

***INDIAN CHEST SOCIETY***

(Registered with Registrar of Societies - Bombay; No.192-1980)

**RULES**

(Amended upto December 1984)



# SOCIETIES REGISTRATIONH ACT, 1960

## INDIAN CHEST SOCIETY

### RULES AND REGULATIONS:

#### I. INTERPRETATIONS:

1. In these Rules, unless the context otherwise requires:-

(a) "The Society" shall mean the "Indian Chest Society";

(b) "Year" shall mean the period from 1st January to 31st December;

(c) Words importing the masculine gender shall include feminine gender and the words importing the singular shall include the pleural.

#### II. MEMBERSHIP:

The Membership of the Society shall be of the following categories:-

- (i) Honorary Members
- (ii) Life Members
- (iii) Ordinary Members; and
- (iv) Associate Members

(i) **Honorary Members:** The Governing Body may elect but only a unanimous vote of those present at a Meeting thereof, any person who in its judgment is a renowned Scientist or who has served the cause of medical science, relief or education in an outstanding manner, as an Honorary

Member of the Society, provided that one month's notice of intention to propose any person as an Honorary Member shall have been given.

(ii) **Life Members:** Any person who is qualified to be admitted as an Ordinary Member, may on payment by as single payment of Rs.500/- (Rupees Five Hundred Only) be admitted as a Life Member. A Life Member shall, upon admission as such, cease to be liable to pay any annual subscription. Subscription for members from outside India, Nepal Bangla Desh, Sri Lanka and Pakistan will be \$ 200.

(iii) **Ordinary Members:** The following persons shall be qualified to be admitted as Ordinary Members of the Society.

(a) A person who has obtained post-graduate degree in respiratory diseases or who has obtained a post-graduate degree in Internal Medicine in any branch or equivalent qualification recognized by Medical Council of Indian and is working in or has specialized practice in respiratory diseases provided that he/she is not engaged in dispensary practice.

(b) A person, though not holding a post-graduate degree in Internal Medicine, is a recognized Post-graduate Medicine teacher in Chest Diseases or is holding a responsible and Senior Post in any Institution for Chest Diseases.

(iv) **Associate Members:**

(a) Any person having a post-graduate diploma in respiratory medicine as recognized by Medical Council of India.

(b) Any person who has obtained post-graduate degree and diploma in any branch of medicine or surgery recognized by Medical Council of India provided that he/she is not engaged in general or dispensary practice.

### **III. YEAR:**

The Year of the Society shall commence on the 1st January and end on the 31st December of that year. Every Member shall pay the annual subscription for the whole of the year irrespective of the actual date of his/her admission or of his/her ceasing to be a Member.

### **IV. SUBSCRIPTION:**

1. Every Application for Membership shall be accompanied by admission fee and the subscription for the year. Such application shall be considered by the Governing Body who may accept or reject or otherwise deal with the same and its decision shall be final. These Applications should reach the Society's Office two (2) months prior to the Meeting of the Governing Body.
2. Every New Applicant for Ordinary or Associate Membership shall have to pay a sum of Rs.20/- as admission fee \$ 5 if applicant is from outside India.
3. The annual subscription for an Ordinary or Associate Member shall be Rs.50/-. Subscription for members from outside India will be \$ 20. The Honorary Members shall not be required to pay any fees.
4. The Annual subscription shall be payable before the 10th January of each year except in cases of Applications for Membership made subsequently. Subscription remaining unpaid beyond 25th May of the subscription year shall be considered as in arrears.

### **V. REGISTER:**

A register of Members shall be kept in which shall be set forth the names and addresses of the Members for the time being and in which all the changes from time to time taking place shall be recorded. The names and addresses will be supplied to any Member on a written request to the Secretary of the Society, on payment of such charges as may be fixed by the Governing Body from time to time.

## **VI. REGISTRATION:**

A Member wishing to resign his Membership, shall inform the Hon. Secretary in writing to that effect before the close of the year preceding that from which he/she desires to resign and forthwith pay up the arrears of subscription, if any.

## **VII. CESSATION OF MEMBERSHIP:**

(a) Any Member whose subscription is in arrears as on the 25th May will be sent a Notice to pay up the arrears, within the time fixed by the Governing Body.

(b) The Governing Body by a  $\frac{2}{3}$ rd (two-thirds) majority of the total members of the Governing Body, may remove the name of any Member from the Register.

(i) for gross misconduct after a proper hearing from the Member concerned.

(ii) for non-payment of fees after expiry of the period prescribed in the Notice referred to in Clause (a) above.

(c) Any person who has ceased to be a Member, may be re-admitted on such terms as the Governing Body may determine. Such person will be required to pay a fresh admission fee and Membership fee.

## **VIII. PRIVILEGES OF MEMBERS:**

All Members shall be entitled as of right to participate in all the activities of the Society PROVIDED THAT the Associate Members shall have no right to participate in voting or to propose, second or stand for any Office of the Society.

## **IX. GOVERNING BODY:**

The Governing Body of the Society shall consist of minimum 11 and maximum 15 members.

(1) President;

(2) President elect, who automatically assumes the Office of the President after expiry of the term of the current incumbent;

- (3) Immediate Past President;
  - (4) One Vice-President;
  - (5) One Honorary Secretary;
  - (6) One Hon. Joint Secretary nominated by the President from the place where the President ordinarily resides, (such Hon. Joint Secretary shall be nominated at the first Meeting of the Governing Body); PROVIDED the Hon. General Secretary is not from the same place as the President.
  - (7) One Hon. Treasurer;
  - (8) Four minimum and maximum of six Ordinary Members;
  - (9) Members that may be co-opted by the Governing Body from amongst the Members of the Society. Co-opted member will be for one term only.
- 2.
- (a) The President, the Vice-President and the Hon. Joint Secretary shall hold office for one term only;
  - (b) The Hon. Secretary and the Hon. Treasurer can hold Office for not more that three terms;
  - (c) The six Members can hold Office for not more than two terms.

3. The elected Ordinary Members of the Governing Body shall retire by rotation, half of them retiring every year. The retiring members shall be eligible for re-election. For the first year, lots will be drawn amongst the Members of the Governing Body to decide who will retire in the first year.

**Note:**

- (1) "Term" means the period extending from one Annual General Body Meeting to the next Annual General Body Meeting;
- (2) Only for the election in 1980, after adoption of the proposed Constitution, there will be an election for: (i) President; and (ii) President elect;

thereafter the election will be only for the President elect.

**X. QUALIFICATIONS FOR ELECTION TO GOVERNING BODY:**

1. For the seats of the President elect and Vice-President, the intending candidates should have been elected members of the Governing Body for at least one term of Office before they can qualify for contesting these seats. This clause will not be operative for the first six years.

2. For the other seats of the Governing Body, the intending candidates should have been Members of the Society for one continuous year.

3. No Member shall be eligible to seek election:-

- (a) as President for more than one term;
- (b) as Vice-President for more than two terms; and
- (c) as a Governing Body Member for more than three terms, each term being of two years.

2. A President, once elected, shall not contest for any post on the Governing Body.

**XI. ELECTION PROCEDURE:**

1. Barring the immediate Past-President, the Hon. Joint Secretary and the co-opted Members, the rest shall be elected in the following manner:-

- (a) By 25th May, the Hon. Secretary shall send by Post to each Member, a List of vacancies in the Governing Body inviting Nomination for the vacancies on the Governing Body. A Member desiring to stand for the election shall send his Nomination Paper which shall set out the Candidate's name and address and the Office for which the Candidate is nominated, be proposed by one Member and seconded by another Member and duly signed by them and also signed by the Candidate signifying his willingness to



stand for election and to serve on the Governing Body, if elected. A Member can not contest for more than one Office Bearer's Post namely President elect, Vice President, Hon. Secretary, or Hon. Treasurer during one election. There shall be a separate nomination paper for each candidate and for each post. These nominations must reach the Hon. Secretary not later than the 15th June.

- (b) The Hon. Secretary shall inform the contesting Candidates, names of all the Nominations received for their seats and if any Candidate wishes to withdraw his/her Nomination, he/she shall do so by informing the Secretary in writing on or before the 30th June.
- (c) If the number of Nominations for each category exceeds the seats on the Governing Body, by the 20th July, the Hon. Secretary shall send by Post under Certificate of Posting the Ballot Papers to the members. The Ballot Papers shall bear the signatures of the Hon. Secretary and one of the Scrutineers.
- (d) All the Ballot Papers duly filled in, shall be returned to the Secretary so as to reach him by the 30 August.
- (e) If the deadline for any of these procedures falls on a Sunday or a Bank holiday, Delivery by Post on the next working day shall be considered as the deadline.
- (f) These Ballot Papers shall be scrutinized and the results declared at the Meeting of the Governing Body which shall be held ordinarily not later than the 30th of September.
- (g) No person shall be capable of being proposed as an Officer bearer of the Society unless he/she is a Life Member or an Ordinary Member. If he/she ceases to be such Member at any time, between the date

of his nomination and the date fixed for the election his/her name shall not be submitted for election. In case of a vacancy arising out of an uncontested election, the same will be filled in at the next Annual General Body Meeting after inviting nominations in advance duly proposed and seconded by 30 November.

2. The Officer Bearers shall hold the Office after annual general body meeting and will continue till the expiry of their respective terms.

## **XII. CASUAL VACANCIES:**

1. Any Office-bearer may resign his Office by giving Notice in writing to the Hon. Secretary or to the President and his resignation shall take effect from the date of its acceptance by the Governing Body.

2. Any Office-bearer who ceases to be an Ordinary Member shall be deemed to have vacated his office.

3. If a vacancy shall occur in any Office, otherwise than by a flux of time, the Governing Body shall have the power to appoint any Member to fill the vacancy for the remaining term.

## **XIII. MEETINGS:**

1. **General Body:** The President shall preside over all the Meetings of the Governing Body and General Body. If the President is not present, the Vice-President or in his absence, one of the Life or Ordinary Members present at the Meeting shall be elected by other Members to preside over the Meeting.

### **2. Governing Body Meetings:**

(a) The Governing Body shall meet at such times and at such places as may be necessary for the transaction of the business of the Society;

(b) A Meeting of the Governing Body shall be convened by the Hon. Secretary with the consent of the President;

- (c) The Hon. Secretary shall convene a special Meeting of the Governing Body upon a requisition in writing signed by not less than five members (including Office-bearers) of the Governing Body. At least three weeks previous Notice shall be given to all the Members of the Governing Body for an Ordinary and/or Special Meeting of the Governing Body. An urgent Meeting may be called by the President at a shorter notice which should not be less than seven (7) days;
- (d) Five Members of the Governing Body shall be the quorum for any Meeting of the Governing Body. If there is no quorum within fifteen minutes after the appointed time, the Meeting, if convened upon the requisition of Members, shall stand dissolved and in any other case shall stand adjourned for half an hour and meet at the same place and on the same day. For such an adjourned Meeting, no quorum will be necessary and at such adjourned Meeting, the business for which the Meeting was called, can be transacted;
- (e) If the President or the Governing Body so directs, any business of the Governing Body may be transacted by circulation instead of at a Meeting.

**3. Annual General Meeting:**

- (a) The Annual General Meeting of the Society shall be held each year on a day, time and place to be fixed by the Governing Body;
- (b) The Governing Body shall submit an Annual Report of the Proceedings of the Governing Body and its Committees, if any, and of the activities of the Society together with Statement of the assets and liabilities of the Society and an abstract of receipts and disbursements during the year, and the Report of the Auditors, if any;
- (c) The President may, whenever he thinks fit, and shall upon a Requisition made in writing and signed

by not less than thirty (30) Members of the Society convene a Special General Body Meeting at such place and time as he may decide not later than two months. Any Requisition made by the Members shall be addressed to the Hon. Secretary and shall state the Objects of the Special Meeting proposed to be called and the Resolutions proposed to be passed thereat;

- (d) The Hon. Secretary shall, upon receipts of such a Requisition, proceed to convene under Orders of the President, a Special General Body Meeting which shall be held within two months from the date of receipt of such requisition, at a place and time fixed by the President;
- (e) At all General Body Meetings, only the business of which notice has been given or such questions as naturally arise thereon shall be discussed. Any Member desiring to move a Resolution at the Annual General Meeting shall give Notice of the same in writing to the Hon. Secretary at least thirty days before the date fixed for the General Meeting;
- (f) Twenty Members present at a General Body Meeting shall be the quorum for that Meeting;
- (g) If within fifteen minutes from the time appointed for a General Body Meeting there is no quorum, the Meeting if convened on the Requisition of Members shall stand dissolved, and, in any other case, shall stand adjourned for half an hour and will meet on the same day and at the same place;
- (h) The person presiding at the General Body Meeting may, within the consent of the Meeting, adjourn the same from time to time and from place to place; but no business shall be transacted at any adjourned Meeting other than the business left unfinished at the Meeting from which the adjournment took place.

- (i) No quorum shall be necessary for any adjourned General Body Meeting;
- (j) Subject to the law for the time being in force, the Resolution passed in a General Body Meeting shall be given immediate effect by the Officers of the Society, unless stated otherwise.

#### **XIV. MANAGEMENT:**

1. (a) The Management of the Society shall vest in the Governing Body, who, in addition to the powers under these Rules expressly conferred upon them, may exercise all such powers, and do all such acts and things as may be exercised or done by the Society and are not hereby or by law expressly directed or required to be exercised or done by the Society in a General Body Meeting.

(b) Without prejudice to the general powers hereby conferred, the Governing Body shall have the following powers, that is to say, power -

- (i) to acquire by purchase, lease or otherwise for the Society, any property, rights, or privileges which the Society is authorized to acquire at such price and generally on such terms and conditions as they may think fit;
- (ii) to enter into all such negotiations and contracts and rescind and vary all such contracts and execute and do all such acts, deeds and things, in the name and on behalf of the Society, as they may consider expedient for or in relation to any of the properties, rights and privileges or the purpose of the Society;
- (iii) to borrow or secure the payment of any sums of money for the purposes of the Society, subject to such restrictions as may be imposed by the Society in a General Body Meeting;
- (iv) to institute, conduct, defend, compound or abandon any legal proceedings by or against the Society or otherwise concerning the affairs of the Society and

- to compound and allow time for the payment of satisfaction of any debts due and of any claims or demands by or against the Society;
- (v) to refer any claims or demands by or against the Society to Arbitration and observe and perform the Awards;
  - (vi) to receive moneys and upon payment, to make and give Receipts, releases and other discharges for money payable to the Society and for the Society and for the claims and demands of the Society;
  - (vii) to receive donations and all and any other sums of money and all and any other materials, articles and things due to or intended for the Society. If however, any donation is conditional, the same shall be accepted subject to restrictions imposed by General Body;
  - (viii) subject to any restrictions that may be imposed by the General Body, to incur all the necessary expenses for the maintenance and carrying out of the objects and intentions of these Rules and Memorandum of the Society;
  - (ix) to conduct courses for the promotion of knowledge of Chest Diseases and for that purpose, to arrange lectures, classes, examinations and give Diplomas or Certificates and for that purpose, to appoint one or more persons, whether Members or not, to give lectures, tuitions etc. and also to constitute Board of Examiners, Teachers, etc. whenever necessary and to pay them reasonable salary or honorarium;
  - (x) to appoint and at their discretion to remove or suspend such managers, clerks, agents and servants for permanent, temporary or special services as they may from time to time think fit, and to determine their powers and duties and fix their salaries, honorarium or emoluments and to require security in such instances and of such amounts as they may think fit;

- (xi) to appoint Committees with power to reconstitute or dissolve the same and to delegate, subject to such conditions as they may impose, any of their powers to such committees or such member or members of their body as they may think fit and to revoke from time to time, such delegation;
  - (xii) to nominate from time to time, a Chairman and a Secretary from amongst the Members of such a committee. The Chairman will preside at such Committee Meetings and the Secretary shall be responsible for convening, keeping accurate minutes and forwarding the Reports of these Committees to the Governing Body;
  - (xiii) to make, vary and repeal bye-laws for the regulation of the business of the Society, its Officers; managers, clerks, agents and servants.
2. (a) The Property moveable or immovable belonging to the Society shall vest in the Governing Body;
- (b) No sale, exchange, mortgage, lease or other transfer of immovable Property belonging to the Society shall be valid unless at least the President or the Vice-President and the Hon. Secretary or the Treasurer execute the Document of Transfer. All the other Documents shall be executed by any two of the Office-Bearers as may be decided by the Governing Body;
3. (a) All moneys of the Society shall be deposited and/or invested -
- (i) in any Nationalized Bank or any other Bank or Banks approved by the Governing Body;
  - (ii) in Government and other negotiable Trustee securities or in any other mode permitted under the Act or in accordance with the administrative Orders of the Government from time to time.
- (b) All the accounts and other investments in the name of the Society shall be operated by any two from

amongst the President, Hon. Secretary, Hon. Treasurer, and one Member of the Governing Body authorized for the purpose, each document being signed by any two of them.

**XV. DUTIES OF THE OFFICE-BEARER:**

(a) **President** - The President shall guide the activities of the Society and further the aims and objectives of the Society. The President may allocate all or any of the powers and duties under this or any other clause of these Rules to the Vice-President and the Hon. Secretary.

(b) **Vice President** - He will act according to the duties assigned by the President and held the President actively to further the aims and objects of the Society in general and in his zone in particular.

(c) **Hon. Secretary** - Subject to the control and regulation of the Governing Body, the Hon. Secretary shall be responsible for carrying out the directions and decisions of the Governing Body. In particular, the Hon. Secretary shall:-

- (i) in consultation with the President, convene Meetings of the Governing Body whenever necessary or called upon to do so;
- (ii) have administrative control over all the affairs of the Society;
- (iii) have charge of the correspondence of, or in relation to the Society;
- (iv) keep accurate minutes of all the Meetings of the Society and the Governing Body;
- (v) prepare the Annual Report of the Society;
- (vi) be in charge of the furniture, library and all the documents and other assets of the Society;
- (vii) collect all the dues of the Society and pay in all such amounts into the Banking Account of the Society; and inform the Hon. Treasurer once in every months of the moneys so paid;



- (viii) make disbursement, and maintain vouchers provided that any expenditure exceeding Rs.1,000/- (Rupees One Thousand Only) in a month shall be made after obtaining the sanction of the Governing Body;
  - (ix) perform such duties as are incidental to his office;
  - (x) all Notices, communications, letters, memoranda, and other papers whether they are acts of the Governing Body or of the General Body shall be signed or authenticated by the Hon. Secretary and when so signed or authenticated shall be conclusive.
  - (d) **Hon. Joint Secretary** - He shall carry out such duties as are assigned by the President or the Hon. Secretary.
  - (e) **Hon. Treasurer** - The Hon. Treasurer shall maintain true accounts of the funds and other assets of the Society and of funds and other assets connected with or in any way controlled by the Society.
2. Every question submitted to a Meeting of the Governing Body or of the General Body shall be decided according to the majority of the votes cast by the Members present and voting at such Meeting. In case of equality of votes, the person presiding shall have a second or casting vote in addition to his vote as a Member.

## **XVI. ACCOUNTS:**

1. Once at least in every year, the accounts of the Society shall be examined and audited and their correctness ascertained by one or more Registered Accountants elected for the ensuing year by the Members at the Annual General Meeting each year. The Report of the Auditor or Auditors shall form part of the Annual Report submitted to the next General Meeting. The Auditor of the Society shall hold office until the next Annual General Meeting. The retiring Auditor or Auditors shall be paid such remuneration or honorarium as the Members may fix at the Annual General Meeting at which such Auditor or Auditors may be appointed.

## **XVII. PUBLICATIONS:**

The Society may publish a Journal, books, pamphlets or any other publications under the general directions of the Governing Body. The Journal "Lung India" shall be published under the direction of an Editorial Board, consisting of an Editor, a Secretary and not more than three Members who shall hold the Office for three years and will be eligible for re-election. The Board shall work under the general control and supervision of the Governing Body and shall submit six-monthly Reports to that Body. Any vacancies on the Board by resignation or otherwise shall be filled by the Governing Body till the next election.

## **XVIII. THE SEAL:**

The Governing Body may adopt a Seal for being used as the Seal of the Society and shall provide for the safe custody thereof. The Seal of the Society shall not be affixed to any instrument except by the authority of a Resolution of the Governing Body and in the presence of any two Members of the Governing Body, who will sign the same.

## **XIX. AMENDMENT OF RULES & REGULATIONS:**

These Rules and Regulations may from time to time, be amended, altered or cancelled at a General Body Meeting of the Society provided that at least fourteen (14) days clear Notice of the proposed amendment, alteration or addition is given and the same shall have been passed by a Majority of two-thirds of the Members present at the Meeting and voting.

## **XX. INDEMNITY:**

Every Office-Bearer and Member of the Governing Body or servant of the Society or any person employed by the Society permanently or temporarily shall be indemnified by the Society and it shall be the duty of the Governing Body to pay out of the funds of the Society all the costs, losses, and expenses which any such Office-bearer or Member of the Committee or servant may incur or become liable to by

reason of any Contract, Matter or thing entered into or done by him in discharge of his duty.

**XXI. SUITS:**

The Society may sue or be sued in the name of the Honorary Secretary.

**XXII. DISSOLUTION:**

In the event of the dissolution of the Society its properties and funds shall be disposed of according to the provisions of the Societies Registration Act, 1860 or any statutory modification or enactment thereof.

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