

ASSOCIATION OF MEDICAL CONSULTANTS (MUMBAI)
Registered under Public Trust Act 1950, Reg. No: F-7373 Bom. &
Society Reg. Act XXI of 1860. Reg. No. : Bom. - 454 / 81, GBBCD.



**CONSTITUTION
MEMORANDUM, RULES & BYE-LAWS
[As on 21st October 2018]**

**4, Ganpati Niwas, Old Police Lines,
Opp. Railway Station,
Andheri [East]
Mumbai - 400069.**



MEMORANDUM

[1] **NAME OF THE SOCIETY:**

Association of Medical Consultants (Mumbai); hereinafter referred to as the Association.

[2] **JURISDICTION AND ADDRESS OF THE ASSOCIATION:**

[A] Area of Jurisdiction: Greater Bombay, New Bombay, Thane District Raigarh & Associate branches.

[B] Address: The permanent Office is situated at

**4, Ganapati Niwas, Old Police Lines,
Opp. Andheri Rly. Station (East),
Mumbai - 400069.**

Tel. No. 26844639, 26836019. Telefax: 26821109

Email: amcmumbai@gmail.com.

Website: www.amcmumbai.com

[3(A)] **PREAMBLE**

The Association of Medical Consultants (AMC), Mumbai has been established with a view to promote solidarity, efficiency and welfare of medical consultants having post graduate qualifications in modern scientific medicine (Allopathy) and also to uphold their honour, dignity and legitimate rights. The AMC, Mumbai shall strive to participate in all efforts to improve the health care delivery system in the country.

[4] **VISION**

To create a distinguished national medical body which facilitates unity of the entire medical fraternity, promotes sound, ethical, evidence-based medical practice, initiates path-breaking healthcare policy reforms and induces a harmonious doctor-patient relationship.

[5] **MISSION**

To guide, steer, motivate and hold hands of every practicing Consultant to carry on his/her medical, ethical and social responsibilities and duties conscientiously and fearlessly while promoting the knowledge arena of medical education and securing a safe & effective healthcare delivery system

[6(A)] **AIMS AND OBJECTS OF THE SOCIETY**

- (a) To Promote social, cultural, and co-operative activities.
- (b) To establish contact with similar Associations.
- (c) To arrange and hold conferences, demonstrations, debates, excursions, cultural functions, seminars, symposia, demonstrations, meetings, lectures, discussions, competitions etc.
- (d) To print, publish periodicals mainly for the purpose of discussing, the questions affecting the welfare of medical consultants.
- (e) To establish, conduct a reference library.
- (f) To do all such things as are incidental and necessary for the consultants a proper place in the new Social Order and in general to increase the usefulness and advance in standards, ideals and welfare of the profession.
- (g) To uphold honour the dignity and legitimate rights of the Consultants.
- (h) To secure proper and better conditions of service and status, emoluments, and all other legitimate rights and privileges of the medical consultants / Members.
- (i) To try to redress grievances and to secure justice for the Medical Consultants / Members whenever and wherever such grievances and or / injustices persist in spite of ordinary attempts at negotiations and persuasions; these methods may include submission of suitable memoranda to the concerned authorities / organizations of effective mass protest, or demonstrations or obtaining legal opinions or instituting legal actions or any other suitable line of action as per the needs of such situation.
- (j) To project views of Consultants / Members with regard to various health and education policies of the Government or any other authorities and to try to get those views accepted for incorporating in the said policies, keeping in mind health care delivery system.
- (k) To promote efficiency of the Consultants in the interest of public at large.
- (l) To promote research and advancement of the medical and allied sciences in all the different branches of medicine.
- (m) To promote public health and medical education in India.
- (n) To publish periodicals, mainly for the purpose of discussing the issues affecting the welfare of the Consultants / Members, and also for the purpose of projecting views of the Consultants / Members on various subjects or policies; and also to publish articles increasing the information, efficiency and general knowledge of the Consultants / Members.
- (o) To promote welfare of the Consultants / Members and their family by arranging social gatherings, entertainments, programmes, games, functions etc.,

[6(B)]

FOR ATTAINMENT & FURTHERANCE OF THE ABOVE AIMS & OBJECTS:

- (a) To hold periodical meetings and conferences of the members of the Association and also with members of other Medical Associations and of Allied Sciences and also of other professions, Societies, Clubs, Federations, and Associations, if need be;
- (b) To arrange from time to time Congresses, Discussions, Demonstrations in order to organize, consolidate and propagate the generally accepted views of its members on various subjects affecting the welfare, efficiency, interest, and conditions of services of the Consultants.
- (c) To arrange from time to time such conferences, meetings, symposia, panel discussions, group discussions, demonstrations, etc., in order to keep the members well informed about the recent advances, latest trends, newer equipments, and all other advances of knowledge needed to improve their efficiency and quality of service to the profession.
- (d) (i) To encourage research and statistical evaluation of various medical problems
 - (ii) To promote study of the socioeconomic hazards faced by the Consultants, through scholarships, prizes, rewards, grants or any other suitable sort of encouragements out of the funds of the Association, and in any such other manner as may, from time to time, be determined by the Association:
- (e) To consider and express views on Questions and Laws of the country, or on proposed legislations and/or Ordinances relating to Public Health, Medical Education, Resident Medical Students, and Medical profession., and to take such steps and adopt such measures in relation to the same , as may be deemed expedient or necessary from time to time;
- (f) To encourage formations of Association of Medical Consultants throughout the Country and to invite all other medical consultants' Associations, Specialists' Organizations, Post-Graduate Medical Students' Associations, and Post-Graduate Medical Students' Unions, from all the branches of the Modern Medical Science, to join together in the form of an All India Federation of Associations of Medical Consultants, for attainment of various above mentioned Aims and Objects of common interest and welfare, on such mutually acceptable terms and conditions, as the Association may deem expedient, fit or necessary, from time to time;
- (g) To conduct Education and Health Campaigns for General Public in matters of Health and Hygiene.
- (h) To Organize Medical Relief's during Epidemics and in times of Emergencies.
- (i) To organize various Diagnostic, Educative and Curative Camps for Tuberculosis, Diabetes, Hypertension, Cardiac Diseases; Family Planning Camps, Surgical Camps, Child Health and Welfare Camps, Vaccination Drives etc. as per decision of the Association from time to time;

- (j) To possess and maintain a Library and Association Premises possessing various important and informative publications, Recent Books, Equipments, Furniture and all other facilities for attainment of above mentioned Aims and Objects;
- (k) To raise Funds for carrying out the above mentioned activities of the Association of Medical Consultants, Bombay; to collect subscriptions and Donations for attaining the Aims and Objects of the Association of Medical Consultants, Bombay:
- (l) To purchase, take lease of or otherwise acquire, hold, manage, let, sell, exchange, mortgage or otherwise dispose off moveable or immoveable properties of every description and all rights or privileges necessary or convenient for the purpose of the Association; and in particular to buy land, buildings, furniture, fixtures, household or other effects, fittings, apparatuses, conveyances, utensils, books, newspapers, periodicals, accommodation etc. as and when deemed necessary or desirable in the interest of the Association.
- (m) To erect, maintain, improve, or alter or keep in repaired and good condition; any buildings and /or premises in its legal possession obtained through purchase, lease, gift or rent, for the purpose of the Association.
- (n) To invest any funds of the Association not immediately required for any of it's above mentioned Aims and Objects in such a manner as may be deemed proper or necessary by the managing committee or any other authorized committee off the Association.
- (o) To consider feasibilities of initiating and running Medical colleges or courses wherever deemed fit, with the help of the authorities concerned and/or All India Federation of Associations of Medical Consultants and/or its various constituents and/or with co-operation of other Medical Institutions as per Rules laid down from time to time by the Medical Council of India on No-Loss-No-Profit Basis.



R U L E S & B Y E - L A W S

- (I) PREAMBLE (Deleted & Added in Memorandum)



- (II) CLASSES OF MEMBERSHIP

(A) Full Members:

Life Members

(B) Associate Members:

- a) Medical Consultants
- b) Student Members

(C) Affiliation of other Medical Organizations

(A) FULL MEMBERS:

Any eligible Medical Consultant, practicing or residing (or serving or having attachment to any Hospital) within the area of Jurisdiction of the Association, may be admitted as a FULL MEMBERS by the Managing Committee on receiving his application over a prescribed form.

Life members:

He / She shall be considered as a Life Member if one chooses to pay the prescribed Life Membership Fees.

(B) ASSOCIATE MEMBERS:

(a) MEDICAL CONSULTANTS:

Any eligible Medical Consultant, who is neither practicing, nor residing or serving nor having any attachment to any hospital within the Area of Jurisdiction of the Association, may be admitted as an Associate Member of the Association by the Managing Committee, on receiving his application over a prescribed form with the prescribed fees.

(b) STUDENT MEMBERS:

Any eligible Post-Graduate Medical Student may be admitted as a STUDENT Member by the Managing Committee, on his/her making an application for membership to AMC, on a prescribed form, with the prescribed fees.

The student membership ceases on completion of his/her post-graduation. He/She is then eligible to become an Associate Life member or Life member.

(C) **AFFILIATION OF OTHER MEDICAL ORGANISATIONS**
(Amended as of March 2004)

In order to serve the Aims and Objectives of the Association effectively and widely, and to make the Association more dynamic, the Managing Committee of the Association is empowered to affiliate consultants' associations / organizations having similar aims and objectives in areas / regions outside the jurisdiction of AMC i.e. outside Mumbai, Thane & Navi Mumbai.

Such request for affiliation must be accepted by the AMC after carefully scrutinising the written request and desire of the concerned association / organisation for such an affiliation with the AMC. On granting of affiliation, the official letter heads of the Association/ organisation (hereafter called the Affiliate organisation) may display its affiliation with AMC, Mumbai and the AMC official letter heads would display the names of various affiliated organisations.

The affiliate organization shall pay 40% of AMC, MUMBAI life membership fee per member to the Association of Medical Consultants, Mumbai as one time contribution to its corpus fund.(amended on 18-09-2011)

The Managing Committee of the AMC shall evolve from time to time functioning guidelines for working relationship with such Affiliate organisations. The Eligibility Criteria of Affiliate organisation shall be as under:

Eligibility Criteria of Affiliation:

1. Hundred percent of the total membership strength of an Affiliate organization must be constituted by the Associate Life-Members of the AMC.(amended on 18-09-2011)
2. Office Bearers of the Affiliate organisation viz. President, President-Elect (if any), Vice President, Secretary, Treasurer, Joint Secretary preferably be the Associate Life Members of the AMC at the time of their elections to the above posts.
3. A total of 25 Consultants must constitute the minimum strength of such Affiliate Unit.

Explanation:-

- Though the Constitution has recommended the affiliation, the criteria of granting affiliation need to be clearly defined in the Constitution.
- A large number of Consultants' Associations in the Areas outside the jurisdiction of AMC have expressed their desire to get affiliated with the AMC to derive benefit from the experience of the Association.



(III) **ADMISSION OF MEMBERS**

Any eligible medical consultant desirous of becoming a member of the A M C shall apply on a prescribed form and submit the same duly filled up with all the necessary details along with the Cheque/Draft/Bank-Order towards his subscription and entrance fees as prescribed by the AMC modified from time to time and agree to abide by all the rules and bylaws of the AMC. All cash transactions shall be refrained from except in Petty amounts.

Should such a provisional member be not ratified by the M C with suitable explanation to that effect, the provisional member will cease to remain on the rolls of the AMC Membership list and the fees of membership shall be returned minus any admission fees retained as an administration expense.

Should a medical qualification submitted by the applicant be the sole criterion for granting membership to the association and should such a qualification be struck off the notified list by the regulatory or competent authority, such a membership shall stand automatically cancelled and all fees paid will be forfeited. (Amended as on 29th March 2009)



(IV) **TERMINATION OF MEMBERSHIP**

[A]

- ◆ The membership of the Association will cease when the member resigns or on the demise of the member.
- ◆ The name of any member may otherwise be removed from the register of members and will cease to be a member of the Association on account of any misconduct misdemeanor or any other cause deemed to be good and sufficient enough by the Managing Committee.
- ◆ Any member who ceases to be a member of Medical Council of India/ Maharashtra Medical Council / Dental Council of India permanently ceases to be a member of AMC. However if a member is temporarily suspended by MMC/MCI for any reason his membership is not terminated.
- ◆ The MC shall have powers to SUSPEND any members from its Register for any cause or acts deemed derogatory to the dignity of the Profession and to the AMC as pointed out in SEC IV, Sub Sec B, Clause I (a) (Removal of a member). The MC shall issue a show cause notice to the concerned member asking for a reply within four weeks of the show cause notice received by him. The reply if any, will be scrutinized by the office bearers. A hearing will be accorded to the concerned member so that he/she put forth their defence. It is hereby clarified that no Advocate/authorized representative through PoA holder can be hired by the concerned member for representation during the hearing. A report or recommendation will be tabled before the ensuing MC meet where a majority of $\frac{3}{4}$ members present and voting could justify a recommended suspension of the concerned member.

[B] **PROCEDURE FOR REMOVAL AND READMISSION ON ACCOUNT OF ANY DEROGATORY ACTION.**

I) **Removal:**

- (a) Whenever it comes to the knowledge of the Managing Committee that a member of the Association has been alleged to have committed an act or acts derogatory to the dignity of the profession or Association, it shall call upon the member to furnish in

writing a full explanation of the act or acts alleged against him, and also to attend the meeting of the Committee in order to supplement his explanations.

- (b) If on due and proper inquiry, the Managing Committee is satisfied that the member has committed the act or acts alleged against him, he should be given an opportunity of tendering an apology or resignation in the event of a failure by the member to comply with the same, the Managing Committee shall convene an extraordinary meeting of the Association and place before it full particulars and results of the said inquiry.
- (c) 50 members shall form a quorum for such and extraordinary meeting. In the absence of quorum the meeting shall stand adjourned for half an hour. If there is no quorum after that, the meeting shall be re-convened after two weeks and within three weeks for which no quorum is needed.
- (d) The extra-Ordinary meeting after hearing the member, or in case if he fails to attend, as the case may be, shall determine whether he has committed any act or acts alleged against him by the votes of majority of three fourths of the members present, by a resolution. If a resolution of the proof of the act or acts is passed as above, the meeting shall proceed to consider whether his name shall be removed from the register, if this resolution is carried by a majority of three fourths of the members present, his name shall be forthwith struck off and he shall be informed accordingly by the registered post. He shall cease to be a member of the Association from that particular date.
- (e) A member who has been removed from the membership of AMC on account of: Having surrendered their MMC/MCI registration or debarred from MMC/MCI or On Removal of Membership due to any of the above reasons , the member will cease to avail the Professional Indemnity Policy of the Association. However he/she will be allowed to continue with the welfare policies of AMC (Health & Accident Policy & the Consultant Benevolent Scheme)

ii) **Readmission of such a member:**

On expiry of a period of two years, or thereafter ; the member may apply for re-admission, if he/she so desires provided his / her application is supported by SIX members of the AMC testifying about his/her conduct during the intervening period being satisfactory. The Managing Committee then shall decide on his/her application provided he/she continues to be eligible for membership.



(V) **REGISTER OF MEMBERS:**

- (a) AMC shall consist of members, whose names are on the "Register of Members", containing their names, addresses, qualifications, places of practice and telephone numbers, if any. The names of the new members, admitted by the Managing Committee shall be added to the Register of Members from time to time. Similarly, those members who resign their membership, or whose names may be deleted by the Managing Committee on account of (a) having surrendered their MMC/MCI registration or being debarred form MMC/MCI, or (b) on account of

death of the member or (c) on account of Removal of Membership arising out of a Derogatory action.

- (b) If any such member (except a member who is dead) is reinstated, or if the said member is readmitted by the Managing Committee, as per the existing Rules (in anticipation of confirmation by the General Body), his name will be re-entered in the Register of the members.
- (c) All new admissions, or deletions or removals or re-admissions shall be in accordance with the Rules & By-Laws and amendments as may be prescribed from time to time and will be duly published in the official publications of AMC.
- (d) The Register of the Members shall be open for inspection by any member of the Association by a previous notice of seven days in writing.
- (e) **Eligibility: (Amended as of March 2004)**

- [i] Any medical Consultant, possessing a **POST GRADUATE** Medical qualification, (diploma or degree) defined in the Indian Medical Degree Act of 1916; and duly registered under the Indian Medical Council Act as amended from time to time, by any of the State Medical Councils of India, after getting registration with the Maharashtra Medical Council/ Medical Council of India or Dental Council of India and ALSO possessing a Post-Graduate Qualification in Modern System of Scientific Medicine (Allopathy) and practicing exclusively as a Consultant – who is either residing and / or serving and / or practicing his/her specialty, or is attached to any institution situated in the area of jurisdiction of the “Association”, defined above at article (2) of this constitution, is eligible to apply to AMC for “**LIFE -MEMBERSHIP**”

“The Post Graduate Degree holders in all the Specialties of Dentistry, recognized & approved by the Dental Council of India and practicing as Specialists, are permitted to join A.M.C. as a full fledged member with immediate effect”. (As amended on 29th March 2009)

- [ii] Any Medical Consultant, who possesses the necessary academic qualifications for eligibility as defined in the above Para [i], but is neither residing, serving, practicing, or is having any attachments to any institution situated within the above defined area of jurisdiction of the AMC, at article (2) of this constitution, is eligible to apply to the AMC for " **ASSOCIATE LIFE -MEMBERSHIP** ".
- [iii] Any Post-Graduate Medical Student, possessing a basic Medical Qualification defined in the Indian Medical Degrees Act of 1916, and duly registered under the Indian Medical Council Act, as amended from time to time in any of the state Medical Councils of India, and residing or studying in the area of jurisdiction of the Association as described in Article (2) of this constitution, is eligible for " **STUDENT MEMBERSHIP**"



(VI) **FORMATION OF FEDERATION OF AMC (FAMC)**

An umbrella body to govern various AMC's across India was needed. Therefore Federation of Association of Medical Consultants (FAMC) was proposed to be formed in the Spl Governing Body Meeting of AMC affiliate units on 8th January 2017 in Mumbai. Hence FAMC came into existence with its Headquarters at AMC Mumbai. with the following Association of Medical Consultants as its members

1. AMC, Mumbai
2. AMC, Bengaluru
3. AMC, Mangalore
4. AMC, Kolhapur.
5. AMC Pune
6. AMC Nashik
7. AMC Ratnagiri
8. AMC Sindhudurg

(VII) **MANAGING COMMITTEE**

(a) The Managing Committee of the Association shall consist of:

The Managing Committee of the Association shall consist of The President, TWO Vice Presidents, President Elect, Hon. Secretary, Hon. Treasurer, 2 Joint Secretaries, One Joint Hon. Treasurer, 20 Area Representatives (distributed in proportion to the Membership strength in different areas and to be revised every 5 years beginning from the year 2004-2005 as per the electoral roll), Immediate Past President-(Ex-Officio Member), Chairman of all Cells, Zonal Directors & Trust Board Members. (As amended on 29th March 2009)

Nomination of the Zonal Directors:

The managing committee shall propose an eligible candidate/s for the post of Zonal Director of that constituency which must be ratified by the general body. The Zonal Director shall be appointed for a period of Three years. (Amended on March 2005).

Eligibility for the post of Zonal Director:

The candidate must be either,

- A. Past President or (B) Must have completed five years either or as an
 - (a) Office Bearer
 - (b) Managing Committee Member
 - (c) Combination of Office Bearers and managing Committee member.

The candidate shall have no dues at the time of being nominated. (Amended on March 2006)

“In case a suitable candidate is not available as per the constitutional criteria, the president, in consultation with the managing committee, will have the discretion to choose a suitable person on ad hoc basis. He should be a managing committee member currently or in the past. This ad hoc post of Zonal Director will have tenure

of up to the next AGM. The same person shall be eligible for re-nomination. (Amended on March 2007).

Procedure for Election:

Election when indicated and needed for one or any or all of the following posts of;

1. President Elect
2. Two Vice-Presidents
3. One-Hon. Secretary
4. Two-Hon. Jt. Secretary
5. One-Hon. Treasurer
6. One-Hon. Joint Treasurer
7. Twenty Members, will be held at the Annual General Body Meeting or a specially convened General Body Meeting of the Association. (Amended on March 2006 & on 29th March 2009).

ZONES OF AMC:

1. Colaba to Prabhadevi -
2. Rest of Mumbai City -
3. Kurla/ Chembur/Ghatkopar and Mulund-
4. Bandra to Andheri-
5. Jogeshwari to Dahisar-
6. Mira Road to Palghar
7. Thane/Kalyan/Dombivali
8. Navi Mumbai to Raigad

“The Zone-wise Managing Committee Membership strength shall be as follows:

Colaba to Prabhadevi -2
Rest of Mumbai City -2
Kurla/ Chembur/ Ghatkopar and Mulund-2
Bandra to Andheri-5
Jogeshwari to Dahisar-3
Mira Road to Palghar 1
Thane/Kalyan/Dombivali -3
Navi Mumbai to Raigad-2

This distribution of the no of area representatives will be recalculated every 5 years according to the change in membership strength

(b) Eligibility to contest for election for the Managing Committee members, Office Bearers and President Elect:

Minimum of 12 months membership with the Association, with no dues at the time of filling nomination.

Any member of the outgoing Managing Committee (or any subcommittee), including Zonal Directors, who has not attended at least 60% of Managing Committee meetings, with or without leave of absence SHALL NOT BE ELIGIBLE to contest for any post or be a part of the Managing Committee of the subsequent year.

Exception:

- a) Absenteeism on medical grounds,
- b) Reasons which necessitate his prolonged absence being out of city on
 - 1) Teaching assignment or scholarship or training out of station,
 - 2) Illness of a dependant family member.
- c) President-Elect: Constitutionally his next term cannot be challenged since his role is not defined.
- d) Absence from meeting due to engagement in AMC sponsored program/ event.

Any member, who has been an area representative (Managing Committee Member) for 5 consecutive full terms, whether elected or co-opted, shall not be eligible to contest.

For the post of AREA REPRESENTATIVE (Managing Committee Member) for the subsequent 1 year. However, he/she shall be eligible to contest for the post of an Office Bearer, as per the prevailing eligibility criteria, rules and regulations and also be eligible to contest for the Area Representative Post after this one year ineligibility clause. Upto 6 members can be co-opted by the President. The co-opted member will not have voting rights in matters put to vote in the Managing Committee.

Election for the post of President : (Amended as of March 2012)

- A) President will be elected in the event of the resignation / demise of the incumbent President within 9 months of his office term.
- B) Resignation or demise of the President-elect if the said event has occurred after the notice of the AGM has been circulated.

The criteria for the post of the President shall remain the same as for the President Elect.

The Seniority of the 2 Vice Presidents, shall be decided by the following criteria in chronological order:

- 1) Consensus among the two Vice Presidents: (Most desirable)
- 2) If there has been an election for the post, then the candidate polling the higher votes,
- 3) If any one of the two has been a Past President
- 4) The higher number of Office Bearers' Posts held
- 5) The higher number of Managing Committee Posts held
- 6) Seniority of age of the person.

The same criteria and procedure will be applicable in the event of resignation of any office bearer. The seniority criteria for the Joint Secretaries will be same as that of Vice Presidents.

For the Post of President Elect and Vice President:

Minimum of 3 years of holding office bearers post with no dues at the time of filling nomination.

The eligibility for the post of the President Elect and Vice President will be at least three years of Office Bearer's post, of which at least one will be that of Secretary or Treasurer.

For Office Bearers post (other than President Elect and Vice President)

Minimum of 3 years as Elected members in the Managing Committee of AMC in the past is mandatory to be eligible with no dues at the time of filling nomination

- 1) The attendance of at least 50% shall be compulsory at the Office Bearers Meeting held. Such meetings shall be called for preferably at a week's notice to enable higher attendance.
- 2) Eligibility date to contest shall be the date of AGM and not the date of nomination forms for all posts.

The following posts will constitute "Office Bearers":

- [1] President
- [2] President - Elect
- [3] 2 Vice-Presidents
- [4] Hon. Secretary
- [5] 2 Hon. Joint Secretaries and
- [6] Hon. Treasurer
- [7] 1 Jt. Treasurer and
- [8] Immediate Past President (Ex Officio)

Any member of AMC having completed three terms of one year each as elected members in the managing committee of the AMC in the past can be nominated or apply for post of office bearer with no dues at the time of filling nomination. (Amended as of March 2006).

Office Bearers shall not be chairpersons of any cells except the vice president and the Immediate Past President at the installation.

The person holding Office Bearer's post cannot simultaneously hold a Trustee's post and vice versa. (Amended as of March 2007)

Amended as of March 2012

Members of the Managing Committee, once elected to any post are expected to complete their tenure of the post. In case any member resigns from a post elected to, he/she shall not be eligible to contest for any post in the managing committee for a period of 3 years subsequently unless the resignation is on medical grounds.

"The Editor, Office Secretary and the Programme Committee Chairman shall be nominated by the president in consultation with the Managing Committee. The eligibility for the selection of these two posts shall be the same as that of an office bearer's post i.e. minimum of 3 years in the Managing Committee of the Association in the past. The Editor's post (The GRASP and Website) and Programme Committee Chairperson will be considered as equivalent to the post of the Office Bearer; but for any eligibility to higher posts, two such terms will be considered as one year of Office Bearer's post. (Amended as of March 2011).

There is no restriction for applying for any number of electoral posts. However, a member can contest for any one managing committee post and / or one office bearers post; otherwise all his nominations will stand disqualified. (Amended as of March 2007).

For Office Secretary Post:

Office Secretary would be nominated from the Managing Committee, with at least two year experience in the Managing Committee, and this post would be considered as an office bearer's post for the purposes of eligibility for President's post. (Amended as of March 2005). The Office Secretary's Post will be considered as equivalent to the post of the Office Bearer; but for any eligibility to higher posts, two such terms will be considered as one year of Office Bearer's post.

The Office Secretary will need to comply with the attendance criteria of the Office Bearer's post to be eligible for subsequent election.

Nomination of the Office Secretary:

The Managing Committee elected for the year shall elect one member amongst themselves as office secretary. The office secretary shall hold the post for a period of one year.

The Office Secretary will be considered as a half Office Bearers post and the Office Secretary will have to meet an eligibility criteria of 3 years.

All members of a newly constituted MC including Co Opted Members but excluding the incoming and outgoing Presidents will equally contribute an amount, considered necessary, by the new office bearers, to cover the costs of Hosting all MC meetings during the tenure of MC. It is expressly desired that such contributions be paid by cheque preferably at the very first MC meeting.(28TH MARCH 2010)



(VIII) **ELECTION OF THE OFFICE-BEARERS AND AREA REPRESENTATIVES:**

PROCEDURE FOR THE ELECTION:

ONLINE VOTING HAS BEEN PASSED FOR ALL Annual AMC Elections of Office bearers and Area Representatives. This has been done by holding 2 Spl AGMs on 17th December 2017 and 14th January 2018 (Amended in January 2018)

In addition the physical voting will be along with the AGM.

- (a) Not less than 4 Weeks before the date fixed for the commencement of online voting, the Hon. Secretary shall sent "Notice for Elections" to the Voter list of the Full-Members of AMC.

The voter list for the online election to be held in March every year will consist of members who have joined the association before 31st December of the

previous year. Their membership may be ratified in the MCM held in January. This amendment is made in view of the online voting process initiated in March, 2018.

All nominations shall be duly proposed and seconded by full members and signed by each of persons thereby nominated in token of his willingness to serve if elected. All such nominations shall be sent to the office of AMC not **later than 2** weeks before the commencement of online voting upto 4 P.M., in sealed envelopes superscribing thereof as "NOMINATION FORM" or via Email and Fax

- (b) The candidates may withdraw their nomination 10 clear days before the date of commencement of online voting.
- (c) Online Elections will be held if the number of candidates is more than the number of vacancies.

The Returning officers shall declare the final result in the AGM and the chairperson of the meeting shall declare the elected candidates.

The Last 3 eligible Immediate Past Presidents will be the returning officers for the AMC elections online/physical voting.

NO canvassing of any kind will be allowed at the venue of the Election. Violation of this clause will result in disqualification of the Candidate. The Online ballot papers will bear the signature of the Hon Secretary or in his absence that of Hon. Jt. Secretary and the signatures of the Returning officers.

Ballot papers without any of the signatures found in the ballot box will be declared invalid.

NO canvassing of any kind will be allowed at the venue of the Election. Violation of this clause will result in disqualification of the Candidate.

For the online voting a Code of Conduct has been proposed in the Spl. AGM held on 17 December 2017 and ratified on 14 January 2018.

The Code of Conduct becomes effective from the morning after the last date of withdrawal and the declaration of the list of contesting candidates

- (1) No negative campaigning by the candidates is allowed
- (2) The candidates and their supporters should adhere to all moral standards during their campaign and show respect and courtesy to one another, conduct themselves with fair play and ethics. No negative campaigning by the candidates is allowed. Campaigning can do done via social media such as SMS, WhatsApp, email and facebook
- (3) Campaigning cannot be done on the official AMC WhatsApp groups.

There are 52 official AMC groups based on the area. Campaigning cannot be done on this WhatsApp group either by the candidate or their supporters. In case a candidate is found canvassing on these groups their

name will be removed temporarily until the declaration of result and will be added back. The similar procedure will be followed for a member doing campaigning for a particular candidate in the AMC WhatsApp group. In this interim period should a member temporarily removed wish to send an official message to the other members in the group he can send it via the admin – AMC office.

AMC office will send out one email to all the members before the start of the elections notifying the candidates.

- (4) At no cost should AMC finances be used for campaigning.
- (5) If any complaint is received against any candidate, then the decision regarding the candidature of the candidate is the prerogative of the Returning Officers and will be binding.

This Code of Conduct can be reviewed from time to time.

A) PROCEDURE FOR ONLINE E VOTING:

Online Voting has been adopted as an additional method of voting along with physical voting. (AGM JAN 2018)

- Online E voting will be conducted for 7 clear days beginning in the week prior to the AGM. The day before the AGM will be the last day of Online voting.(usually at Saturday)

The Final decision of start of voting process and time would be as per instructions of the Returning officers.

- The digital signatures of the returning officers and the Hon Secretary will be present on each E ballot.

The on site voting process will continue for a period of one hour on the day of the AGM. (As amended on 25th March, 2018)

The physical voting will be conducted for a minimum period of 1 hour during the AGM.

At the end of the hour the result of the Online + physical voting will be calculated in the presence of the returning officers and the results will be declared by the Chairman.

If two or more candidates obtain equal number of votes, the Chairman shall have the casting vote in the election.

If the number of validly nominated candidates is less than the number of vacancies, the remaining vacancies shall be filled by the General Body from the floor of the house.

- (e) General Rules & By-Laws as applicable to any general democratic elections will be applicable to the elections. In case of any controversy, the Returning Officer shall have a final say.

“a. (1) For the purpose of elections to the post of Managing Committee Members, the MAILING ADDRESS of the members on records at the Association Office on 31st of December immediately preceding the election date, would be valid for area representation for the membership to the Managing Committee (in spite of the fact that the member may be having many other functional addresses). Any application or nomination for the post of Managing Committee Membership from members applying from any other area/s other than that specified (as above) as the MAILING LIST would automatically be invalid.

“A member may contest one Office Bearer post and one Managing Committee Post simultaneously. In the event that the member gets elected to both the posts, he has to automatically vacate the Managing Committee post and a candidate with the next highest no. of votes would be considered as elected for the Managing Committee post”.

The applications for all the nominations would be scrutinized by the Scrutiny Committee consisting of (a) three Trustees, (b) President, (c) Hon. Secretary and (d) President Elect at the time and date as notified in the election notice. The candidates who have applied for the elections may attend the scrutiny committee meeting as observers. The final list of eligible candidates for the declared elections then would be available at the office of the Association (during the routine office hours on all working days) for information of any member.

- d(I) All members, desirous to vote during the elections are required to be in possession of their VALID AMC-IDENTITY CARDS. The members would not be allowed to exercise their franchise on inability to produce the identity cards on demand by the Returning Officer/s or their authorized agents. The decision of the Returning Officer would be final and binding to all in this matter.
- (II) The Managing Committee of AMC may allow usage of any of the other types of statutory photo identity cards like: Aadhar card, a Voter’s identity card issued by the Election Commission of India, Valid driving license (Issued by the Regional Transport Authority), PAN card (Issued by the Income Tax Authority), Valid Passport of Union of India etc. The notification of such an acceptance would be conveyed to the members, along with the election notice well in advance.
- (III) Any grievances like: dispute, objections, complaints, observations, reservations etc. on the process of election in general, issuing of ballot papers, voting process, counting of votes, declaration of results, OR ANY OTHER PERTINENT MATTER, should be addressed to the Returning Officer, in writing immediately, and definitely before the declaration of election results on occurrence/ recognition of the grievances. The Returning Officer may not consider any of the above mentioned grievances after the declaration of results.
- (IV) In case of any disputes arising out of the election process after the declaration of the results, the President is authorized to form and refer the matter to the so formed quasi judicial TRIBUNAL of atleast three trustees of the AMC, one of

which has to be Managing Trustee. The decision of this tribunal on the dispute should be final and binding to all the parties and concerned individuals.”



(IX) **QUORUM**

- (a) Quorum for the General Body Meetings shall be 1/6th of the total membership. OR 100 (Amended as of March 2011) Members, whichever is less. If no quorum is available at the time for which the meeting is called, the meeting will be adjourned and will meet again after 15 minutes for which no quorum will be necessary. (Amended as of March 2005)
- (b) For the Managing Committee, the quorum shall be 10 (Amended as of March 2011) members- of which at least three shall be other than the Office-Bearers.



(X) **ANNUAL GENERAL BODY MEETING:**

- (a) The Annual General Body Meeting of the Association shall be held not later than 31st March every Year.
- (b) A minimum of 4 Weeks notice shall be given for the Annual General Body Meeting.
- (c) The following business shall be transacted during the Annual General Body Meeting:
 - [1] Condolences if any
 - [2] To read and confirm the minutes of the previous Annual General Body meetings / Special General Body Meeting if held.
 - [3] Business arising out of the minutes
 - [4] To consider and adopt the audited accounts and Annual Reports submitted to it by the Managing Committee.
 - [5] Elect the Office-Bearers and Members of the Managing Committee.
 - [6] To appoint Auditors who shall hold office until conclusion of next Annual General Body Meeting.
 - [7] Amendments, if any.
 - [8] To take up any other matter for its consideration pertaining to the aims and objects of the Association with the permission of the Chair.



(XI) **EXTRA-ORDINARY GENERAL BODY MEETING**

(a) **SPECIAL GENERAL BODY MEETING:**

A special meeting of the General Body may be called by the Hon. Secretary by a circular in writing with at least 21 days notice as per the resolution of the Managing Committee.

In case of such a meeting if there is no quorum as is provided in Article [IX] of this constitution, the meeting will be adjourned and will meet again after 15 minutes for which no quorum will be necessary.

(b) **REQUISITION MEETING**

Requisition meeting may be called either by the managing committee or by at least HUNDRED members of AMC within twenty one [21] days of the receipt of requisition by the Secretary. If the Secretary fails to call the requisition meeting within 21 days, the requisitionists may call the said meeting within 10 days next. In such a meeting only the specific agenda will be discussed and no more. Such requisition shall specify the object of the meeting proposed to be called and shall be delivered to the registered office of the AMC. Any resolution passed by 2/3 members of AMC on the said agenda in the requisition meeting present and voting; shall be binding on AMC.

- (c) In case of such a meeting if there is no quorum as is provided in Article [IX] of this constitution, the meeting shall stand dissolved.



(XII) **POWERS AND FUNCTIONS OF THE MANAGING COMMITTEE:**

Functions of the Managing Committee shall be as follows:

- (a) President shall preside over all meetings.
In absence of the President, Vice-President shall occupy the chair. In the absence of both of them, any member elected by the members present at the meeting, shall preside at the meetings.
- (b) The Hon. Secretary shall keep the minutes of the meeting of the Association and Committee Meetings and conduct all correspondence, convene meetings, exercise supervision over the day to day affairs of the Association. He shall maintain the required register and records.
- (c) The Hon. Treasurer shall collect subscriptions and shall be responsible for all sums of money which may from time to time be received by the Association and for duly banking them. He shall make payments towards all the expenditures sanctioned by the Managing Committee.

He shall keep accounts of all receipts and expenditure and prepare balance sheet and get it audited by the registered Auditor appointed and the Annual General Body Meeting.
- (d) Transact the business entrusted to it by the General Body, and to deal with funds, investments, properties and assets of the Association.
- (e) Recommend to the General Body, affiliation of the Association to other Associations with similar objectives.
- (f) Prepare regulations and Bye-Laws for the working of the Association subject to the approval of the General Body.
- (g) Take up any other matter for consideration pertaining to the aims and objects of the Association, and in particular to deal with day to day matters concerning the members and activities of the Association.

- (h) The Managing Committee shall have powers to remove any member from its register of members as per clause no (IV)
 - [i] Any other cause deemed to be good and sufficient by the Managing Committee by Three Fourth Majority of the members present and voting, provided the member [including office bearers] is given adequate opportunity to explain his conduct; and provided further that the general body an Extra-Ordinary General Body Meeting called for by the three fourth majorities of the members present and voting.
 - [ii] Clause IV – The MC shall have powers to SUSPEND any members from its Register for any cause or acts deemed derogatory to the dignity of the Profession and to the AMC as pointed out in SEC IV, Sub Sec B, Clause I (a) (Removal of a member). The MC shall issue a show cause notice to the concerned member asking for a reply within four weeks of the show cause notice received by him. The reply if any, will be scrutinized by the office bearers whose report or recommendation will be tabled before the ensuing MC meet where a majority of $\frac{3}{4}$ members present and voting could justify a recommended suspension of the concerned member. (28TH MARCH 2010)
- (i) The Managing Committee may at its absolute discretion admit again any member who has resigned or whose name has been removed from the register of membership.
- (j) If the member of the Managing Committee of the Association remains absent [without informing the Hon. Secretary], for 3 consecutive meetings, of the respective committees; without giving due notice of his inability to attend, he shall cease to hold office in that committee.
- (k) The meeting of the Managing Committee shall be convened by the Hon. Secretary as often as may be necessary, subject to a minimum of 4 meetings every year. Seven [7] Days notice shall be necessary for such a meetings, except that for an urgent business, when a shorter notice of not less than 24 hours may be given.
- (l) The Hon. Secretary shall convene a meeting when ordered by the president or written requisition of at least five members of the Managing Committee at a minimum Two days notice.
- (m) To make, draw, execute, accept, endorse, discount, buy, sell, transfer, pledge and otherwise deal with promissory notes, cheques, registered notices and other negotiable instruments or;
- (n) To commence, prosecute, defend, appear, contest, continue, compromise, submit to arbitration, submit to decree or judgment, abandon civil, criminal, administrative, revenue municipal arbitration, cancellation, or other proceedings or enquiry for the benefit or in furtherance or in connection with the subject of the Association or any one of them.
- (o) To appoint such person or persons as the Association may deem fit for the purpose of representing the Association in any legal proceedings to be instituted by or against the Association.

- (p) Generally to do, execute and perform all such acts, deeds and things as are incidental or conducive or as may be needed by the Association to be incidental or conducive to the attainment of the above objects or any of them.
- (q) The Managing Committee has the authority to collect contributions from all the members attending any function or meeting organized by the Association in the form of incidental or other charges whenever the Association incurs any expense for the same. The amount shall always be decided by the Managing Committee at an earlier meeting and the same shall be binding on all the members attending any such function or meeting.

Elected members, Zonal Directors, Chairpersons of various cells and Trustees will enjoy the voting rights at the Managing Committee meeting but only one vote will be allowed per person, irrespective of the number of the posts held by the person. (Amended as of March 2007).



(XIII) FUNDS OF THE ASSOCIATION:

There shall be a general fund of the Association formed by the subscriptions, donations etc. The funds of the Association shall be deposited in Banks in the name of the Association and shall be operated jointly by any two of the following i.e. President, Hon. Secretary, Hon. Treasurer and Joint Treasurer. (amended on 18-sep-2011)

The chairperson of the cell that has an independent bank account will also be an authorized signatory for the said account. The chairperson of the cell will be one of the mandatory signatory for the said account.

However, Treasurer, preferably will be one of the signatories, except in extra-ordinary circumstances

.Eighty percent of the Life Membership subscription shall be transferred to the CORPUS of the Association. Excess of funds, if any, may be transferred to the corpus by the Managing Committee from time to time to be ratified at Annual General Body meeting. The corpus will be operated by the "Board of Trustees."

Any Donations made should be with the prior information and consent of the Managing Committee



(XIV) GENERAL FUNDS OF THE ASSOCIATION:

The General fund of the Association shall not be spent on objects other than the following:

- (a) Payment of Salaries & expenses of the Office Staff of the Association.
- (b) Payment of expenses including Audit of Accounts of the General Funds of the Association.

- (c) Prosecution / defense of any legal proceedings to which the Association is a party, when such prosecution or defense is undertaken for the purpose of securing or protecting any rights of the Association.
- (d) To incur expenses for publication of periodicals, arranging seminars, symposia, or scientific meetings etc., mainly for the purpose of upgrading knowledge, medico-legal aspects in practice etc. and to deal with problems related to medical profession.
- (e) To implement any of the Aims & Objects mentioned in the Memorandum, Rules & Bye-Laws.
- (f) Any Donations made should be with the prior information and consent of the Managing Committee.



(XV) OFFICIAL YEAR

The Official Year of The Association shall be from 1st April to 31st March.



(XVI) OFFICIAL LANGUAGE

Official Language of the Association shall be English.



(XVII) BOARD OF TRUSTEES:

- (a) Eligibility for Post of Member of Trust Board of AMC “One who has been member of the MC of the AMC for at least FIVE years consecutively or separately, and has been a Past President of the AMC.” AND “One who has been member of MC of the AMC for at least TEN years either consecutively or separately and has held the post of either Vice President, or Zonal Director or Chairman of a cell.
- (b) The Board of Trustees shall consists of SEVEN MEMBERS appointed for THREE YEARS in the Annual General Meeting in the first place and will be Ex-Officio Members of the Managing Committee. Subsequently, each Member of the Board of Trustees will retire on completion of his / her term, and will be eligible for re-nomination if he / she desires OR ELSE, in his / her place, a Full Member eligible as in (a) above shall be nominated. The Managing Committee is authorized to recommend the nominees to the General Body and this will be ratified during the Annual General Meeting of the General Body. (as amended on 29th March 2009).
- (c) The Managing Trustee of the Board of Trustees shall be selected by the Board of Trustees from amongst themselves.
- (d) The members of the Board of Trustees will be permanent invitees for every meeting of the Managing Committee.

- (e) The President, Hon. Secretary, Hon. Treasurer will be ex-officio members of the Board of Trustees and have rights to deliberate, discuss, in the meetings and exercise voting rights. A minimum of 3 members of the Board of Trustees shall be present. In case of a tie, the Managing Trustee shall exercise a right of Casting Vote.
- (f) In case of a vacancy in the Board of Trustees, the Managing Trustee of the Board, will have right to select a member as one of the Trustees on the Board; from amongst full-members of the Association.
- (g) The Corpus will be operated by any two of the Board of Trustees.
- (h) Eighty percent of the Life Membership Subscriptions will be put in the Corpus and the remaining amount may be utilized by the Association as decided by the Managing Committee. Excess of funds, if any, may be transferred to the Corpus fund by the Managing Committee from time to time; to be ratified by the General Body.
- (i) The Board of Trustees shall be the Custodians of the Immovable Property, Assets and the Corpus of the Association. They shall have the rights to the policy decision in connection with the management and administration of the Property.
- (j) The board of Trustees shall consist of seven eligible members appointed for a term of three years at an AGM of the AMC. Subsequently on completion of his term as trustee, each member shall retire from the Trust Board.

AND if eligible as in clause below, Will seek re nomination IF HE SO DESIRES (Where such a desire must be expressed in writing by the retiring Trustee and handed over to the office of the President of the AMC).

Such vacancies occurring in the trust Board created by retiring members who may or may not be eligible for re nomination to the Trust Board, will be occupied or filled up by the incumbent MC of the AMC which is authorized to RECOMMEND eligible Names to fill up the vacancies so occurring.

Should the number of eligible and willing candidates exceed the vacancies in the Trust Board, incumbent MC of the AMC shall select by secret ballot winning candidates and recommend their names to the next AGM of the AMC for ratification.

In the event of failure of the General Body to ratify or approve of such recommended name / names of candidates to occupy the post of Trusteeship of the organization, the incoming MC of the AMC will deliberate and make available a fresh list of candidate / candidates whose nominations shall be subject to ratification by a special GB called for this special reason.”

“The Managing Trustee of the Board of Trustees shall be selected EVERY YEAR by the Board of Trustees from amongst themselves by a secret ballot. No Trustee shall occupy the post of Managing Trustee for a period of more than three years continuously or separately.”

“The President, Hon. Secretary, Hon Treasurer AND PRESIDENT ELECT will be ex-officio members of the Board of Trustees and have rights to deliberate, discuss, and exercise voting rights.”

“No member can be a Trustee for more than Nine years either consecutively or separately.”

“If a Trustee were to retire or resign from his Trusteeship at any time before the completion of his one term of three years that part of the completed year will be taken to mean a complete year for the purpose of specifying the time period of his Trusteeship.”

“The members of the Board of Trustees will be permanent invitees for every meeting of the Managing Committee, and as ex officio members who are permitted to deliberate and vote on all the issues.”

“A minimum of 5 (FIVE) members of the Trust Board shall be present at any official meeting of which at least 4 (FOUR) must be Trustees. In case of a tie, Managing Trustee shall have a Casting Vote.”

“In case of a vacancy in the Board of Trustees, created by the resignation, incapacitation or death of a trust board member BEFORE THE EXPIRY OF HIS TERM, such a vacancy will be TEMPORARILY filled up by the existing TRUST BOARD MEMBERS by appointing an eligible member by mutual consent and acceptance. Such an appointee selected by the trust Board will officiate as a temporary trustee till such a vacancy is filled up by the regular ongoing incumbent MC, meeting towards the final days of its term and making its recommendation to the ensuing AGM of the AMC.” (28TH MARCH 2010)



(XVIII) CHAIRPERSON OF CELL:-

- (a) Full member who has been a member of the Managing Committee for at least 5 years in the past of which at least two years should be as an Office Bearer.
- (b) The Chairperson will be appointed for THREE YEARS in the Annual General Meeting and will be Ex-Officio Member of the Managing Committee during his or her tenure. Subsequently, the Chairperson will retire on completion of his or her term, and will be eligible for re-nomination if he / she desires OR ELSE, in his / her place, a Full Member eligible as in (a) above shall be nominated. The Managing Committee is authorized to recommend the nominee to the General Body and this will be ratified during the Annual General Meeting of the General Body.
- (c) Following Cells are constituted :-
 1. MEDICO-LEGAL CELL
 2. HEALTH & ACCIDENT INSURANCE CELL
 3. NOAH: NETWORK OF AMC HOSPITALS CELL
 4. MMC cell
 5. CONSULTANTS BENEVOLENT SCHEME CELL
 6. SOCIAL SERVICE CELL
 7. MEDIA & COMMUNICATION CELL
 8. AFFILIATE UNIT CELL

Chairpersons of cells cannot continue for more than three consecutive terms; each term being of three years.

Chairpersons of cells shall not hold any office bearers' post except that of Vice presidents and Immediate Past President.

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(XIX) AMENDMENTS

- a) Proposal for amending the constitution may come with 4 weeks notice either from the Managing Committee, or 6 weeks from the full member through the Managing Committee for placing before The Annual General Body or a Special General Body Meeting.
- (b) The Constitution shall stand amended if the proposal is approved by the majority or not less than TWO THIRDS of the valid votes counted.
- (c) So far as the amendments in the Memorandum of the Association are concerned, the provisions of Section 12 & 12A of the Societies Reg. Act, 1860; shall apply.

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(XX) DISSOLUTION

The Association shall be dissolved only on the decision taken by the THREE - FIFTH of the total membership of the Association. Such a decision shall be taken in the specially convened Meeting with at least one month's notice. On dissolution, the funds and Assets shall be adjusted as provided in Section 13 & 14 of the Societies Registration Act., 1860.

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ASSOCIATION OF MEDICAL CONSULTANTS (BOMBAY)

: CURRENT SCHEDULE OF ENTRANCE FEES AND SUBSCRIPTIONS:

SUBSCRIPTIONS:

[A] Full Members:

Life Member (Single)	Rs.8000/- + GST as applicable
Life Member (Joint Couple)	Rs. 12000/- + GST as applicable

[B] Associate Members:

Student Members	25% of the Life membership fee and GST as applicable. This is the fee for 3 years until the Student completes his Post Graduation
Life Member (Single)	Rs.8000/- + GST as applicable
Life Member (Joint Couple)	Rs. 12000/- + GST as applicable