rules and Bye-laws of the Association and for the maintenance and administration of the Association rooms, library, properties and for the organization and direction of publication:
- ii) To elect the State Working Committee as per rule.
- iii) To appoint Wings, Standing Committees, Sub-Committees, Special Committees, Ad-hoc Committees and any other Committee which the State Council deems necessary and fix up the powers and terms of reference of each such Committee.
- iv) To represent any matter in which the interests of the Association or of the Medical profession are affected before Government, public bodies or any other properly constituted authority.

- v) To consider and decide applications for direct membership, the resignation of members and the question of taking disciplinary action against any member or local branch in the State of West Bengal.
- vi) To write off the whole or part of the State share of HFC arrears against any member or local branch or subscriptions of direct members of this Association, and to recommend to the Headquarters office regarding writing of the whole or part of the unrealizable Headquarters Fund Contribution arrears against any such member or local branch, if considered desirable.
- vii) To appoint or remove salaried officers and staffs of the Association,
- viii) To delegate to the State Working Committee all or some of its powers except the powers of altering rules and bye - laws.
- ix) To exercise in addition to the powers by these rules expressly conferred on it, all such powers and do all such acts / things as may be done by the Association.

**16.1.4. Term of Office of the Bengal State Council and its members:**

- A. Term of Office of the Bengal State Council: The Bengal State Council shall be a continuous body.
- B. Term of Office of the Members of the Bengal State Council.
  - a. The term of All the office bearers shall be for Two Years. They shall assume office in the Annual Bengal State Medical Conference at its inaugural session. In case no Annual Bengal State Medical Conference is held, they shall assume office at the close of the Annual Meeting of Bengal State Council and shall continue office till their successors assume office, after Two years.
  - b. The Branch representatives (elected members) shall assume office from the date of receipt of their names by the Hony. State Secretary after their election by the relevant branches as per rules and continue in office for two years or till their successors are elected and assume office as per rules.

**16.1.5 Meetings of the Bengal State Council:**

**A. Types of Meeting**

Meetings of the Bengal State Council shall be of four kinds.

- i) The Ordinary Meeting shall preferably be held once in every quarter.
- ii) The Special Meeting shall be held as often as necessary.
- iii) The Annual Meeting shall be held, ordinarily, before 30th June, or on a suitable date to be decided by the State Council Meeting / State Working Committee Meeting.
- iv) The Requisition Meeting shall be called within 4 weeks, on receipt of a requisition, signed by at least 50 members of the Bengal State Council, stating the business for which the requisition meeting is required.

One ordinary State Council meeting shall be organized at the time and venue of the Annual State Conference to elect CWC member ,SWC Member office bearers of the wings along with transacting other usual business.

**B. Venue:** The date, time, place and agenda of each meeting shall be fixed by the Hony. Secretary in consultation with the President.

**C. Notice:** At least clear ten days' notice from the date of posting specifying place, date and the agenda of business to be transacted at the meeting shall be given to each member. In emergencies, three days Notice even through the medium of important newspapers specifying the place, date and time of the meeting is permissible on specific grounds.

**D. Quorum:**

i. Quorum for ordinary, special and annual meetings shall be 25 of which 15 shall be other than office bearers.

ii. Quorum for requisition meeting shall be 50 and three fourth of the requisitionists must be present at the meeting.

**E. Procedure:**

Nothing except the business for which it is called shall be discussed at a requisition meeting.

If within half an hour from the appointed time quorum is not present, the meeting, if convened on the requisition of members, shall be dissolved, but in any other case shall stand adjourned to be called again at a convenient date and the members present, whatever their number may be, shall form the quorum

**F. Annual Meeting of the State Council.**

(i) Procedure and order of business : The business to be transacted at the Annual Meeting of the Bengal State Council shall ordinarily, be taken in the following order :

a) IMA Prayer & Flag salutation.

b) Condolence Resolution.

c) Message of Regret if any.

d) Adoption of the Annual Report for the previous Association Year.

e) Adoption of the Audited Accounts for the previous Association Year.

f) Consideration of Budget Estimates for the ensuing Association Year.

g) Appointment of Hony. Legal Advisors.

h) Appointment of a Hony. Auditor and fixation of his honorarium.

i). Consideration of Resolutions brought forward by the Local Branches.

- j) Consideration of Resolutions brought forward by Individual members of the Bengal State Branch of IMA.
- k) Constitution Amendment
- l) To select the venue of the next Bengal State Medical Conference for the ensuing year.
- m) Any other business with the permission of the Chairman.
- (ii) General Rules about the Annual Meeting of the Bengal State Council.
  - a) Except with the special permission of the President, no resolution shall be placed before the Annual Meeting of the Bengal State Council that has not been previously given notice of and duly circulated with the agenda of the meeting.
  - b) Resolutions sponsored by individual members shall reach the Hony. State Secretary, through the Local branch through which he / she is a member. Individual members, however, shall have the right to send any resolution direct to the Hony. State Secretary, provided a copy of it has also been previously submitted to the local branch.
  - c) Notice inviting resolutions to be moved at the Annual Meeting of the Bengal State Council should be sent to local branches by the State Office at least one month before the annual meeting and such resolutions should reach the State Office before 15 days of the date of Annual Meeting of the Bengal State Council.

## **16.2 STATE WORKING COMMITTEE:**

### **16.2.1 Composition :**

The State Working Committee shall be composed of all Office bearers, immediate Past President, Immediate Past Hony. State Secretary and 36 members, elected by the Bengal State Council from amongst members of the State Council at its annual meeting with at least one member from each district of West Bengal other than branches in Kolkata District

### **16.2.2 Term of Office:**

The State Working Committee shall be a continuous body. It shall hold office for Two year after the Working Committee is formed or until the New Working Committee is elected.

### **16.2.3. Powers and Functions:**

The Working Committee shall be executive authority and as such shall have the power to carry into effect the policy and programme of the Association as laid down by the State Council and shall remain responsible thereto. To exercise, in addition to the powers by these rules expressly conferred on it all such powers and to do all such acts and things as may be done by the Association, subject to General control by the Bengal State Council and which are not hereby expressly directed or required to be exercised a or done by the Bengal State Council on behalf of the Association.

**16.2.4. Meetings:**

It shall hold meeting ordinarily once every two months and as often as necessary.

**16.2.5 Quorum:**

The quorum for the meeting shall be 11 of which 5 shall be other than office bearers.

**16.2.6 Venue:**

The place, date and time shall be decided by the Hony. State Secretary in consultation with the President.

**16.2.7 Notice:** At least clear Seven days' notice shall be given to each member. In emergency, two days notice is permissible.

**17. OFFICE BEARERS OF THE STATE BRANCH**

**17.1. Office Bearers:**

- A. President
- B. President Elect
- C. Immediate Past President
- D. Five Vice-Presidents
- E. Hony. State Secretary (who shall ordinarily be residing or practicing near the State Headquarters)
- F. Three Hony.State Joint Secretaries (at least one of whom shall be residing or practicing near the State Headquarters)
- G. Three Hony. Assistant Secretaries
- H. Hony. Finance Secretary (who shall ordinarily be residing or practicing near the State Headquarters)
- I. Hony. Assistant Finance Secretary.
- J. Director of Studies, Hony. Secretary and Hony.Jt. Secretary of IMACGP, Bengal State Faculty.
- K. Chairman, Hony. Secretary and Hony. Jt. Secretary of IMAAMS Bengal State Chapter.
- L. Chairman, Hony. Secretary and Hony.Jt. Secretary of IMA Service Doctors Wing,IMA Bengal State Branch.
- M. Chairperson, Hony. Secretary and Hony.Jt. Secretary of Women Doctors Wing,IMA Bengal State Branch.
- N. Chairman, Hony.Secretary and Hony.Jt. Secretary of Social Security Scheme, IMA Bengal State Branch.
- O. Chairman, Hony. Secretary and Hony. Joint Secretary of IMA Bengal Consultant Forum.

P. Chairman, Hony. Secretary and Hony. Joint Secretary of Hospital Board of India, Bengal State Chapter.

**17.2 Term of Office Bearers:**

All the Office Bearers except President & Vice-Presidents shall hold Office for Two years starting from their installation at the inauguration of the Annual Conference.

President & Five Vice-Presidents shall be elected for one year and shall hold office for one year starting from their installation at the Inauguration of the Annual Conference. The terms of the all Wings, State Working Committee and Central Working Committee will be two years.

President (Elect) and Five Vice-Presidents Elect shall hold office after one year of their election at the inauguration of Annual Conference.

**17.3 Election of Office Bearers:**

All the Office Bearers will be elected by Postal Ballot by the election commission in the alternate year as per Bye-Laws of the Association.

Election of Central Working Committee Members, State Working Committee Members, Academy of Medical Specialties, College of General Practitioners, Social Security Scheme, Women Doctors Wing, Service Doctors Wing, IMA Bengal Consultant Forum, Hospital Board of India, Bengal State Chapter shall be held in the State Council Meeting at the time of State Annual Conference by the Election Commission.

**17.4. Eligibility of Office Bearers:**

- i. Eligibility of Office Bearers : All the office bearers must be life members of IMA.
- ii. No member of IMA receiving salary from the Association is entitled to be an Office Bearers of the Association.
- iii. Hony. State Secretary must have held any post of Office Bearers of any Local Branch or of IMA Bengal State Branch.
- iv. The State President must have held a post of President at any Local Branch.

**17.5. Filling of Mid-Term Vacancies of Office Bearers:**

In the event of any vacancy of the Office Bearers arising due to resignation or death or any other cause during the term of office, the vacancy so caused shall be filled:

1. In case of State President senior Vice-President will act as State President for the remaining term of the Office.
2. In case of Hony. Secretary one of the Hony. Joint Secretaries, residing near the State Head quarters will act as Hony. State Secretary for the remaining term of the Office.
3. All other vacancies will be filled by the State Working Committee in its first meeting after the vacancy arises.

18. **STATE MEDICAL CONFERENCE :**  
Bengal State Medical Conference will be organized every year under the auspices of the IMA Bengal State Branch. The branches of the Association shall have the privilege of inviting the conference. The place and time of the conference shall be decided upon by the State Council.
19. **VALIDITY OF THE PROCEEDINGS :**  
The proceedings of the State Council or the State Working Committee or any sub committee or any other body acting under the Rules and Bye-Laws of the Association or any of its branches shall not be invalidated by any accidental omission to give any notice thereby required or by any vacancy among the members or by any defect in the election or qualifications of any of their members.
20. **DELEGATION OF AUTHORITY:**  
Whereby 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 bearer, officers of members of the Association as the State Council or the State Working Committee may appoint for the purpose.
21. **SOCIAL SECURITY SCHEME IMA BENGAL STATE BRANCH:**  
This will be managed by Chairman, Hony. Secretary , Hony. Joint Secretary a Board of Management as per Rules and Bye laws of the Social Security Scheme, IMA Bengal State Branch as approved by the State Council from time to time.
22. **IMA ACADEMY OF MEDICAL SPECIALITIES—BENGAL STATE CHAPTER :**  
This will be managed by Chairman, Hony. Secretary and Hony. Joint Secretary and a Board as per Rules and Bye laws of the IMA Academy of Medical Specialities and its Bengal State Chapter, as approved by the State Council from time to time.
23. **IMA COLLEGE OF GENERAL PRACTITIONERS, BENGAL STATE FACULTY :**  
This will be managed by Director , Hony. Secretary and Hony. Joint Secretary a Board of Management as per Rules and Bye laws of the IMA College of General Practitioners and its Bengal State Faculty, as approved by the State Council from time to time.
24. **IMA Women Doctors Wing of Bengal State Branch :** This will be managed by Chairperson, Hony. Secretary and Hony. Joint Secretary a Board as per Rules and Bye laws of the IMA Women Doctors Wing and its Bengal State Branch, as approved by the State Council from time to time.
25. **IMA SERVICE DOCTORS WING OF BENGAL STATE BRANCH :**  
This will be managed by Chairperson, Hony. Secretary and Hony. Joint Secretary a Board as per Rules and Bye laws of the IMA Service Doctors Wing and its Bengal State Branch, as approved by the State Council from time to time.

26. **IMA JUNIOR DOCTORS WING, BENGAL STATE BRANCH :**

This will be managed by a Chairman, Hony.Secretary and Hony.Joint Secretary and a Board as per Rules and Bye laws of the IMA Junior Doctors Wing and its Bengal State Branch, as approved by the State Council from time to time.

27. **IMA MEDICAL STUDENT WING OF BENGAL STATE BRANCH :**

This will be managed by Chairman, Hony.Secretary and Hony.Joint Secretary and a Board as per Rules and Bye laws of the IMA Medical Students Wing, as approved by the State Council from time to time.

28. **IMA BENGAL CONSULTANT FORUM OF BENGAL STATE BRANCH :**

This will be managed by a Chairman, Hony.Secretary and Hony.Joint Secretary and a Board as per Rules and Bye laws of the IMA Bengal Consultant Forum, as approved by the State Council from time to time.

29. **ELECTION AND OTHER DISPUTES :**

- i) In case of election disputes in the State or Local Branches, an Election Tribunal shall be constituted.
- ii) For the dispute at State level, the tribunal shall comprise of the National President of the IMA and two immediate Past National Presidents of IMA.
- iii) For dispute at the local branch level, the Tribunal shall comprise of State Secretary of IMA and Two immediate Past State Presidents of IMA,
- iv) In case any member of the Tribunal is himself involved in any way in such a dispute, or is unable to act or refuses to act, or even otherwise not interested, he will not be member of the Tribunal and his place shall be taken by another Past President which is to be decided by the State Secretary.
- v) When there is a difference of opinion amongst the members of the Tribunal the opinion of the State Secretary shall be final for all election disputes at the branch level.
- vi) If any of disputing parties, is not satisfied with the decision of the Tribunals at the State Level, it may appeal to the National President of IMA, who, if he feels that a prima facie case for appeal exists, will refer it to a tribunal at National level. The decision of the National Tribunal will be final and binding on all concerned.
- vii) Records of the election shall be maintained till one year after declaration of the election.
- viii) No election shall be called in question except by an election petition presented to the State Secretary within 15 days of the declaration of the election results,
- ix) No election petition shall be entertained unless it is accompanied by an application fee of Rs.10.000/- (Ten Thousand only) which is non refundable.
- x) State Secretary shall refer the petition within 7 days to the election Tribunal,



The Election Tribunal shall meet within 3 weeks. The Election Tribunal shall give opportunity to both the petitioners and defendants concerned to be present at the hearing. No Non-member shall have the right to represent any party at these hearing.

- xi) The Tribunal shall hold its hearing at the State Headquarter or at any place of convenience as decided by State Secretary.
- xii) The elections dispute if any will fall under the jurisdiction of the court in place of action.
- xiii) Administrative assistance to the Election Tribunal shall be provided by the State Headquarters.
- xiv) Legal proceedings if any where state branch is a party will fall under court at Kolkata.
- xv) The Petitioner for the Tribunal shall bear the travel and other expenses of the members of the election tribunal. However if the petitioner wins the case fifty percent of the expenses will be borne by the accused party and will be refunded to the petitioner.

**30. SUSPENSION / REVIVAL OF LOCAL BRANCHES :**

After due notice to a local branch and on the recommendation of the State Branch the headquarter shall have the right to suspend a branch for non payment of HFC in full by due date, in case the branch does not have any life member or the member of Life members of the branch is less than the minimum number of members required for formation of a branch.

The life members of the suspended branches, if any, will be attached as direct members of the State Branch.

A suspended branch shall be revived on receipt of revival fee and all other dues and the life members will revert back to their local branches.

**31. SUSPENSION OF MEMBERSHIP OF THE ASSOCIATION :**

The local branches shall suspend all privileges of such of their members and for such a periods on account of non-payment of branch subscription. Such membership will be revived on receipt of all dues. Such suspension will not affect life members of the Association

**32. A Trust will be formed in the name of "IMA Bengal Building Trust" as per the Bye-Laws.**

## PART-III

# BYE-LAWS OF THE ASSOCIATION

### 1. DUTIES AND POWERS OF OFFICE BEARERS:

#### a. The President

- i. Shall be the Chairman of all meetings of the Bengal State Council and the State Working Committee.
- ii. Shall preside at the Annual Conference and all meetings of the Association
- iii. Shall guide and control activities of the Association.
- iv. shall regulate the proceedings of the meetings and conferences, interpret the rules and bye-laws and give his ruling in case of doubtful points
- v. Shall in addition to his ordinary vote, have casting vote, in case of equality in votes.

#### b. The Vice-Presidents:

- i) The Vice-President securing the largest number of votes shall be called the senior Vice-President and shall act as Chairman of meetings of the Bengal State Council and Working Committee in the absence of the President. The other Vice-Presidents in order of precedence based on the number of votes they received shall take up the functions of the senior Vice-President in his absence.

ii) Shall assist the President in all his work.

iii) Shall help in the organization of the branches by making tours and addressing meetings of medical men, etc.

#### c. The Hony. State Secretary : With the help of the Hony. State Joint and Assistant Secretaries.

i) Shall be in charge of the Office of the Bengal State Branch.

ii) Shall ordinarily, conduct all correspondence.

iii) Shall have general supervision of accounts, pass all bills for payment and shall operate all bank accounts jointly with Hony. Treasurer or President.

iv) Shall get prepared by the Hony. Treasurer a quarterly and a duly audited annual statement of accounts for presentation in the meeting of the Bengal State Council.

v) Shall prepare a budget, with the help of the Finance Committee, and place it at the Annual Meetings of the State Council.

vi) Shall organize, arrange and convene meetings, conferences, lectures and demonstrations and discharge any other responsibilities entrusted by the State Council /Working Committee from time to time.

vii) Shall attend meetings of the Bengal State Council and working Committee and keep proceedings thereof.

- viii) Shall be ex-officio member of all committees, sub-committees.
- ix) Shall maintain an up-to-date register of all members of the Association branch wise.
- x) Shall organize the Association by encouraging the establishment of local branches where they do not exist and by creating a general interest in the Association.
- xi) Shall bring any matter, which he considers necessary in the interests of the Association to the notice of the Bengal State Council or its Working Committee for the guidance and decision.
- xii) In case of any dispute decision of Hony State Secretary shall be final.

**d. The Hony. State Joint and Assistant Secretaries:**

- i) The Hony. State Joint and Assistant Secretaries shall help the State Secretary in all work, in conducting correspondence, in preparing statement of accounts, in the working of the committees and sub-committees, in organizational work, etc.
- ii) In absence of the Hony State Secretary, one of the State Joint Secretaries deputed by the Hony. State Secretary shall ordinarily act in his place.

**e. The Hony. Finance Secretary :**

- i) Shall receive all moneys of the Association and deposit them in a bank or banks approved by the State Council to the credit of the Association and operate jointly by him and Hony. State Secretary or any of the Joint Secretaries as nominated by the President / State Council.
- ii) Shall be responsible for keeping up-to-date accounts of the Association.
- iii) Shall prepare a quarterly and a monthly statement of accounts to be placed for inspection before the Bengal State Council or its Working Committee respectively.
- iv) Shall prepare an annual Statement of accounts and a Balance sheet showing the financial position of the Association, get it audited by the Auditor and place it for adoption by the Bengal State Council at its Annual Meeting.
- v) Shall dispose of the bills for payment as per written sanction of the Hony. State Secretary with his remarks regarding the reference. In the event of disagreement, the matter, be referred to the President whose decision shall be final.

**f. The Hony. Assistant Finance Secretary :**

- i) Hony. Asstt. Finance Secretary shall help Hony. Treasurer / Finance Secretary in conducting his dues.
- ii) In absence of Hony. Finance Secretary the works will be done by Hony. Asstt. Treasurer / Finance Secretary instructed by Hony. Secretary.

**2. Election of Office Bearers:**

- a) **Election Commission for Election of Office Bearers:** The State Council members in its Annual General meeting or in Special Meeting of the State Council will elect one Chairman and two members of the Election Commission for two years

from amongst the members of the State Council who shall not contest in the election of the Office Bearers of the IMA Bengal State Branch. The decision of the Chairman, regarding any dispute related to the election will be final and binding. No Office Bearers of IMA Bengal State Branch and Candidates for the ensuing elections will be the member of the Election Commission. The State Working Committee will fill up any subsequent vacancies in the Election Commission in due course. The Office of the Election Commission will be situated at the Office of the IMA Bengal State Branch. The Election Commission will be assisted by an Office Bearer and one Office Staff nominated by the State Secretary in all administrative affairs related to the election process. The financial aspects of the election will be borne by the State Office. The Election Commission will be assisted by an Office Bearer nominated by the President in all administrative affairs related to the election process. The Chairman or any of the members in his absence of the said commission will correspond with the local branches and the candidates of the election concerned. The financial aspects of the election will be borne by the State Office.

**Nomination of President and President elect, Five Vice Presidents and Five Vice Presidents elect:**

The Chairman of the Election Commission shall on or before the 20<sup>th</sup> of August on the year of election will invite the local branches to nominate one member of the Association for the Office of the State President and one member for the Office of the State President elect, Five members of the Association for the Office of the Five Vice Presidents and Five members of the Association for the Office of the Five Vice Presidents elect. The name of any member of any local branch can be proposed by any local branch for any of the above posts for a particular year only i.e. either for State President or State President elect or Vice President or Vice President elect. The member whose name will be proposed for the post of State President or State President elect must have held a post of President of any local branch. The nomination must reach the office of the Election Commission not later than 20<sup>th</sup> September with Nomination Fee of Rs.5000 (Rupees five thousand only) for the post of State President and State President elect & Rs.3000 (Rupees Three thousand only) for the post of Vice Presidents and Vice Presidents elect by Demand Draft payable at Kolkata in favour of "IMA Bengal State Branch." Chairman of Election commission shall inform the proposed candidate by registered post / speed post on or before 5<sup>th</sup> October. If the proposed candidate is willing to contest for the proposed post then he or she must send a letter of consent on his or her letter head addressing the Chairman of Election Commission on or before 25<sup>th</sup> October. Non- receipt of any reply in this respect by 25<sup>th</sup> October shall be interpreted as withdrawal of the Candidates concerned.

**Nomination of one Hony. State Secretary, three Hony. Joint Secretaries, three Hony. Assistant Secretaries, one Hony Finance Secretary & one Hony. Assistant Finance Secretary:**

The Bengal State Council at its meeting before 25<sup>th</sup> September of the year of the election shall nominate the candidates for the post of one Hony. State Secretary, three Hony Joint Secretaries, three Hony. Assistant Secretaries, one Hony Finance Secretary & one Hony. Assistant Finance Secretary and term for each of these posts will be for two consecutive years.

The Chairman of the Election Commission shall inform the Members whose names have been nominated for the Office of the Office Bearers by registered post/speed post on or before 5<sup>th</sup> October. Members whose names will be proposed must inform the Chairman of Election Commission in writing on his / her letter head on or before 25<sup>th</sup> October whether he or she is willing to contest for the proposed post and if the proposed candidate is willing to contest, then a Demand Draft of Rs 2,000/- (Rs two thousand only) payable at Kolkata in favour of "IMA BENGAL STATE BRANCH" must be sent on or before 25<sup>th</sup> October. Non - receipt of any reply in this respect by 25<sup>th</sup> October shall be interpreted as withdrawal of the Candidates concerned.

Election of the President and other office bearers of the Bengal State Council other than those Office-Bearers who are elected in the Annual Meeting of the Bengal

State Council as per Rule no 17.3 : The Chairman of the Election Commission shall on or before 5<sup>th</sup> November send by Registered Post/Ordinary Post/Speed Post/Courier Service to all the State Council Members within the jurisdiction of the Bengal State Branch a numbered printed Ballot paper signed by the Chairman of the Election Commission for any reason, by the other member of the Election Commission duly authorized by the Chairman containing the names of the Candidates requesting them to elect one member for the post of one State President, one member for the post of State President elect, five members for the post of five Vice-Presidents, five members for the post of five Vice-Presidents elect, one member for the post of one Honorary State Secretary, three members for the post of three Honorary Joint Secretaries, three members for the post of three Honorary Assistant Secretaries, one member for the post of one Honorary Finance Secretary, one member for the post of one Assistant Finance Secretary, from amongst the panel of candidates, State Council Members must send by Registered Post / Ordinary Post/ Speed Post / Courier Service or peon Book, the printed Ballot paper, duly filled, in the envelope supplied by the Election Commission to reach the Office of the Election Commission, not later than the 15th December, after which date they will not be considered for counting.

### 3. **PROCEDURE OF ELECTION OF OFFICE BEARERS:**

- i) On receipt of the printed envelope containing the ballot papers, the Chairman of the Election Commission shall place them before a meeting of the Bengal State Council for counting of the number of votes, obtained by each candidate for declaration of result of the election on the basis of the number of votes secured by the candidates. The Staff of the Indian Medical Association, Bengal State Branch shall assist the Election Commission. Five observers shall be elected from the members of the State Council.
- ii) The members receiving the highest number of votes shall be declared elected as Office-Bearers for the ensuing year. In case of equality of votes, the Bengal State Council shall have power to decide on the issue.

### 4. **APPOINTMENT OF AN AUDITOR:**

An Auditor shall be appointed at the Annual General Meeting of the State Council every year for auditing the Accounts of the Association. He shall be a Chartered Accountant and the State Council shall fix his honorarium.

### 5. **THE ANNUAL REPORT :**

The Annual Report shall be published by the Bengal State Branch every year in which the following matters be incorporated:

- a) The Annual Report of the Association for the previous year.
- b) The Audited Accounts for the previous year.

- c) The provisional budget for the ensuing year.
  - d) The results of the election of Office-Bearers for the ensuing year.
  - e) The list of Office bearers of the previous year.
  - f) The latest amendment of Rules and Byelaws, if any
  - g) The important items of News of the Bengal state Branch in particular and the Indian Medical Association, in general.
  - h) Any other matter approved by the Bengal State Council or its Working Committee.
- The Annual Report shall be sent to all members of the State Council of least 21 days before the Annual Meeting of the State Council.

The Annual Report after adoption shall be sent to local branches every year.

## 6. SUBSCRIPTION:

### A) Rate of Subscription

The members shall pay subscription as follows:

#### a) Admission fee:

New members joining the Association shall pay admission fee at the rate decided by the IMA Headquarter.

At Present the rate is :

- i) Single Member                      Rs. 30.00
- ii) Couple Members                      Rs. 45.00

#### b) Direct Annual Members shall pay a annual subscription as decided by the State Council, which becomes due every year on 1st April. At present it is Rs. 600.00(Six hundred fifty) only.

#### c) Direct Life Member shall pay at one time, life membership subscription as decided by the State Council. At present the rate is Rs. 9500.00(Rupees Nine thousand five hundred ) only. Direct Couple Life members shall pay 1 ½ time of the single member.

#### d) Annual Branch member<sup>3</sup>

Annual branch members shall pay HF C plus branch share of subscription as decided by the local branch, annually, which becomes due on 1st April every year. Couple Annual Members shall pay 1 ½ times of the single member

#### e) Life Branch Member :

Life branch members shall pay at one time, life membership subscription which includes H.FC. plus branch share as decided by the local branch. Couple life members shall pay 1 ½ times of the single member.

f) Associate members shall pay only branch share of the subscription annually which becomes due one 1st April every year.

g) Headquarter fund Contribution(HFC)

All members whether direct, local branch, annual or life shall pay HFC as decided time to time by the IMA Hqrs.

h) Revival fee

A re-admission fee of Rs. 15.00 in case of a single member and Rs. 21.00 in case of a couple member, shall be payable by every member applying for re-admission.

**B) Distribution of Fee (As decided by IMA Hqrs)**

i) Admission fee

1/3 Local branch
1/3 State Branch
1/3 Hqrs.

ii) Re-Admission fee

1/3 Local Branch
1/3 State Branch
1/3 Headquarters

**C) General Rules about Subscription and Contribution.**

i) All subscription including HFC becomes due on 1st April every year. All the Local Branches shall direct their members to pay their Annual Subscription by 31st March every year .

ii) Local Branch shall forward a list of valid members as on their membership register on 31st March, along with HFC for the annual members to the State Branch by 15th of April every year.

iii) State Branch shall forward a list of all the Valid Members as on its Membership Register along with HFC for all the annual members, to the IMA Headquarters by 30th April, every year.

Non compliance of this Bye-Laws make the member liable for suspension of all the privileges of the membership

iv) If the subscription or contribution on behalf of any member is in arrears action may be taken as laid down in Rule 32 , hereunder. In case of defaulting or non-functioning branches the Bengal State Council or its working Committee shall have the right to suspend the defaulting or non-functioning local branches, with effect from the date when the payment of HFC was due.

v) If a branch member leaves the area of his / her branch permanently and goes to another branch, he / she must clear all the dues of the previous branch, and shall pay

the subscription of the new branch according to the rules of the new branch. On no account, the new branch shall accept the intimation of transfer from any member unless he produces a CLEARANCE CERTIFICATE from the previous branch showing that he has paid up all his dues. The local branch accepting the transfer of a member shall immediately notify the State Office, which in turn shall inform the Headquarters, Journal Office and the previous local branch regarding the transfer.

- vi) If a branch member leaves a branch and goes to a place where there is no branch, he shall enjoy the privileges of membership for the period for which HFC on his account has been paid by the branch. After that he shall cease to be a member unless he applies to be classified as a direct member.
- vii) In case of husband and wife both being members of IMA, the couple shall pay one full and one-half subscription per year to the branch, shall be entitled to one copy of the Journal for them. The HFC for the couple shall also be in the same proportion.
- viii) A member, enrolled at any time during the year shall pay the full subscription for that year irrespective of the date of enrolment.

## 7. ELECTION OF MEMBERS:

- A. **Honorary Members:** Shall be proposed by at least 25 members of the Association wherein the proposer shall set forth the claims of the candidates. The election shall take place at a meeting of the Bengal State Council. No discussion shall be permitted on the merits of the persons proposed and the election shall be considered valid when at least two-thirds of the members present and voting by ballot are in favour of the proposal.
- B. **Annual Members:**
  - a) Direct members shall fill in and sign the form of application for membership and send it along with the prescribed yearly or half-yearly subscription, to the Hony. State Secretary. The application shall be put at the next meeting of the State Council or its Working Committee, for admission of the applicant, as a member. In the meanwhile, he or she shall be admitted as a member, only provisionally.
  - b) Branch Members applying for admission, through a local branch, shall fill in and sign the Membership Application Form (M.A. Form) which shall be forwarded, along with the requisite Headquarters Fund Contribution (HFC) by the branch, to the State Office for information of the Headquarters and the State Office on his election by the branch.
  - c) **Associate Member:** A Direct or Branch members may apply to be an Associate Member of another branch by payment of the requisite subscription to the branch. If the Branch approves the application, the fact should be notified to the State Office.
- C. **Life Members:** A person who is eligible to be an ordinary member seeking enlistment, as a Life Member shall submit an M.A. Form through Branch Secretary on payment of HFC/SFC/BFC as decided from time to time. An Ordinary Life Membership Fees.



## 8. STATE MEDICAL CONFERENCE

### 8.1. General Rules:

- A) **Auspices:** The Bengal Medical Conference shall be organized, ordinarily, in the month of February every year or as the Bengal State Council or its Working Committee may decide, at a suitable place and time, under the auspices of the Indian Medical Association, Bengal State Branch. The local branches of the IMA in Bengal shall have the privilege of inviting the Conference. The State Branch can also invite for the same.
- B) **Venue:** The Hon. State Secretary shall issue a circular letter to the local branches before the 30th June each year to find out if any of them would invite the next Conference. The local branches willing to invite the Conference shall forward their invitation with an amount of Rs. 25,000/- (Rupees Twenty five thousands) only by Demand Draft in favour of Indian Medical Association, Bengal State Branch payable at Kolkata on or before 31st December each year. The amount received with the application of invitation for organizing the conference will be refunded to the branches whose invitation is not accepted in the State Council Meeting.

### 8.2 Financial aspects:

- A) **Expenses of Conference :** The expenses of the Bengal State Medical Conference shall be borne by the local branch inviting the Conference. The Bengal State Council shall not be responsible for any part of the expenses
- B) **Contribution to State Funds:** 50% (Fifty per cent) of the income accruing from fees from delegates and other members of the Conference except members of the Reception Committee shall be credited to the funds of the Bengal State Branch. 25% (Twenty-Five per cent) of the surplus money earned by the State Medical Conference besides the income from the delegates and other fees as mentioned earlier in the 1st sentence shall be paid to the State Branch and the balance 75% (Seventy-Five per cent) shall go to the branch hosting the Conference. The aforesaid sum of money due to the State Branch shall be paid to the State Branch within the Association Year in which the relevant Conference was held.
- A) **Members for the Conference :** The Conference shall be open to the following:
- i) All Members of the Reception Committee
  - ii) All delegates elected by the local branches on payment of delegate fees
  - iii) All other members of the IMA who attend the Conference on payment of delegate fees.
  - iv) All medical practitioners possessing registered qualifications under the Indian Medical Degree Act, 1916, who are not members of the IMA on payment of delegate fees.
- B) **Rights of members of the Conference:** All members of the Conference shall have the right to take part in all discussions at the open and Scientific Sessions of the Conference. At the open session of the Conference in addition to the members of the

Subjects Committee, delegates who are member of IMA only will be allowed to vote.

#### 8.4 STATE COUNCIL MEETING:

In this State Council Meeting, other than the regular business, following elections shall be held:

- i) Director of Studies, Hony. Secretary and Hony. Joint Secretary and three members of Board of Management from amongst the members of IMACGP Bengal State Faculty.
- ii) Chairman, Hony. Secretary, Hony. Joint Secretary and three members of Board of Management from the members of IMA Academy of Medical Specialities, Bengal State Chapter.
- iii) Chairman, Hony. Secretary and Hony. Joint Secretary of Service Doctors Wing and three member of Board of Management from amongst the members of Service Doctors Wing.
- iv) Chairman, Hony. Secretary and Hony. Joint Secretary of Social Security Scheme and three member of Board of Management from amongst the members of Social Security Scheme.
- v) Chairperson, Hony. Secretary and Hony. Joint Secretary and three members of Board of Management from amongst the members of Women Doctors Wing.
- vi) Chairman, Hony. Secretary and Hony. Joint Secretary of IMA Bengal consultant Forum and three members of Board of Management from amongst the members of consultant forum.
- vii) Chairman, Hony. Secretary, Hony. Joint Secretary and three members of Board of Management from amongst the members of Hospital Board of India, Bengal State Chapter.
- viii) One Chairman and Two members of Election Commission.
- ix) Regular and Alternate representatives from the State to the Central Working Committee, Numbers depending upon the membership strength of the State Branch.
- x) 36 members of the State Working Committee from amongst the State Council members, at least one member from the each district of the State.

#### 8.5. Programme of Conference: The Conference shall have

- a) State Council meeting to be held before the inauguration of the Conference
- b) An Inaugural Session for the address of the Chairman of the Reception Committee and of the President of the State Branch of the Association and formation of the subjects committee. This session will be open to the members of the Conference, medical students and visitors.
- c) **Open Session:** Where resolutions will be discussed. Except for special or urgent

reasons, at the discretion of the President no resolutions will be discussed which have not been received at the Office of the Bengal State Branch at least 30 days before the date of the Conference and circulated to the local branches at least 15 days before the Conference. These resolutions will be placed before the Subjects Committee of the Conference, prior to discussion at the open session.

- d) Scientific Sessions: Open to members and medical students.
  - e) Medical and Scientific Exhibitions: Organized by the Reception Committee.
- 8.6. **Subjects Committee: The following shall form the Subjects Committee of the Conference.**
- 1) **Ex-Officio:** The President, Past Presidents, the Office Bearers and members of the Working Committee of the Bengal State Branch, the Presidents and Secretaries of the Local Branches, the Chairman and the Organizing Secretary of the Reception Committee.
  - 2) **Elected:**
    - i. Not more than 10 representatives of the Reception Committee from amongst the members of the Committee, who are also members of the IMA to be elected at a meeting of the Committee before the session begins.
    - ii. Not more than 10 representatives of the Bengal State Council to be elected from amongst the members of the Council.
    - iii. Not more than 10 representatives of the Delegates to be elected from amongst the Delegates.
- 8.7 **Reception Committee:** The Local Branch inviting the Conference shall form the Reception Committee.
- a) Membership of the Reception Committee shall be open to the following:
    - i. All members of the local branch, which invites the Conference.
    - ii. All members of the neighboring local branches who decide to co-operate
    - iii. (All medical practitioners, with registered qualifications under the Indian Medical Degree Act. 1916 who reside or practice in or near the town or area where the Conference is held or its neighbourhood) -should be delegate
  - b) The Reception Committee membership fee and fees for hospitality shall be decided in consultation with the State Working Committee. The Reception Committee members who are delegates shall be exempted from payment of Delegate fee.
  - c) Office Bearers of the Reception Committee shall be elected by the members of the branch inviting the conference at a general meeting or Executive Committee Meeting of the Branch and consists of a Chairman, an organizing Secretary, a Treasurer and others as required.
- 8.8 Funds of the Reception Committee: shall be raised by donation, membership fees and

in any other way as decided by the Committee. After meeting the expenses of the Conference, the surplus fund of the Committee shall be credited to the State Branch and the Local Branch inviting the Conference subject to Rule 21-A © (ii).

8.9 **Boarding and Lodging arrangement-** The Reception Committee shall make arrangement for the boarding and lodging of those attending the Conference, if so desired and on previous intimation (at least two weeks before the session) and on payment for the same when required at the rates fixed by the Committee in consultation with the State Working Committee.

8.10 **Delegates:**

- i) All IMA members can become delegates by paying delegate fee.
- ii) **Delegates fee:** to be fixed by local branch and approved by State Branch. Non - IMA Members, Spouse and children, medical students can also become delegates paying delegate fee.
- iii) **Qualifications of Visitors:** The following may attend the Conference as Visitors:
  - i) Distinguished persons who are specially invited by the Reception Committee as Distinguished Visitors, without payment of any fees.
  - ii) Medical men or other scientists who desire to take part in Scientific Sessions only as special Visitors.
- iv) **Rights of Visitors:**
  - i) Distinguished visitors can speak on any resolution if they wish to do so, but they shall have no right to vote.
  - ii) Special Visitors shall have the right to speak in the Scientific Session but not in the open session of the Conference.
  - iii) Student Visitors can attend the Scientific Session and the Conference sessions but shall not have the right to speak on any resolution or to vote.

8.11. **The President:** The President of the Bengal State Branch of the IMA for the year shall be the President of the Conference. He shall not be charged any membership fee of the Conference as well as the Hony. State Secretary also.

9. **APPOINT OF LEGAL ADVISOR:**

A legal advisor shall be appointed at the Annual General Meeting of the State Council every year.

10. **CONVERSION OF ANNUAL MEMBER TO LIFE MEMBER:**

The Local Branch Secretary should get filled new M.A. Form from the member. The Local Branch Secretary should on top of each form write in red "conversion from Annual Member to Life Member" and send it to the State Office along with HFC. No admission fee shall be charged for conversion.

11. **TRANSFER OF MEMBER:**

Member desiring to transfer his membership from one branch to another branch shall apply to his branch for a No objection certificate. After getting the no objection certificate he / she shall apply to new branch with a copy of NOC from his previous branch. The new branch secretary shall put the application in the executive committee meeting and if accepted shall write to state branch secretary for the transfer, who shall forward the same to IMA Hqrs.

12. **FORMATION OF LOCAL BRANCHES:**

Office in the manner provided in the Rules and Bye-laws of IMA Headquarters. Local Branches shall be formed by eligible members of the profession who reside or practice or work in a place or its neighbourhood resolving to form themselves into a local branch of the IMA and getting the membership application forms separately signed by all the persons wishing to join the Association through the said Branch and forwarding them with the Headquarter Fund Contribution (HFC) for all the members at the rate herein after fixed from time to time and the names of its Office-Bearers including its representatives to the Central and State Council respectively to the Bengal State Branch. The State Branch shall consider them as soon as possible and submit its recommendations to the Headquarters' Office within 30 days of the receipt of the application. The Central Working Committees shall ultimately decide about the formation of such local branch and inform the State Office of its decision.

- b) A minimum of 10 (Ten) eligible persons who had never been members of the Association earlier residing or practicing or working in a place or its neighbourhood shall form a local branch and there shall not ordinarily be more than one branch in the same town except with the previous sanction of the State and Central Working Committee. Each local branch shall have an area to be determined by the Central Working Committee on recommendation of the State Working Committee and / or State Council.
- c) Local Branches shall submit in triplicate to the Bengal State Branch an Annual Return of the Valid members on their rolls before the 15th of April each year, together with a list of defaulters, a list of deceased members, 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 various activities of the branches for the purpose of compilation of the Annual Report.

The Bengal State Branch shall likewise submit to the Headquarter similar Annual Returns.

- d) Local Branches shall be free to govern themselves in such manner as they think fit and make their Rules and Bye-laws as they think fit which shall be in general conformity with the Rules and Bye-laws of IMA Headquarters and the guidelines contained in the model set of Rules and Bye-laws for the local branches approved by the Central Working Committee. Copies of the Local Branch Rules and Bye-Laws and all subsequent changes and amendments therein shall be submitted in duplicate to IMA

Headquarters Office for approval with copies to the State Branch for sending their comments to the Headquarters

### 13. **TERMINATION OF MEMBERSHIP:**

Membership may get terminated

13.1 **By Resignation:** A member may at any time resign his / her membership of the Association by giving 30 day's notice in writing to the Secretary concerned, and on payment of all money due from him / her to the Branch, for the particular year. The Secretary concerned shall put up a statement of outstanding dues of the member or statement of clearance certificate if all dues are paid up, along with notice of his resignation to the State Office for information and necessary action.

13.2 **By removal of name on account of Non-Payment of Subscription after notice as follows:**

a) **In case of Direct Members:** If the annual subscription be not paid within a month after the due date, i.e. 1st May of that association year he / she will be notified. If after one month of such notice subscription remain unpaid, registered notice shall be given stating clearly that if within 30 days of this notice the dues are not paid all the privileges of membership shall be suspended with effect from the next half year. If the dues still remain unpaid all privileges of membership shall be liable to be suspended and the case shall be brought before the state council or its working committee for necessary action.

b) **In case of Branch Members:**

i) The Branch shall be free to make any rules it likes about payment of its dues by members and for removal of their names on account of non-payment of subscription. When, however, the branch decides to suspend the privileges of membership of a member for this reason, due information of the same shall be given to the State Office as well as Headquarter Office for necessary action.

ii) If relevant yearly HFC in respect of a Branch members be not paid in full by his / her branch to Bengal State Branch by 15th April as per Rule 10A©, the State Office shall take steps to suspend the privileges of membership of such a defaulting branch member as per rules.

13.3 **By Removal of name of the ground of undesirable conduct:**

a) If the conduct of any member be deemed, by Central or State Council or a Local branch, prejudicial to the interest of the Association or calculated to bring the medical profession into disrepute, he / she may be asked to submit a written explanation of his / her conduct. In the event of the explanation being found unsatisfactory, the member may be asked either to apologize or to resign from the Association. In the event of the said member refusing to do so, a General Meeting of the local branch shall be called to consider the case and at least 10 day's notice of the meeting shall be given to the member concerned and he / she shall be given an opportunity to explain the conduct, if he / she desires to do so. If at the meeting 3/4th of the members present

and voting, record their votes in favour of deletion of his / her name from the register of membership, the resolution shall be sent to the State Council for forwarding it to Central Council / Central Working Committee for confirmation and his / her name shall be removed from the branch register only after receipt of the confirmation. In the meantime he / she shall be suspended from enjoying all the privileges of the membership.

In case of direct members, the State Council on behalf of the members of the State Branch shall follow the same procedure.

#### 13.4 **Ipsa facto :**

- i) Upon sentence after conviction in a Court of Justice of any crime entailing moral turpitude.
- ii) Upon being de-registered by any Medical Council in India on the ground of unethical conduct, from the date of de-registration and for the period of de-registration in the registration council, or;
- iii) Upon forfeiture through misconduct, of the medical qualification by virtue of which he / she became eligible for membership.

#### 14. **RE-ADMISSION :**

Members who have ceased to be members, under Rule 13-A and 13-B, can be re-admitted on fresh application being made by them and on payment of any dues outstanding against them on the date when they had ceased to be members with a re-admission fee as fixed by IMA(Hqrs) from time to time.

The Central Working Committee on the recommendation of the State Working Committee shall have the power to remit a part or whole of any outstanding dues against such members on the recommendation of the Branch concerned, in the case of branch members.

Members whose names have been removed under rule 13-C may be readmitted on the expiry of two years or thereafter, provided ten members of the Association testifying to their good conduct during the intervening period support their application for re-enrolment. He must also submit a written apology to State Working Committee and the branch concerned.

But for the cases coming under rule 13-C (b) this re-admission would only be possible subsequent to such a person's name being re-entered in the Medical Register.

#### 15. **FUND OF THE ASSOCIATION**

##### 15.1. **Income:**

The funds or income of the Association shall be derived from the following sources:

- i) Subscriptions of the direct members after deducting the share of the Headquarters as per rule.
- ii) State Branch share of the Headquarters Fund Contribution (HFC) from the branch members as per rule.

- iii) State Branch share of the Life members as per Rule and interest from the State share of Life Membership fee deposited in approved and profitable investment.
- iv) Special contributions or donations raised directly or through the local branches.
- v) Income derived from the publication of special bulletins, books, handbooks, directories, journals and annual and other reports, etc.
- vi) Contributions and delegate fees received from the local branch organizing the State Medical Conference as per Rule.
- vii) Bequests received by legacies from persons who desire to benefit the Association.
- viii) Such other sources as may be authorized by the Bengal State Council or its Working Committee.
- ix) There shall a Reserve Fund of the Association, At least 25 per cent of the surplus of 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 Bengal State Council in which 2/3rd of the members are present and vote in favour of the resolution of withdrawal.

#### 15.2 Expenditure :

The Bengal State Council or its Working Committee shall out of the funds of the Association, defray all ordinary expenses and shall pay rents, taxes, salaries, wages and such other charges as may be necessary for carrying on the work of the Association. It shall further provide for such publications as may be authorized and shall be empowered to spend money on scientific investigations, conferences, prizes, scholarships, social functions, health measures and on such other purposes as if may consider advisable in furtherance of the objects of the Association.

#### 16. TOURS BY OFFICE BEARERS:

All tours by the office bearer or any deputed officers shall ordinarily be undertaken with prior sanction of the President / Hony. State Secretary

#### 17. OPERATION OF ACCOUNTS:

The Bank Accounts of the Association and its different wings e.g. College, Academy, B.M.R.C., Social Security Scheme shall be operated jointly by the Hony. State Secretary or in his absence the joint Secretary nominated by the President / State Council and the Hony. Treasurer. In case, the Hony. Treasurer is out of station or is unable to work President will sign cheque in place of Hony. Treasurer.



# (ANEXURE- I)

## INDIAN MEDICAL ASSOCIATION Model Rules / Bye-laws of I.M.A. Branch (A Local Branch of the Indian Medical Association)

### RULES

#### Definition :

(Various terms used in these Rules, may be defined)

#### Name:

1. The name of this Association, which is a Local Branch of the Indian Medical Association, a Society registered under the Societies Registration Act XXI of 1880), and having its Headquarters at New Delhi shall be " Indian Medical Association Local Branch", under the jurisdiction of Bengal State Branch of Indian Medical Association.
2. It is formed under the Rules of the Indian Medical Association and shall function as a Local Branch as per constitution of the IMA and the Rules and Bye-laws of the IMA shall apply in matter and covered by Rules and Bye-Laws of this Branch, as contained herein.
3. It shall abide by the decisions and policies of the IMA as laid from time to time.

#### Office:

4. The registered office of the Branch shall be at such a place as may be approved by the General body.

#### Jurisdiction:

5. The Branch shall have jurisdiction over the area as defined by the Working Committee of IMA.
6. It shall function under the jurisdiction of the Bengal State branch of IMA and shall relate with the aforesaid State Branch as laid down by IMA.

#### Objects:

7. **The objects of the Branch are:**
  - i. 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 India:
  - ii. To maintain the honour and dignity and uphold, the interests of the medical profession and to promote co-operation amongst the members thereof.

- iii. To work for the abolition of compartmentalism in medical education, medical services and registration in the country and thus to achieve equality amongst all members of the profession.

#### 8. **Methods:**

For the attainment and furtherance of these objects, the Branch shall follow the methods as laid down by IMA Headquarters / State or Territorial Branch and shall abide by them and support the policies and activities of I.M.A.

#### **Association Year:**

8. The Association year shall be from 1st April of one year on the 31st March of the following year as to IMA Rules.

#### **Composition of the Branch :**

9. The Branch shall consist of members of the IMA who reside and / or practice in the area of jurisdiction of the Branch and whose names are duly approved by Honorary Secretary General of IMA Headquarters of the prescribed form as laid down.
10. The Branch shall maintain a register of all its members, which shall correspond with the register, maintained at the IMA Headquarters and at State Branch, IMA.
11. All additions, deletions and transfer of members shall be intimated to IMA Headquarters, through the State Branch as laid down in the Rules and Bye-laws of IMA.
12. The Branch on formation shall function as per Constitution and adopt the Model Rules and Bye-laws with any modification/ amendments thereof and send the same to IMA Headquarters through State Branch for ratification by the Working Committee of IMA. The State Branch shall forward its comments if any, to the Headquarters office within 4 weeks from date of receipt. The State Branch shall, however, have no powers to approve or modify the same. Till such time, the constitution or amendments of Rules and Bye-laws of the Branch are ratified by the Working Committee of IMA, the Model Rules shall be operative.

### **MEMBERSHIP**

#### **Eligibility:**

13. The members of the Branch shall be enrolled as per eligibility clause viz. Rules 12 of IMA Constitution.

#### **Enrollment of members:**

15. All prospective and eligible members of the profession shall apply on a prescribed Membership application form to the Honorary Secretary General, IMA Headquarters, who shall approve and accept the membership and intimate the same to all concerned office of IMA. All such application forms shall be accompanied by Headquarters Fund Contributions (HFC) as laid down from time to time, in such manner as prescribed by Rule 16 of I.M.A. Rules.

## **CLASSIFICATION OF MEMBERS**

### **Intern Members:**

16. All Interns otherwise eligible and as per IMA Rules and Bye-laws having temporary registration with medical Council of India or various state Medical Councils under the Indian Medical Act, shall be enrolled as Intern Members during their period of Internship only.

### **Life Members:**

17. Life Members shall be enrolled in a similar manner on completion of all formalities and on payment of a hump sum in lieu of yearly subscription and remittance of H.F.C. as provided in IMA Rules and Bye-laws from time to time. They shall be on the rolls of the Branch where they reside / practice / are employed.
18. Life Members shall enjoy all rights and privileges of the Local and State / Territorial Branch without any subscription except payment of such charges that may be levied by the branch for any special activity.

### **Associate Members:**

19. Members of another branch can be elected as Associate members of the branch. They shall not fill in another membership form but shall apply to the branch and pay its subscription only but they would not be entitled to vote and / or hold any office in the branch.

### **Attached Members of IMA:**

20. The medical personnel of Armed Force of India who are Attached Members of IMAS Headquarters as per Rules of IMA, shall be attached to the Branch where they happen to reside. They shall have all privileges of membership except that of voting and / or holding any office in the Branch. While they will not pay any H.F.C. they shall be required to pay any chargers fixed by the branch for day-to-day activity and for any special activity.

### **Subscription :**

21. Members on rolls of the Branch shall pay their , subscription to the Branch according to scale fixed by the Branch from time to time and such subscription shall include H.F.C. on their behalf such subscription for the full year shall become due on 1st April every year for existing members.

### **H.F.C.**

22. The Branch shall pay the H.F.C. as fixed by the IMA Headquarters from time to time through the State / Territorial Branch. The existing rate of H.F.C. effective from 1st April 2007 are as under:
23. The Branch will remit the H.F.C. as laid down by IMA Rules in one installment in case of existing Annual Members as on 1st April latest by 30th April each year.
24. The H.F. C. in respect of new members enrolled at any time of the Association year shall be remitted for full year along with the M.A. forms.

25. The Branch shall also send an up-to-date list of members(Addressograph) on its register of membership as on 31st March, on behalf of whom H.F.C. has been remitted in, full, so as to reach IMA Headquarters through the State / Territorial Branch concerned by the 30th April. All addition and deletion shall also be reported to IMA Headquarters from time to time during the year and lists update upto 31st October and 30th April shall be taken as valid member of the Branch and H.F.C. shall be payable by branch on it. In case no corrections are received, the list as on 31st March of last year shall be taken as valid for making payment of H.F.C.
26. The Branch shall maintain separate lists of members on its register of membership as under :
- a. Annual Members :
    - (i) Single member
    - (ii) Couple member
  - b. Life Members :
    - (i) Single members
    - (ii) Couple member
  - c. Intern member.
  - d. **Associate Members:** This will be maintained at branch level only for within no extra H.F.C. will be required to be sent.

While remitting H.F.C. the Branch shall give statement of H.F.C. based on the above categories of Membership.

**Termination of membership:**

27. The Rules and Bye-laws of IMA shall be applicable in all cases for termination of membership.

**Suspension of Membership:**

28. The Rules and Bye-laws of the IMA shall be applicable in all cases for suspension of membership

**Management :**

29. The Branch shall govern its affairs through an Executive Committee comprising of the following, in such manner as it decides within the frame work of these Rules and Bye-laws.

**Elected Office-Bearers and Members:**

- a. President
- b. Vice-President / Vice-Presidents
- c. Honorary Secretary
- d. Honorary Joint Secretary
- e. Honorary Finance Secretary

- f. Committee members-their number shall be fixed by the Branch relating to its strength. General Body may alter or change the Office Bearers' post.

**\*\* Note:** It may be noted that membership is that of IMA and it is the Working Committee of the IMA only which is the authority to suspend/ terminate membership and privileges of membership as per the Rules and Bye-laws of IMA. The Branch has no such authority and shall submit its recommendation in the manner as provided in the Rules and Bye-laws of IMA.

**Ex-Officio Members:**

- i. Immediate Past President.
- ii. Immediate Past Honorary Secretary .
- iii. Members of State Working Committee/State Council Members.

**Co-opted & Invited Members:**

President may co-opt 2 Members and invite members in meetings.

30. The Office Bearers and Members of the Executive Committee shall be elected every year or alternate year by the General Body of Members as decided by the general Body meetings.

**Executive Committee:**

31. The Executive Committee shall act on behalf of the Branch and shall be vested with the power of general management. It shall meet regularly at periodic intervals.
32. It shall appoint committees and Sub-Committee for various activities and functions and shall express views on behalf of the Branch when asked for by the State Branch and / or the IMA Headquarters.
33. It shall oversee the financial management of the Branch and authorize payments and / or disbursement of funds as provided in these Rules and for such other activities as decided by the Branch from time to time.
34. The Executive Committee shall frame Bye-Laws, lay down procedures for day-to-day functioning of the Branch, conduct elections and exercise all other powers as may be conducive to the Branch within the frame work of these Rules and perform any other function specially entrusted to it by the General Body of the members.

**Election of Office-bearers and Executive Committee:**

35. Office-Bearers and Members of the Executive Committee shall be elected at a General Body Meeting in such manner as provide by these Rules and Bye-laws and as per schedule decided by the Executive Committee, through a process of calling for nominations by a fixed date, scruting of nomination and thereafter giving time to valid nominees to withdraw nominations if they like and later fixing a date for election where all members in good standing shall be allowed to vote by secret ballot. The whole process shall be completed by 31st December in the year of election.

36. The Branch may frame suitable Bye-laws to conduct the election in their own suitable time and schedule.

#### **Duties of Office-Bearers:**

37. The duties and function of Office Bearers of the Branch shall be as under :-

- i. **President:** He shall preside over all meetings and shall be ex-officio member of all Committees. He shall control and guide the affairs of the Branch and shall interpret these Rules and Bye-laws and his decision in all matters shall be final. He shall have a casting vote in case of equality of voting on any account. He shall have overall control of Branch Accounts.
- ii. **Vice-President:** The President shall be assisted by the Vice-Presidents, who shall act on his behalf in his absence.
- iii. **Honorary Secretary :** He shall be responsible for the day-to-day administration of the Branch under the guidance of the President and / or of the Executive Committee. He shall issue notices of all meetings and maintain records of all business transacted at meetings of the General Body, Executive Committee and other Committees, He shall keep membership record and all documents of the Branch. He shall carry out all correspondence on behalf of the Branch and comply with the essential requirements in relation to the State/ Territorial Branch and / or IMA Headquarters. He shall pass all expenditures and bills and operate Bank Account along with President and Honorary Finance Secretary.
- iv. **Honorary Joint Secretary :** He shall assist the Honorary Secretary in duties allotted on him by the Honorary Secretary / Branch Executive Committee.
- v. **Honorary Finance Secretary :** He shall maintain the accounts of the Branch, operate bank account jointly with the Honorary Secretary and and President. He shall invest or disburse funds as approved by the Executive Committee through the Honorary Secretary and help raise finances for the Branch including collection of subscription etc. He shall prepare quarterly/ half yearly statement of accounts, get them audited as per decision of the Executive Committee.

#### **Meetings of the Branch**

38. The following meetings shall be held:

- i. **Annual General Meeting:** the Annual General Meeting of Members of the Branch shall be held every year before 15th April, to receive Annual Report, Annual Accounts, approve next year's budget, elect representatives to the Branch to various IMA bodies viz. Central Council, State Council and other bodies and to consider constitutional amendments and any resolutions moved by the Executive Committee or Members provided such resolutions have been submitted at least four weeks in advance of the meeting.
- ii. **General Body Meeting:** As per requirements, the Honorary Secretary shall call General Body Meeting for specific purpose like holding election of Branch Office

bearers and Executive Committee in consultation with President or as decided by Executive Committee. Such meeting shall be also called to elect office bearers of Headquarters and / or the State / Territorial Branch as per Rule of IMA and State / Territorial Branch respectively.

- iii. **Extra-ordinary General Meeting :** It shall be called by Honorary Secretary in consultation with the President and / or as decided by the Executive Committee to consider specific agenda. No other item shall be considered in this meeting.
- iv. **Requisition Meeting:** It shall be called by Honorary Secretary in consultation with the President/ Executive Committee on requisition from such specified number of members as decided by the branch and laid down in these Rules, within a fortnight of the receipt of requisition to consider the specific item of agenda as demanded by the requisitionists. No other matter will be transacted at this meeting.
- v. **Scientific / Academic and Social Meetings:** These meetings may be called by the Honorary Secretary as expedient.

39. The Executive Committee shall fix the venue and fix or reschedule time of meetings.

**Bye-Laws:**

- 40. All Bye-laws operative to the Rules shall be framed by the Executive Committee and be approved by general Body and shall be in operation thereafter till alterations are effected.