

# **INDIAN ASSOCIATION OF PRIVATE PSYCHIATRY**

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**President:**  
**Dr. N.K. BOHRA**

**Secretary General**  
**Dr. SUNIL MITTAL**

**Treasurer**  
**Dr. RAJESH NAGPAL**

## **MEMORANDUM OF ASSOCIATION AND RULES AND REGULATIONS**



सत्यमेव जयते

# CERTIFICATE OF REGISTRATION

SOCIETIES REGISTRATION ACT XXI OF 1860

Registration No S. 41982 of 2002.

I hereby certify that Indian Association of  
Private Psychiatry  
located at 35, Defence  
Enclave Vikas Marg New Delhi - 110092

has been registered under the " SOCIETIES REGISTRATION ACT - ACT XXI  
of 1860"

Give under my hand at DELHI on this 2nd day  
of April Two Thousand Two.

Registration Fee of Rs. 50/- paid.



Ww  
9/4/02  
(K. S. MEENA)

REGISTRAR OF SOCIETIES  
Govt. of N.C T. of Delhi.

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# INDIAN ASSOCIATION OF PRIVATE PSYCHIATRY

## MEMORANDUM OF ASSOCIATION And RULES AND REGULATIONS

### Part I

#### Memorandum of Association Of INDIAN ASSOCIATION OF PRIVATE PSYCHIATRY



#### ARTICLE-1

##### 1.0 Name

- 1.1 The name of the Society shall be "Indian Association of Private Psychiatry" hereinafter called the "Society" and its activities shall extend to whole of India.

#### ARTICLE -II

##### 2.0 Office of the Society

- 2.1 The Registered Office of the Society is at present located at 35, Defence Enclave, Vikas Marg, New Delhi-110092.

2.2 Area of operation will be all India.

*[Signature]*

*[Signature]*  
Secretary

*[Signature]*  
President

## ARTICLE-III

### 3.0 Aims and Objects

The society is being formed with the following objects:

- 3.1 To promote and advance the overall growth of psychiatry in India by:
- a. Promoting and advancing psychiatry as a subject.
  - b. Promoting and advancing the clinical practice of psychiatry.
  - b. Promoting and advancing education and research in the field of psychiatry and mental health.
  - c. Promoting and advocating the professional needs of psychiatrists and other mental health professionals especially those in the private and other non-governmental sectors.
  - d. Promoting and advocating the needs of persons suffering from mental disorders and protecting their rights.
- 3.2 To promote and improve mental health of people by:
- a. Promoting and carrying out mental health education.
  - b. Working towards removing the stigma attached to mental disorders.
  - c. Educating and influencing the media to:
    - i. To improve the understanding of mental disorders and mental health issues in the general public.
    - ii. Portray mental health issues in a positive way.
    - iii. Promote and advocate the understanding of the problems and issues facing mental health professionals.
- 3.3 To stimulate the development of, and access to psychiatric and other mental health services in private, public, or any non-governmental sector.
- 3.4 To promote and conduct activities for prevention and treatment of psychiatric disorders in order to control them, bring about early relief, prevent disabilities and rehabilitate those afflicted by these disorders.

*Memorandum of Association with Rules and Regulations and Byelaws of Indian Association of Private Psychiatry*

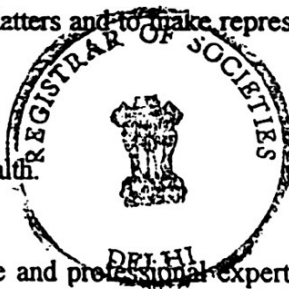
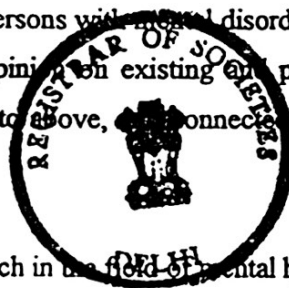
*NK Bhatnagar*

*QAM  
Rajesh Nigam*

*H. V. V.*



- 3.5 To promote as well as carry out activities for, as well as formulate, and advise standards of higher education and training for medical, non-medical and auxiliary personnel in psychiatry and related disciplines, and to recommend adequate teaching facilities for this purpose.
- 3.6 To encourage, establish, formulate, lay-down, guide, and advise on standards of ethical and good clinical and treatment practices in psychiatry and related disciplines.
- 3.7 To formulate, lay-down, guide, and advise on methods and standards of mental health care delivery systems/ services, and carry out activities to achieve the same.
- 3.8 To promote and advocate for:
- The full realization of the rights of persons with mental disorders.
  - Protection of the rights of persons with mental disorders.
  - Removal of discriminatory content in law and policy against persons with mental disorders.
  - Seek such amendments in existing rules and statutes, which further the basic rights of persons with mental disorders.
  - Express opinion on existing and proposed legislation on and in respect of laws pertaining to above, connected matters and to make representations in respect thereof.
- 3.9 To promote research in the field of mental health.
- 3.10 To promote activities to enhance knowledge and professional expertise of the members of the Society as well as of other professionals or others that the Society may deem fit to reach.
- 3.11 To safeguard and protect the professional interest of the members of the Society, other psychiatrists, and fellow professionals in India.



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*N. Balu*

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3.12 To advise about and make members of the Society aware of their statutory and other rights and obligations, as well as about other relevant legal and administrative aspects of practice in the field of Psychiatry.

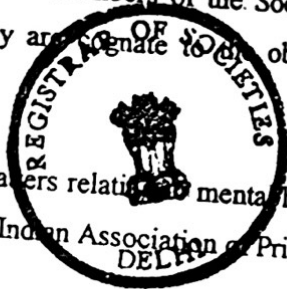
3.13 To promote and advocate for:

- a. Protection of the professional rights of members of the Indian Association of Private Psychiatry.
- b. Removal of discriminatory content in law and policy, if any, against the practice of psychiatry in any particular setting whether private or public.
- c. Seek such amendments in existing rules and statutes, which further and advance the clinical practice of psychiatry especially in the private and non-governmental setting.
- d. Express opinion on existing and proposed legislation on and in respect of laws pertaining to above, and connected matters and to make representations in respect thereof.

3.14 To network with community, private, state and central government, national or international agencies, social service organizations, business houses etc. for the advancement of the aims and objectives of the Indian Association of Private Psychiatry.

3.15 To deal with any matters relating to the teaching and practice of psychiatry, or professional work of the members of the Society, or wider social, national or international issues as long as they are cognate to the objectives of the Indian Association of Private Psychiatry.

To deal with any matters relating to mental health and to do all other things as are cognate to the objectives of the Indian Association of Private Psychiatry.



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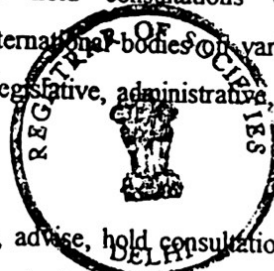
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## ARTICLE-IV

### 4.0 Methods

- 4.1 For the attainment and in furtherance of the above objectives, the Society may: -
- 4.1.1 Hold periodical professional and scientific Conferences, meetings, symposia, workshops, or continuing medical education programmes etc. for the members of the Society or others.
  - 4.1.2 Generate, hold, lend, sell, or distribute databases, information or other knowledge by means of print, electronic or any other media (current or future).
  - 4.1.3 Print, publish, translate, sell, lend and distribute information whether in the form of periodical journal or books, monographs, treatises or pamphlets and distribute the same among its members/ members through any current or future medium.
  - 4.1.4 Publish annual or period reports of the Society and from time to time publish a News Bulletin and a Journal.
  - 4.1.5 Advocate with, advise, or hold consultations with governmental, non-governmental, national, or international bodies of various aspects of psychiatry and mental health including legislative, administrative, educational, public health and research aspects.
  - 4.1.6 Network with, advocate with, advise, hold consultations with, or work together with other like minded bodies whether these be governmental, non-governmental, national, international, private, public, social service, or business houses etc.
  - 4.1.7 To join become member of, or have join and make member, co-opt or be co-opted to any organization as in 4.1.0 above, with similar objectives.



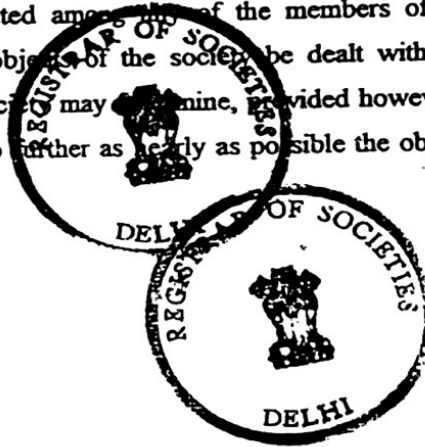
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- 4.1.8 To establish office(s), institute(s), hospital(s), health facilities; or centers of education, training and higher learning to further the objects of the Society.
- 4.1.9 Purchase or acquire on lease or otherwise any movable or immovable property necessary or convenient for the objects and purpose of the Society.
- 4.1.10 Sell, improve, manage, develop, transfer or dispose of any such property of the Society.
- 4.1.11 Collect subscription and donations; disburse funds for all or any of the objects of the Society.
- 4.1.12 To institute or create a Corpus Fund or any other Special Funds that may be considered necessary to further the objects of the Society, to make Rules and Regulations for such Funds and to amend or abolish such funds.
- 4.1.13 Invest any money of the Society not immediately required for any of its objects in such manner as may, from time to time, be determined by the Society.
- 4.1.14 Create or assist in creating State and local branches for any of its objects or above purposes.
- 4.1.15 Institute, maintain and grant prizes, certificates, scholarships and other awards and distinctions.
- 4.1.16 Do all such things and matters:
- That relate to the teaching and practice of psychiatry; or professional work of the members of the Society; mental health issues; or wider social, national or international issues; as long as they are cognate to the objectives of the Indian Association of Private Psychiatry.
  - As are incidental or conducive to the attainment of the objects of the Society, or any which are subsidiary to the said objects.

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- 4.2 All the income and property of the Society, however derived, shall be applied wholly towards the promotion of the objects thereof, as in this Memorandum of Association. In respect of the expenditure grants made by the State or Central Government or other national or international agencies to such limitations as the granting Government or agency may from time to time impose. No portion of the income and property of the Society shall be otherwise paid directly or indirectly by way of benefits bonus or otherwise to any persons who at any time are or have been members of the Society or to any of them or to any persons claiming through any or more of them, provided that nothing herein contains or prevents the payment in good faith of remuneration to any member thereof or other persons in return for any service rendered to the Society.
- 4.3 No members of the Society shall have any personal claim on any movable or immovable properties of the Society or make any profit, whatsoever by virtue of his or her membership of the Society.
- 4.4 In the event of the winding up or dissolution of the Society, if after the satisfaction of its debt and liabilities there shall remain any moneys or properties, the same shall not be paid to or distributed among any of the members of the Society, but shall in accordance with the objects of the society be dealt with in such a manner as the management of the Society may determine, provided however that the assets are used in such a manner as to further as far as possible the objects for which the Society has been established.



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# INDIAN ASSOCIATION OF PRIVATE PSYCHIATRY

## LIST OF EXECUTIVE COUNCIL

The names, addresses, occupations, and designations of the Members of the Executive Council of the Indian Association of Private Psychiatry to whom the management of the Society is entrusted are given below as required under Section 2 of the Societies Registration Act (XXI) of 1860, as applicable to the National Capital Territory of Delhi.

S. No.	Name	Address	Designation
--------	------	---------	-------------

1. Dr. A. K. Kala  
95-A Model Gram  
Ludhiana, Punjab  
141002

President

2. Dr. N.K. Bohra  
B-65  
Friends Colony (W)  
New Delhi-110065

Vice President

3. Dr. Sunil Mittal  
35 Defence Enclave  
New Delhi-110092

Secretary General

4. Dr. Rajesh Nagpal  
A-2, Ground Floor  
Rajouri Garden  
New Delhi-110027

Treasurer

5. Dr. E. Mohan Das  
Pazhuvathur, Thrissur, Kerala 680001

Editor

6. Dr. V.K. Raza  
Chandni Chowk, Jaipur 342001

Member

7. Dr. Anresh K. Srivastava  
Shiv Kripa Complex,  
Chokhale Road, Thane, Mumbai

Member

8. Dr. Tapan Pati  
Chandni Chowk, Cuttack-753002

Member

9. Dr. A.K. Mital  
Dr. Popat's Polyclinic, Bombay Mutual Terrace  
2nd Floor, Opera House, Mumbai

Member

10. Dr. A.K. Malik  
Chankhale More, Andol Houri, PO Dullha,  
Howrah, W.Bengal

Member

11. Dr. Ashok Gupta  
123, Shubash Utham Singh Nagar, Takhatpur - 144001

Member

12. Dr. K.G. Thawri  
B-46 Sella Colony, Jaipur-302004

Member

Memorandum of Association and Rules and Regulations and Byelaws of Indian Association of Private Psychiatry

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4.5 We, the undersigned whose names and addresses are given below, having associated ourselves for the purpose described in this Memorandum of Association, do hereby subscribe our names to this Memorandum of Association:

S. No.	NAME	ADDRESS	OCCUPATION	SIGNATURE
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1. Dr. A. K. Kala 95-A Model Gram Ludhiana, Punjab 141002 Psychiatrist in Practice

*N. K. Kala*

2. Dr. N.K. Bohra B-65 Friends Colony (W) New Delhi-110065 Psychiatrist in Practice

*N. K. Bohra*

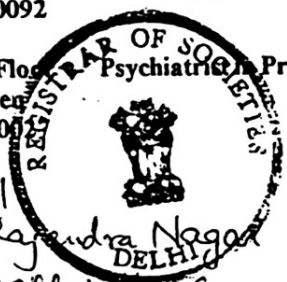
3. Dr. Sunil Mittal 35 Defence Enclave New Delhi-110092 Psychiatrist in Practice

*Sunil Mittal*

4. Dr. Rajesh Nagpal A-2, Ground Floor Rajouri Garden New Delhi-110028 Psychiatrist in Practice

*Rajesh Nagpal*

5. Dr. SC MALIK C-111 New Rajendra Nagar N Delhi-110060 Psychiatrist in Practice



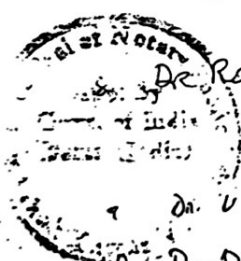
*SC Malik*

6. Dr. J.W. Saraf 50, TRIVENTY COLONY (NADP) INDORE-462004 Psychiatrist in Practice



*J.W. Saraf*

7. Dr. K.G. ... 16 ... Psychiatrist in Practice



*K.G. ...*

8. Dr. ... B-4 Sukharia Nagar ... Psychiatrist in Practice

*...*

9. Dr. ... C-8, 541 ... Psychiatrist in Practice

*...*

10. Dr. DEVRAS PURONIT ... Psychiatrist in Practice

*...*

11. Dr. Tophan Pati ... Psychiatrist in Practice

*...*

12. Dr. S. NAMBI ... Psychiatrist in Practice

*...*

13. Dr. M.R. JHANWAL ... Psychiatrist in Practice

14. Dr. S. SANTHA KUMAR ... Psychiatrist in Practice

15. Dr. A.K. ... Psychiatrist in Practice

16. Dr. ... Psychiatrist in Practice

17. Dr. ... Psychiatrist in Practice



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## Part II

# Rules and Regulations Of INDIAN ASSOCIATION OF PRIVATE PSYCHIATRY

## ARTICLE-1

### 1.0 Definitions

- 1.1 The name of the Society is "Indian Association of Private Psychiatry" hereinafter called the "Society".
- 1.2 The objects of the Society are set out in its Memorandum of Association and may be altered, extended or abridged in accordance with the provisions of the Societies Registration Act (Act SSI of 1860).
- 1.3 The term "Council" shall mean the Executive Council and "Board" or "NAB" shall mean the National Advisory Board of the Indian Association of Private Psychiatry respectively.
- 1.4 "Member" shall be an inclusive term embracing Founder Member, Fellow Member, Full Member, Associate Member, Honorary Member, Student Member and Corporate Member elected by the Council and approved by the Board of the Indian Association of Private Psychiatry.
- 1.5 "Fellow" shall mean, unless otherwise specified, Fellow or Founder Member of the Society.
- 1.6 Whenever the article "he" has been mentioned, it shall also include "she".
- 1.7 "Journal" shall mean the Indian Journal of Private Psychiatry (or any other name this journal may be added to).

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## ARTICLE-II

### 2.0 Constitution

2.1 The Society shall consist of Members whose names are on the Membership Register of the Indian Association of Private Psychiatric maintained by the Honorary Secretary General of the Society.

## ARTICLE-III

### 3.0 Office

3.1 The Registered Office of the Society shall be located at present at 35, Defence Enclave, Vikas Marg, New Delhi -110092, India

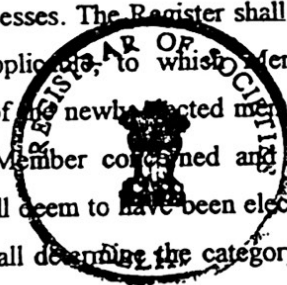


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## ARTICLE-IV

### 4.0 Register of Members

4.1 There shall be a Register in which the names of all Members of the Society shall be entered with their qualifications and addresses. The Register shall also show the State or local branch of the society, where applicable, to which Member is attached. The Secretary General shall enter the name of the newly elected member in the Register and inform the fact of such entry to the Member concerned and to the state and local branches, if applicable. The Member shall deem to have been elected from the date of his election by the Council. The Council shall determine the category of membership at the time of election of the member. The names of all existing members of the Society, who have paid their subscription up to the last calendar year, shall be published by 30<sup>th</sup> June each year for the information of state and local branches and for all members of the Society. Membership directory of the Society shall be a priced publication.



## ARTICLE-V

### 5.0 Classification of Members

5.1 There shall be seven categories of members: namely Founder Members, Fellow Members (also called Fellows), Full Members (also called Members), Associate Members, Honorary Members, Student Members, and Corporate Members. The Membership status (category) of a Member shall be determined only by the Council of the Indian Association of Private Psychiatry whose decision shall be final and binding.

#### 5.2 FOUNDER MEMBERS:

All members who constitute the National Advisory Board of the Indian Association of Private Psychiatry, except the co-opted members of this Board, at the time of registration of the Society, shall be called its Founder Members.

The co-opted members of the National Advisory Board shall be members of the Board for a term that may be defined from time to time whereas, the Founder Members would continue to be members of the Board as defined in Article XVI of the Rules and Regulations.

#### 5.3 FELLOW MEMBERS (FELLOWS):

All psychiatrists in full time private practice of psychiatry with more than 3 years experience after post-graduation in psychiatry are eligible to become Fellow Members (also called Fellows) of the Society.

#### 5.4 FULL MEMBERS (MEMBERS):

- (a) All psychiatrists in full-time private practice of psychiatry with less than 3 years experience after post-graduation in psychiatry are eligible to become Full Members (also called Members) of the Society.
- (b) All psychiatrists in part-time private practice of psychiatry and in Government or private service are eligible to become Full Members of the Society.
- (c)

## 5.5 ASSOCIATE MEMBERS

- (a) All psychiatrists in Government or private service who are not in part-time or full-time private practice of psychiatry are eligible to become Associate Members of the Society.
- (b) A Registered Medical Professional holding an M.B.B.S. degree and doing private practice in psychiatry is eligible to become an Associate Member of the Society.
- (c) A Registered Medical Practitioner holding an MBBS degree and having a post graduate degree or diploma in a subject other than psychiatry but interested in psychiatry and mental health, whether in private practice or in a private or Government job, is eligible to become an Associate Member of the Society.
- (c) Other mental health professionals who can become Associate Members are:
  - i.) Qualified Clinical Psychologists
  - ii.) Qualified Psychiatric Social Workers
  - iii.) Qualified Psychiatric Occupational Therapists
  - iv.) Trained Psychotherapists
  - v.) Trained Psychiatric Nurses
  - vi.) Any other Mental Health Professionals with more than 5 years Clinical experience who have made significant contribution to psychiatry

## 5.6 HONORARY MEMBERS:

In recognition of significant service or contribution to psychiatry and mental health, a person who is not otherwise eligible to become a Member of the Society in any of the preceding categories and whose name is proposed by a minimum of three National Advisory Board Members can be enrolled as an Honorary Member.

## 5.7 STUDENT MEMBERS:

A post-graduate student of psychiatry of a recognised medical college can become a Student Member of the Society on production of a Certificate of his being a bonafide post-graduate student of psychiatry from the Head of the Department Of Psychiatry or the

Principal of his college. He can remain a Student Member up to the period of his studentship/ postgraduate residency period.

## 5.8 CORPORATE MEMBERS:

All bodies incorporated or registered under the relevant Acts and Laws of the Government of India or Statutes of any other country, having objects similar to those of the Indian Association of Private Psychiatry or objects that promote and advance the working of the Society can become Corporate Members of the Society. These include national or international, private or public, governmental or non-governmental, academic, research and service institutes and agencies; professional societies and organizations; non-government voluntary organizations; organizations of mental health professionals, mental health service providers, mental health service consumers and caregivers of those with mental disorders; or other corporate or business houses etc.

## Article VI

### 6.0 Election of Members



- 6.1 Any person or body desirous of becoming a Member shall make an application to the Honorary Treasurer along with application fees as prescribed, if any, in the prescribed form and sign a declaration in the form, "I hereby declare that I shall promote the aims and objects of the Indian Association of Private Psychiatry to the best of my ability and agree to abide by its constitution and by-laws for the time being in force." After his name has been proposed and seconded by two Fellows of the society, his application will be put up for consideration and election before the Council in its ensuing meeting and shall be granted if approved by a majority of present and voting members. The membership will be effective from the date of receipt of application.

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## ARTICLE - VII

### 7.0 Termination of Membership

7.1 A person shall cease to be a member of the society if his name is removed from the Membership Register. The Council shall remove the name of a Member from the Membership Register under the following circumstances:

- a) On his death
- b) On his resignation. The resignation of any member from the Society shall be in writing and be addressed to the Secretary General and shall be accepted by the Council provided he has paid up all his dues to the Society, or
- c) If his subscription are in arrears for two years and he has not paid in spite of a final notice regarding his dues from the Secretary General or Honorary Treasurer.

7.2 On the recommendation of the Council the National Advisory Board may totally terminate, or suspend for a specified period of time the membership of any Member if the Member acts against the interest of the Society, or behaves in a manner prejudicial to the dignity and image of the Society, or for other reasons, which the Council may deem sufficient. A resolution for such a recommendation to the Board for termination or suspension for a specified period of time must be passed by the majority of the Council Members thereof present at a special meeting called for this purpose, or at the next ensuing or annual meeting of the Council. This recommendation of the Council for suspension or termination of membership would then be put up to the National Advisory Board for consideration at the earliest and the Board's decision, passed by a (simple) majority of Members present and voting, would apply. The member concerned shall have a right to explain his conduct and the Secretary General shall acquaint all the members of the Council and the National Advisory Board with his explanation.

7.3 If a member whose name had been terminated previously under Section 7.1 (c) seeks election without disclosing the fact that his arrears are due, and is elected erroneously as a new member his election will be considered null and void unless he pays arrears due from him under the rules.

## ARTICLE VIII

### 8.0 Reinstatement of Members

- 8.1 In all case of termination of Membership except if under section 7.2, the member may get himself re-instated by the Council:
- In case under Section 7.1 (b) after paying the admission fee again.
  - In case under Section 7.1 (c), after paying the admission fee along with two years subscription in lieu of arrears.

## ARTICLE - IX

### 9.0 Rights, Obligations and Privileges of Members

- 9.1 Only Founder Members and Fellow Members shall have the right to vote at any meeting of the Society. Each Founder Member or Fellow Member will have only one vote.
- 9.2 Each Member irrespective of the category shall have the right:
- To attend the General Body Meeting of the Society and all other meetings of the Society unless otherwise specified.
  - To attend and take part in scientific meetings, lectures, proceedings and demonstration of the Society.
  - To receive a copy of the statement of accounts, reports and Journal of the Society.
  - To the use of the Society's library room and other facilities, if any, set apart for the purpose.
  - To participate in any other activity or receive any other information that the Council may decide.
  - To bring to the notice of the management any discrepancy, lapses, lacunae or other matters not contributing to the development of the Society, and make suggestions contributing to the development of the Society.
  - To enjoy such other privileges and obligations of membership as may from time to time be conferred on members by Rules and Byelaws of the Society.

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9.3 The right of interest of any Member shall not terminate except in the event of termination or suspension of Membership as specified in Article 7 on "Termination of Membership" of the Rules and Regulations of the Society, or the closure by liquidation or dissolution of the Society.

## ARTICLE X

### 10.0 Responsibilities of Members

10.1 A member whose name has been entered in Register is obliged to accept the Rules and Bye – Laws of the Society and follow them. No one shall be absolved of any responsibility on the plea that he has not received a copy of the Rules and Bye – Laws of the Society.

## ARTICLE XI

### 11.0 Year of the Society

11.1. The year of the Society for financial purposes shall be 1<sup>st</sup> April of any year to 31<sup>st</sup> March of the next calendar year and for any other purpose, the period between two consecutive Annual General Body Meetings shall be considered as "one year".

## ARTICLE XII

### 12.0 Subscription

12.1 All members of the Society shall pay their membership fee and annual membership subscriptions to the Treasurer of the Indian Association of Private Psychiatry. The amount of such fees and subscriptions would be decided by the Council and may be revised from time to time as required.



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- 12.2 The State and the Local Branches, if any, will have the liberty to collect additional fees, subscriptions and donations from their Members, if it is so decided by the concerned State / Local Branch for the running and benefit of the Branch. The State/ Local Branch will pay to the Society (Indian Association of Private Psychiatry) a part (amount to be fixed by the Council of the Society) of the membership fees and subscription fees so collected.

## ARTICLE - XIII

### 13.0 Branches

- 13.1 For better attainment of the objects of the Society, the National Advisory Board may any time in future through a special resolution, allow Members of the Society to group themselves into separate State and Local bodies under the style of state Branch/ Local Branch of the Indian Association of Private Psychiatry.

- 13.2 The formation of any State or Local Branch (as in 15.1 above) must be approved by the Council and the National Advisory Board of the Society. Members desirous of forming a State or Local Branch may write to the Secretary General of the Society for permission once such branches are allowed to be made as provided in 13.1 above.

- 13.3 A State or a Local Branch would be a Branch of the Indian Association of Private Psychiatry *per se*, and therefore would neither require nor be entitled to a separate constitution or registration with any Body. Each such Branch would function directly under the Society and would follow the objects, rules and regulations and laws of the Society.

#### 13.4 State Branch:

- i.) There can be a Branch of the Society in every State. Such a branch would be known as 'Indian Association of Private Psychiatry.....State Branch', or by a similar appropriate name approved by the Council and the Board.
- ii.) Each State Branch shall have a jurisdiction to be determined by the Society.
- iii.) There shall be a minimum of 25 Members at the time of foundation of such a State Branch, of which at least 10 shall be Fellow Members.



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- iv.) In the absence of the requisite number of Members to constitute a State Branch, a Local Branch may be affiliated to the nearest State Branch or directly to the Society.
- v.) Each State Branch would function directly under the Society and would follow the objects, rules and regulations and by-laws of the Society.
- vi.) A State Branch shall not have any claims on the Assets and Liabilities of the Society.
- vii.) A formal permission for promotion of a State Branch shall be obtained from the Society.
- viii.) The State Branch shall come into existence only after the approval by the Council and the National Advisory Board.

#### 13.5 Local Branch:

A local Branch may be set up in any city or town provided that:

- i) There shall not be more than one Local Branch in any one town or city.
- ii) Each Local Branch shall have a local area to be determined by the State Branch or in the absence of a State Branch, by the Society.
- iii) There shall be a minimum number of ten Members at the time of foundation of the Local Branch, of which at least two must be Fellow Members of the Society.
- iv) Local Branches shall function under the State Branch of the Society and would follow the objects, rules and regulations and by-laws of the Society.
- v) A Local Branch shall not have any claims on the Assets and Liabilities of the Society.
- vi) A formal permission for promotion of a Local Branch shall be obtained from the Society through the State Branch. The Local Branch shall come into existence only after the approval of the Council and the National Advisory Board.

13.6. All the Members of the State and Local Branches shall be Members of the Society. The membership status of a Member shall be determined only by the Council of the Society. Any person who ceases to be a Member of the Society shall immediately cease to be a member of any State and Local Branches of the Society.

13.7. In the absence of a Local Branch in any particular area where the number of members is less than the minimum number required to form a Local Branch, Members of that particular area will remain attached to the State Branch as "Direct Members" of the State Branch.

13.8 The Local and State Branches shall bear the name of the Indian Association of Private Psychiatry followed by Local Branch or State Branch, as the case may be.

13.9 In the extraordinary circumstances when a Local or State Branch fails to conform with the objects or standards laid by the society or acts in a manner contrary to the provisions made in Rules and Bye-Laws of the Society, the Society shall have absolute power to take such measures as it deems fit including suspension of the Branch concerned or taking control of the Branch in its own hand. Such a decision shall be taken by the National Advisory Board on the recommendation of the Council of the Society and shall be binding upon the State or Local Branch concerned.

13.10 The State and Local Branches shall submit their annual reports and audited accounts along with a copy of the proceedings of all meetings to the Hon'y. Secretary General of the Indian Association of Private Psychiatry for information within 30 days of the publication of such reports, or audits, or holding any meetings.

13.11 The Local and the State Branches shall be guided by the Society in all matters. In case of a difference of opinion on any matter between the Local and the State Branches, the Local Branch shall have the right to appeal to the Council of the Society preferably through the State Branch and decision of the Council of the Society shall be final.

## ARTICLE - XIV

### 14.0 Affiliation with other Societies or Bodies

- 14.1 The Society may affiliate or be affiliated with any other national or international organisations engaged in the promotion of mental health activities.
- 14.2 State or Local Branches shall not affiliate or be affiliated with any other organisation directly.
- 14.3 Organisations or Bodies affiliated by the Society shall pay an annual subscription fee to the Society, which shall be equivalent to Corporate Membership subscription prescribed by the Society. Similarly, the Society may pay membership subscription to the national or international organisation to which it gets affiliated or of which it becomes a member.



## Article XV

### 15.0 Management

- 15.1 The general management of the Society shall be vested in the Executive Council, shall work as the executive arm of the National Advisory Board as per the provisions of the clauses of the Rules and Regulations and the Byelaws of the Society that define the powers and functions of the Executive Council and the National Advisory Board.



## ARTICLE XVI

### 16.0 Composition of the Executive Council and National Advisory Board

#### 16.1 EXECUTIVE COUNCIL

- 16.1.1 The Executive Council shall be composed of not more than 12 members who are Fellow Members of the Society. Of these 12 members of the Executive Council 7 members shall

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be elected by the general body of Fellow Members from amongst the eligible Fellow Members of the Society, and the remaining 5 shall be nominated by the National Advisory Board from amongst the eligible Fellow Members of the Society.

16.1.2 The Executive Council consisting of these 12 members will then elect/ choose the following 5 office bearers from amongst themselves.

1. President
2. Vice President
3. Secretary General
4. Treasurer
5. Editor

16.1.3 All the 5 office bearers of the Executive Council will have tenure in office as under:

- |    |                    |         |
|----|--------------------|---------|
| 1. | President:         | 2 Years |
| 2. | Vice President:    | 2 Years |
| 3. | Secretary General: | 2 Years |
| 4. | Treasurer:         | 2 Years |
| 5. | Editor:            | 2 Years |



## 16.2 NATIONAL ADVISORY BOARD (NAB)

16.2.1 The National Advisory Board, also referred to as the NAB or the Board, shall consist of 24 permanent members and up to six co-opted members. In no case shall its total strength exceed thirty. All permanent members of the National Advisory Board of the Indian Association of Private Psychiatry at the time of registration of the Society shall be called its Founder Members.

16.2.2 Permanent members of the NAB:

- a) Permanent members of the National Advisory Board are those Fellows Members who have been involved with the formation of

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the Indian Association of Private Psychiatry from its inception and have given their consent to hold this position. A list of these permanent Fellow Members who constitute the National Advisory Board is appended in the Register of Members. A permanent member of the NAB would remain a permanent member of the NAB till he resigns from this position or continues to be a member of the Society.

- b) Only in extraordinary circumstances, if any such permanent member acts against the interest of the Society, or behaves in a manner prejudicial to the dignity and image of the Society, or for other specific reasons, which the NAB may deem sufficient, may a permanent member of the NAB be suspended from such a membership of the NAB for a period not exceeding one calendar year, by two-thirds-majority vote of all 24 permanent NAB members in a meeting of the NAB specifically convened for this purpose. If after completion of this period of suspension the extraordinary circumstances that warranted the suspension in the first place continue to prevail, may the other (than the person charged/suspended) permanent members of the NAB take the next step of terminating the permanent membership of the NAB of the suspended member through a resolution passed by two-thirds majority vote of all the 24 permanent NAB members. For both the above purposes (suspension and termination) Quorum of those permanent NAB members who cannot attend such a meeting may be obtained through postal mail or email etc. In all circumstances the charged/suspended permanent NAB member shall be given ample opportunity to offer his views and explanation to the NAB.

- c) A vacancy in the permanent membership of the NAB arising out of whatever reasons may be filled by a process whereby the NAB would call for names from all Fellow Members; the Council of the

Society would then screen these names for eligibility (based on eligibility criteria given in c) below) and forward the eligible names to the NAB who would then nominate one out of these to fill the vacant position.

- c) Eligibility criteria for b) above would be:
- i. A continuous membership of the Society for at least 5 years as a Fellow Member
  - ii. Having held a position as a member of the Council of the Society for at least one term.
  - iii. The NAB while nominating to the vacant position may consider giving preference to a past President of the Society, or to a past Secretary General, or a Co-opted Member of NAB or other Office Bearer, or to a Fellow Member who has made significant contribution to the cause of psychiatry and the Indian Association of Private Psychiatry, in that order of preference.

#### 16.2.3 Co-opted members of NAB:

- a) The permanent members of the NAB can co-opt a maximum of five to six Fellow Members/ Full Members of the Society to the NAB who would be referred to as Co-opted Members of the National Advisory Board. Their tenure in office would be defined by the NAB and shall not ordinarily exceed two years. Of these six co-opted members of the NAB, not more than three members may be co-opted from amongst Full Members of the Society.
- b) *The process of co-option to the NAB:* The co-opted Members may be nominated directly to the NAB by the permanent members of the NAB depending on the needs of the Society, or they may call for names for co-option from the general body of Fellow Members/ Full Members. Only those

Fellow Members/ Full Members would be eligible who have been Fellow Members/ Full Member continuously for at least the previous five years\* and desire to hold such a position, Such desirous and eligible Fellow Members/ full Members would submit their names to the Secretary General who would place them before the Council which would then screen the eligible names and forward them to the NAB. The NAB would then nominate the required numbers to be co-opted.

*\*Note: The eligibility criteria of five years of continuous membership would apply only after the Society is five years or more old.*

- c) The NAB while considering to the co-opted position may consider giving preference to Past President of the Society, or to past Office Bearer of the Society, or to a Fellow Member/ Full Member who has made significant contribution to the cause of psychiatry and the Indian Association of Private Psychiatry, or to a person who fulfills any particular needs of the Society at that time.

16.2.4 The President and Secretary General of the Society, if not already permanent or co-opted members of the NAB, shall be ex-officio members of the NAB. Their being ex-officio members of the NAB may be in addition to the 30 members (24 permanent and 6 co-opted) as in 16.2.1

Such ex-officio members would have no vote in any decisions of the NAB.

#### 16.2.5 Chairperson of the NAB:

If the President of the Society also happens to be a permanent member of the NAB, then he would automatically be the Chairperson of the NAB. If for a particular term the President is one who is not a permanent member of the NAB then the permanent members of the NAB would chose/ elect one from amongst them as the Chairperson. The term of office for such a chosen/ elected Chairperson would be one year or till the time a President who is also a permanent member of the NAB is available to be the Chairperson



of the NAB (whichever is earlier). The Chairperson shall preside over all meetings of the NAB and have the casting vote in case of a tie.

16.2.6 Secretary of the NAB:

The Secretary General of the IAPP shall also function as the Secretary of the NAB. He shall assist the Chair as well as schedule and call the meetings, maintain minutes and records of the meetings, communicate and conduct correspondence on behalf of the NAB, and ensure the smooth functioning of the NAB.

ARTICLE - XVII

17.0 Power and Functions of the Executive Council and National Advisory Board

17.1 Power and Functions of the Executive Council

17.1.1 The general management of the Society shall be vested in the Executive Council, which shall work as the executive arm of the NAB, and so in consultation with the National Advisory Board as per the provisions of the relevant clauses of the Rules and Regulations and the Byelaws of the Society.

17.1.2 The Executive Council may meet for the transaction of business, adjourn and otherwise regulate its meetings and proceedings as it thinks fit. A meeting of the Executive Council at which a quorum is present shall be competent to exercise all or any of the functions of the Council. All questions arising at any time of the Council meeting shall be determined by majority of votes. In every case of equality of votes the President shall have and exercise a second or casting vote.

17.1.3 The decision of the Council of the Society in all matters that it has the powers to decide upon shall be final and subject to any endorsements only by the NAB. Any decisions of the Council cannot infringe upon the rights and powers of the NAB.

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- 17.1.4 The Council shall be entitled to act with authority of the Society in the furtherance of the aims and objects of the society and transaction of any business or financial matters that may arise except in respect of acts to be done by the National Advisory Board or those specially reserved to be done by the Society at a General Body Meeting.
- 17.1.5 The Council shall have the power to appoint Sub-Committees and fix their terms of reference as and when necessary. Any such Sub-Committee may co-opt as Members thereof, such persons who have experience in matters to be dealt by it. Any member of the Society may be co-opted as Member of a Sub-Committee. The Council shall elect the Members and Chairperson of each Sub-Committee for a period of two years unless otherwise specified for a lesser duration. At the end of each two-year period the Sub-Committee may be reconstituted.
- 17.1.6 The Council shall ensure the implementation of decisions and programmes of the National Advisory Board.
- 17.1.7 The Council shall supervise the holding of meetings and of Conferences etc. and take decisions about scientific activities.
- 17.1.8 The Council shall plan and implement programmes and campaigns, issue and publish newsletters or journals, disseminate information through any medium about the activities of the Society, or scientific material or other material in accordance with the objects of the Society.
- 17.1.9 The Council shall have power to write off the whole or a part of the arrears against any individual member.
- 17.1.10 The Council shall be competent to act in spite of any vacancy.
- 17.1.11 The Council shall have the power to appoint or remove salaried officers and servants of the Society.

## 17.2 Power and Functions of the National Advisory Board

17.2.1 The National Advisory Board shall function as the Governing Body of the Society. It should usually have only an advisory role (subject to 17.2.2 below) to ensure that the objects of the Society are fulfilled in the best possible dignified manner.

17.2.2 However, in respect of the below listed items/ functions the National Advisory Board would have an exclusive decision making right. In respect of these matters the Executive Council may only recommend a course of action but the decision of the National Advisory Board would be final.

- (a) All matters related to the Memorandum of Association, Rules and Regulations and Byelaws of the Society.
- (b) Sanction of finances exceeding Rs 50,000, except those finances that are involved in the organisation of the Annual Conference, or regular symposium/ CME etc.
- (c) All matters related to the movable and immovable properties of the Society.
- (d) All disputes related to office bearers of the Society.
- (e) All matters related to the National Advisory Board.
- (f) Nominations to the Executive Council.
- (g) All matters related to outside agencies.
- (h) Any other matter that the Executive Council cannot decide.
- (i) Any appeal that may be referred to the NAB by the Annual General Body or by the Council of the Society, or by a Member (in which case it must be supported in writing by two Fellow Members) against a decision of the Council or of the Annual General Body Meeting of the Society.
- (j) To deal with any matter that the Annual General Body Meeting, or the Executive Council, or any Member supported by two Fellow Members may refer to the NAB for adjudication or opinion.
- (k) To accept or refuse donations/contributions/ grants. (However, the duly appointed committees/ subcommittees may raise the funds for any Conference, symposium, journal, publication, or special programme).

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## ARTICLE-XVIII

### 18.0 Casual Vacancies

18.1 The Executive Council shall have power to fill vacancies occurring in its Membership, whether ex-officio or elected, during its terms of office, except in case of representatives from State or Local Branches (if any). Such Members shall hold office only for the remaining period of the year.

18.2 In normal circumstances, an office-bearer shall give three months notice of his desire to resign.

18.3 Office-bearers of any sub-committee must inform the President and the Secretary General of the Society if they are unable to serve for any length of time, in such a case alternative arrangements will be made by the Secretary General with the approval the President.

18.4 A member of the Council or sub-committee or an Office-bearer shall be considered as "unable to serve", for the purpose of filling the vacancy by any other Member of the Society by the Council, if he intends to or is residing outside the country continuously for six months or more.

## ARTICLE XIX

### 19.0 The Journal of the Society

19.1 The Society shall publish a Journal to be named as *Indian Journal of Private Psychiatry* or any other name so decided, which shall be managed by the Journal Committee. The Editor shall enter in a Register all books sent for review as well as any other journals, and send a list of the same periodically to the Secretary General. The Editor shall be responsible for the accounts of the Journal Committee and the books and journals in his custody.

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## ARTICLE-XX

### 20.0 Amendment to Memorandum, Rules and Bye-Laws

20.1.1 Recommendations for amendment to the Memorandum, Rules and Bye-Laws of the Society may be made at the Annual General Meeting or at an Extra-Ordinary General Meeting after adequate notice (which shall not be less than 30 days) is given. The voting shall be confined to the Fellow Members of the Society and any resolution for recommendation for amendment (see 20.2 below) shall be passed only if at least two-thirds majority of voters attending the meeting.

20.1.2 This passed resolution for amendment referred as 'recommendation for amendment' - shall then be placed before the National Advisory Board which may then pass this 'recommendation for amendment' only if at least two-thirds of all permanent 24 members of the NAB approve the amendment fully or in a modified form. For this purpose the vote of those NAB permanent members who are unable to personally attend such a meeting may be obtained through postal mail or e-mail. While reserving the exclusive right to such a decision, the National Advisory Board would ordinarily reject such a recommendation for amendment if it is detrimental to the objects, image, and functioning or basic nature of the Society.

20.2 A 'Resolution for recommendation for amendment' shall be very precise and may be proposed by any Fellow Member of the Society who shall inform the Secretary General of his desire to do so and send him a copy of the resolution for consideration by the Executive Council. The resolution shall be sent to the Secretary General not less than 60 days before the Annual General Meeting who shall circulate it among the Members of the Society and submit it to the Annual General Meeting with comments of the Executive Council, if any.

20.3 Any Member of the Council may initiate the process of amendment to the Memorandum of Association, or the Rules and the Bye-Laws of the Society by tabling a 'Resolution for

*Memorandum of Association and Rules and Regulations and Byelaws of Indian Association of Private Psychiatry*

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amendment' before the Council by giving a 30 day notice and if passed by two-thirds majority of the Council members then the 'Recommendation for amendment' so passed, to be placed before the NAB for approval which would then follow the steps as 20.1.2 above.

- 20.4 Any member of the NAB may initiate the process of amendment to the Memorandum of Association, or the Rules and the Bye-Laws of the Society by tabling a 'Resolution for amendment' before the NAB by giving a 30 day notice. However, the NAB can only approve this by following the procedure laid down in 20.1.2 above.

**ARTICLE XI**  
**21.0 Assets After Dissolution**

- 21.1 In the event of dissolution or winding up of the Indian Association of Private Psychiatry, the assets remaining as on the date of dissolution shall under no circumstances be distributed among the Members of the Executive Council or Members of the National Advisory Board or any other Member of the Society but the same shall be transferred to another charitable Society, Association or Institution whose objects are similar to those of this Society.



Part III

BYE-LAWS  
Of  
INDIAN ASSOCIATION OF PRIVATE PSYCHIATRY

ARTICLE-I

1.0 Framing of Byelaws

- 1.1 The Executive Council shall have power to frame byelaws and place them before the Annual General Body of the Society for ratification and subsequent approval by the National Advisory Board (subject to Article 17.0 of the Rules and Regulations of the Society) and to amend such Byelaws (subject to Article 20.0 of the Rules and Regulations of the Society).

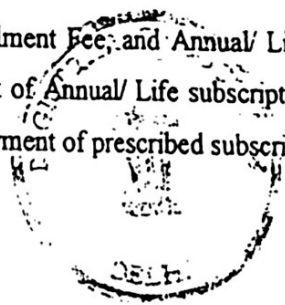


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ARTICLE-II

2.0 Subscriptions

- 2.1 Membership Fee/ Enrolment Fee and Annual/ Life subscription: The Executive Council shall decide the amount of Annual/ Life subscription from time to time. Members will be enrolled only on the payment of prescribed subscriptions.



ARTICLE-III

3.0 Office Bearers of the Society

- 3.1 The Executive Council shall consist of 12 members who will elect/ choose the following 5 office bearers from amongst themselves (as per clause 16.1 of Rules and Regulations of the Society).

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1. President
2. Vice President
3. Secretary General
4. Treasurer
5. Editor

## ARTICLE-IV

### 4.0 Duties, Powers and Terms of Office-Bearers

#### 4.1 The President

- (a) The President shall be the chief executive officer of the Society.
- (b) The President shall hold office for two years and shall not be eligible for re-election for any two consecutive terms, or for more than a total of two terms ever in his lifetime.
- (c) He shall be the Chairman of all the General Body, Extra-Ordinary and Executive Council meetings and, when appointed, of any other Committee.
- (d) He shall have a casting vote in case of equality of votes in addition to his own ordinary vote.
- (e) He shall regulate the proceedings of the meetings and Conferences and interpret rules and regulation and decide doubtful points at issue.
- (f) He shall preserve the order and shall decide on all points of order at or in connection with the meeting. There shall be no discussion on any point of order and the decision of the President shall be final.
- (g) He shall be ex-officio member of all sub-committees and the National Advisory Board.
- (h) He shall be consulted on all important matters concerning the affairs of the Society.
- (i) He shall be the leader of any delegation of which he is a Member.

#### 4.2 The Vice-President

- (a) The Vice-President, (who shall also be President for the succeeding two years), shall hold office for two years.
- (b) He shall preside at all meetings in the absence of the President and shall have all the powers of the President on that occasion.



#### 4.3 The Honorary Secretary General

- (a) He shall hold office for two years and shall be eligible for re-election at the end of this period.
- (b) Shall be in charge of the office of the Society.
- (c) Shall, ordinarily, conduct all correspondences.
- (d) Shall have general supervision of accounts and pass all bills for payment.
- (e) Shall get prepared by the Honorary Treasurer a fully audited annual statement of accounts for presentation at the Annual General Meeting of the Society.
- (f) Shall organise, arrange and convene meetings, conferences, lectures, demonstrations or other proceedings etc.
- (g) Shall attend meetings of the Society and keep proceedings thereof.
- (h) Shall be ex-officio member of all sub-committees and the National Advisory Board.
- (i) Shall organise the society by encouraging the establishment of State and Local branches where they do not exist (once such a decision to have State and Local Branches is taken by the Council and approved by the NAB) and by fostering a general interest in the Society.
- (j) Shall bring any matter, which he considers necessary in the interest of the Society, to the notice of the Executive Council for guidance and decision.
- (k) When retiring shall hand over the properties, books etc. to the newly elected Secretary General within three weeks after the election.

#### 4.4 The Honorary Treasurer

- (a) Shall hold the office for two years and shall be eligible for re-election at the end of this period.
- (b) Shall be responsible for collection of subscriptions and donations from Members and well-wishers of the Society, and maintain index cards showing up-to-date subscription position.
- (c) Shall sign the receipts and prepare statement of receipt and expenditure of the Society duly audited by an auditor appointed by the Annual General Body of the Society each year and shall present the same and the Balance Sheet at the Annual General Meeting.
- (d) Shall have power to make payments not exceeding Rs. 5000/- without consent of the Secretary General or the President.



- (e) Shall open an account with a nationalised or scheduled Bank approved by the Council and shall have the authority to operate this account for the expense of the Society.
- (f) Shall submit to the Returning Officer and Election Officer an up-to-date statement of dues from the Fellow Members.
- (g) When retiring shall hand over cash, account books and other papers and documents connected with works of the Treasurer of the Society to the newly elected Treasurer within three weeks after the election.

#### 4.5 The Honorary Editor

- (a) Shall hold the office for two years and shall be eligible for re-election at the end of this period.
- (b) The Editor shall be the responsible for publication of the Journal of the Society to be known as Indian Journal of <sup>Private</sup> Psychiatry or by any other appropriate name.
- (c) He shall be the Chairman of the Editorial Board and the Journal Committee. Members of the Editorial Board shall be elected by the Council in consultation with the Editor and their number shall not exceed 11. The Journal Committee shall be a sub-committee under the Council and the Editor like the Chairman of any other sub-committee shall have the power to co-opt members of the committee.
- (d) He shall present his annual report at the Annual General Meeting of the Society.
- (e) He shall submit an audited statement of accounts to the Treasurer before 30 September every year.

#### ARTICLE V

#### 5.0 Term of Office of the Executive Council Members

- 5.1 Executive Council shall be constituted as per provision of Article 16.0 of the Rules and Regulations of the Society.
- 5.2.1 It shall be a continuous Body consisting of 12 members. Of these 12 members of the Executive Council 7 members shall be elected by the general body of Fellow Members from amongst the eligible Fellow Members of the Society; and the National Advisory Board from amongst the eligible Fellow Members of the Society shall nominate the remaining 5.

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5.3 The 7 elected members as well as the 5 nominated members of the Executive Council shall also have tenure of 2 (two) years i.e., elections for the 7 elected members will be held once in 2 years and the National Advisory Board shall nominate 5 members to the Executive Council once every 2 years. However, in order to ensure continuity and efficient functioning of the Executive Council and the Society, the first set of 5 nominated members would have a tenure in office for 3 three years. (This would ensure that after the first constitution of the Executive Council, the elected positions fall vacant in the 2<sup>nd</sup>, 4<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, ....years, and the nominated positions in the 3<sup>rd</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 9<sup>th</sup>, ....years).

## ARTICLE - VI

### 6.0 Election / Nomination of the Executive Council Members and Election of the Office Bearers

6.1 The President shall be the Returning Officer for all elections of the Society. The Honorary Secretary General shall be the Election Officer for all elections. If for any reason the President is unable to serve as Returning Officer the Vice President shall be the Returning Officer. If both the President and the Vice President are unable to serve as Returning Officer the Council shall appoint a Returning Officer. If for some reason the Secretary General is unable to serve as the Election Officer then the Council shall appoint an Election Officer.

6.2 Not less than 120 days before the Annual General Meeting every year, the Secretary General shall address a communication to all the Fellow Members of the Society residing in India under certificates of posting and to the Fellow Members residing overseas by air mail, informing them of the vacancies if any are to occur in the ensuing year and asking for nominations from the general body of Fellow Members for as many elected posts as may be falling vacant.

6.3 Any Fellow Member of the Society who has been continuously a Fellow Member for a minimum of 3 years\* may be nominated for election to the Executive Council if his nomination is proposed by a Fellow Member and seconded by another Fellow Member

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provided the Fellow nominated has expressed his consent in writing to be nominated for the election to the Executive Council.

6.4 Also, not less than 120 days before the Annual General Meeting every year, the Secretary General shall address a communication to all the National Advisory Board Members informing them about the nominated positions in the Executive Council that are falling vacant, if any, in the ensuing year and request for fresh nominations from the NAB.

6.5 Nominations for the elected posts of the Executive Council shall be sent in sealed envelope on which the word "Nominations" shall be mentioned. All nominations shall reach the Secretary General, by registered post not less than 90 days before Annual General Meeting. The Secretary General shall not open the envelopes containing the nominations. His own nomination, if any shall also reach him by registered post.

6.6 The envelopes containing nominations as in 6.5 above shall be opened only at the meeting of the Council. Quorum for this meeting of the Council shall be two. The Council shall have the power to scrutinise and reject invalid nominations, and appoint the Returning Officer, if necessary, as provided under section 6.1. One Month's notice shall be given if any nominee wishes to withdraw from the contest. If no valid nominations are received for a post by the stipulated date the Council at its annual meeting shall be competent to elect a candidate for the said post.

6.7 Not less than 45 days before the Annual General Meeting the Election Officer shall send out a ballot paper and a circular to all Fellows in a manner similar to that mentioned under Section 6.2.1, intimating them the names of the eligible candidates together with a short bio data not exceeding 10 lines of each of the candidates and instructions relating to procedure of casting of vote and return of the ballot paper which shall bear the signature of the Election Officer and the seal of the Society. Canvassing by any candidate is prohibited and will make his nomination or election null and void.

6.8 The Fellows may either cast their vote in person on the day of the next Annual General Meeting or by the post, if they so desire. If they choose to cast their vote by post their ballot

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papers in sealed cover indicating their choice clearly among the nominees for the vacant posts must reach the Returning Officer two full weeks before the date of the next Annual General Meeting. If any Fellow chooses to cast his vote in person, a duplicate ballot paper shall be issued by the Returning officer on the day of the Annual General Meeting during specified hours in being satisfied that the original ballot paper, has not been received by the Returning officers and that the Fellow has paid his subscription for the out going year. The voting may take place before the Annual General Meeting but the results shall be announced only at the Annual General Body Meeting.

6.9 The Returning Officer shall have the power to appoint scrutinisers from among the Fellows of the Society to assist him in scrutinizing the ballot papers and counting of the votes. The sealed cover containing the result of election shall be opened at the Annual General Meeting.

6.10 Similarly, whenever vacancies arise in the nominated positions of the Executive Council, the National Advisory Board in its annual meeting shall finalise the names of those it wishes to nominate and send them in a sealed envelope to the Returning Officer. This envelope would only be opened at the Annual General Meeting of the Society.

6.11 The newly elected/ uominated Members of the Executive Council shall be referred to as "Members of the Executive Council - Elect/ Nominated" (as the case may be) immediately after their election/ nomination results are declared and till they assume formal office as Members of the Executive Council at the Oath Taking Ceremony held at the Handing Over Meeting of the outgoing (retiring) Executive Council and the incoming (new) Executive Council.

6.12 Election of Office Bearers: The newly constituted Executive Council would assume office after the Oath Taking Ceremony and meet as soon as possible thereafter on the same day to elect the Office Bearers from amongst themselves. At this meeting The President Elect (Vice President) would invite nominations for the various posts of Office Bearers that may be falling vacant that year. Any member of the Executive Council can propose his name or of another Executive Council member (in which case the proposed member's consent would be

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essential). Then an election would be held by a show of hands or closed ballot to elect the Office Bearers.

6.12.1 The person nominated for the post of Vice President (President-Elect) must be a Fellow of the Society for at least 8\* years and must have served at least one term as Member of the Council.

6.12.2 The Person nominated for the post of Secretary General must be a Fellow of the Society for at least 5 years\* and preferably should have served at least for one term as Member of the Council. \*

6.13 The newly elected Office Bearers shall assume office and the Vice President (President Elect) take over the office of the President at the Valedictory Function of the Annual Conference. If the Annual Conference or the Valedictory Function is not being held for some reason, then a special ceremony would be organised for this purpose before the close of business of the Annual General Meeting.

*\*Note: the NAB may relax these restrictions in the formative years of the Society till the Society becomes that old.*



## 7.0 Meeting of the Executive Council and National Advisory Board

7.1. The meetings of the Executive Council and the National Advisory Board shall be of the following kinds:

a) **Ordinary Meetings:**

Of the Executive Council: shall be held at least three times a year.

Of the National Advisory Board: at least twice a year

b) **Special Meetings:** which shall be held as often as necessary.

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- c) **Requisition Meetings:** which shall be called within 6 weeks from the date of receipt of a requisition signed by at least 2 members of the Executive Council or the National Advisory Board respectively stating the business for which the requisition meeting is required.
- d) **Extraordinary Meeting:** The Secretary General with the permission of the President can requisition an Extraordinary Meeting of the Executive Council for which at least 10 days notice shall be circulated to all members of the Council.

In the case of the NAB, an Extra-ordinary meeting may be held on the request of the Chairperson or the Secretary of the NAB, or on the request of the President, or that of the Secretary General of the Society.

## 7.2 Notice:

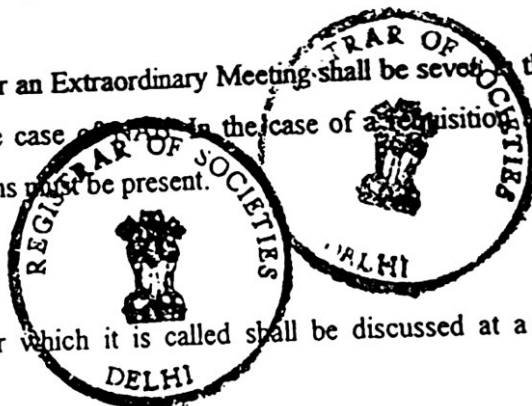
At least four week's notice specifying the place, date and time and the agenda of business to be transacted at the Ordinary or Special Meeting shall be given to each member.

## 7.3 Quorum:

- a) Quorum for Ordinary and Special Meetings shall be four, including the Office Bearers, in case of Executive Council meetings; and eight in case of National Advisory Board meetings.
- b) Quorum for requisition meeting or an Extraordinary Meeting shall be seven in the case of Executive Council and ten in the case of NAB. In the case of a requisition meeting, at least three fourth of the requisitions must be present.

## 7.3 Procedure:

- (a) Nothing except the business for which it is called shall be discussed at a requisition meeting.
- (b) If within half an hour from the appointed time a quorum is not present the meeting if convened on the requisition of members shall be dissolved. But in other cases shall stand adjourned to another time on the same day and if even then the requisite quorum is not present it shall stand adjourned for the next day at the same time and at the same place as previously fixed for the first meeting (before first adjournment) and at this meeting the





members present, whatever their number may be, shall form the quorum and carry on the business.

- 7.4 The Council or the NAB may meet for the transaction of business, adjourn and otherwise regulate its meeting and proceedings, as it thinks fit. A meeting of the Council or the NAB at which a quorum is present shall be competent to exercise all or any of the functions of the Council/ NAB. The agenda for a Council/NAB meeting shall be circulated to all of its members at least one month before the meeting. In case any member of the Council/ NAB is unable to be present he shall intimate to the Secretary General of the Council or the Secretary of the NAB as the case may be, his comments in writing on each subject in the agenda, which shall be read at the Council/ NAB meeting. All questions arising at any time of the meeting of the Council/ NAB shall be determined by majority of the votes. In addition to the votes of members present and voting, the written comments of the absentee members shall be considered as voting by proxy where applicable. In every case of equality of votes the President in case of the Council and the Chairperson in case of the NAB shall have and exercise a second or casting vote.

- 7.5 The general management of the Society shall be vested in the Executive Council, which shall work in consultation with the National Advisory Board as per the provisions of the relevant clauses of the Rules and Regulations and the Byelaws of the Society. The decision of the Council in all matter pertaining to the Society shall be final subject to approval by the NAB wherever applicable (as per clause 17.2 of the Rules and Regulations of the Society).

- 7.6 Every meeting of the Council shall be presided over by the President, in absence by the Vice-President, and in the absence of both the President and the Vice-President, by a member chosen at the meeting to preside on the occasion.

- 7.7 Every meeting of the NAB shall be presided over by its Chairperson, in whose absence a Chairperson would be chosen for that meeting. In the absence of the Secretary of the NAB (the Secretary General of the Society) any member of the NAB may be requested by the Chair to function as the Secretary.

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## ARTICLE -VIII

### 8.0 Calling of the Annual General Body Meeting

8.1 The Annual General Body Meeting shall usually be held during the Annual Conference of the Society and the provisional date and venue shall be proposed and decided at the previous Annual General Body Meeting.

8.2 Notice and agenda of the General Body Meeting and copies of the minutes of the proceeding of the last Annual General Body Meeting shall be sent by the Secretary General to all Members of the Society at least 30 days before the meeting. An initial information about the venue (city or town) and provisional dates of the Annual Conference and the Annual General Meeting shall be given to all Members by the Secretary General in a circular at least 90 days before the Annual General Meeting.

8.3 Any member may on giving 60 days notice or less if the matter is one of urgency submit any resolution to the General Body Meeting. The resolution shall be first considered by the Council after which the Secretary General shall put the resolution before the General Body Meeting for their consideration with the comments of the Executive Council if any.

8.4 The General Body Meeting shall be presided over by the President, in his absence by the Vice President or a Fellow elected at the meeting for the occasion.

8.5 The Council shall have power to fix or change the date and venue of the Annual Conference and Annual General Meeting of the Society under special circumstances with the consent of the NAB, or the State or Local Branch or Member (s) who convened the conference or the Organising Secretary of the Conference.

8.6 Business to be Transacted- The business to be transacted at the Annual General Meeting shall be taken up in the following order:-

- i) Condolence resolution, if any.
- ii) Confirmation of the minutes of the proceeding of the last Annual General Body Meeting and Extra-Ordinary General Body Meeting, if any.

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- iii) Reading and adoption of the Secretary General's Report.
- iv) Reading and adoption of the Treasurer's Report, and a statement of audited accounts.
- v) Reading and adoption of the Editor's Report.
- vi) Election of office-bearers and Members of the Executive Council in place of retiring Members.
- vii) Appointment of Auditor.
- viii) Amendment of Rules and Bye-laws, if any.
- ix) Resolution from Members
- x) Any other business with the permission of the Chair.

8.7 The proceeding of the General Body Meeting shall be regulated according to the Rules and Bye-laws of the Society. Unless otherwise determined by the Rules, every question submitted to the General body meeting shall be decided by show of hands and in case of equality of votes the person presiding shall have and exercise a second or casting vote.

8.8 The minutes of proceedings of the General Body meeting shall be recorded in a book kept for the purpose and shall be signed by the President of the meeting.

8.9 Quorum - The quorum of the General Body Meeting shall be 10% of the Fellows of the Society in India. The Annual General Meeting shall be dissolved if a quorum is not present even after being adjourned for a period not exceeding half-an-hour and agenda items relating to election of Members of the Executive Council and appointment of Auditor as provided under relevant clauses of the Bye-laws but not taken up and / or considered at the Annual General Meeting for absence of quorum shall be deemed to have been added to the Agenda of the Annual Meeting of the Executive Council and shall be considered at a session to be held after the Annual General Meeting.

- iii) Reading and adoption of the Secretary General's Report.
- iv) Reading and adoption of the Treasurer's Report, and a statement of audited accounts.
- v) Reading and adoption of the Editor's Report.
- vi) Election of office-bearers and Members of the Executive Council in place of retiring Members.
- vii) Appointment of Auditor.
- viii) Amendment of Rules and Bye-laws, if any.
- ix) Resolution from Members
- x) Any other business with the permission of the Chair.

8.7 The proceeding of the General Body Meeting shall be regulated according to the Rules and Bye-laws of the Society. Unless otherwise determined by the Rules, every question submitted to the General body meeting shall be decided by show of hands and in case of equality of votes the person presiding shall have and exercise a second or casting vote.

8.8 The minutes of proceedings of the General Body meeting shall be recorded in a book kept for the purpose and shall be signed by the President of the meeting.

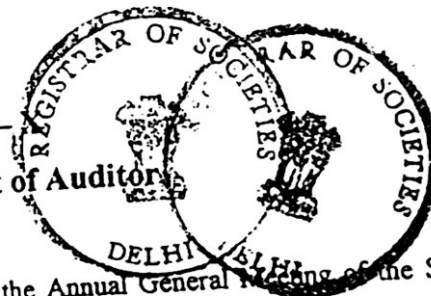
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## ARTICLE - IX

## 9.0 Extra - Ordinary General Body Meeting

9.1 An extra-ordinary General Meeting may be called at any time of the year on the requisition of the Executive Council or 20% of the Fellows of the Society.

- (a) Nothing except the business for which it is called shall be discussed at this meeting.
- (b) At least ten days' notice of the meeting with the Agenda shall be given to the Members.
- (c) The quorum for the meeting shall be 15% of the Fellow Member of the Society.
- (d) If within half an hour from the appointed time a quorum is not present at the meeting called on the requisition of the members it shall be dissolved. But in any other case, it will stand adjourned to the next day at the same time and at the same place as previously fixed, and at this meeting, the Fellow Members present, whatever be their number, shall form the quorum and carry out the business

ARTICLE -  
10.0 Appointment of Auditor

10.1 A competent Auditor, shall be appointed at the Annual General Meeting of the Society every year for auditing the accounts of the Society and whose duties shall be as follows:

- (a) Shall audit the accounts at the end of the year and shall certify to their correctness.
- (b) Shall give suggestions for the keeping of accounts as required.

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## ARTICLE - XI

### 11.0 Salaries or Remuneration

11.1 The Secretary General shall keep an impress-account not exceeding Rs. 10,000/- and shall recoup the amount spent from the treasurer on production of vouchers. Expenditure exceeding Rs. 5000/- at a time, except on printing and postage, shall be incurred only with the permission of the Council.

11.2 The Secretary General, the Treasurer and the Editor may keep clerks for the Society's administrative work. The Council shall decide the remuneration of such staff from time to time, depending on availability of such personnel and the volume of work involved.



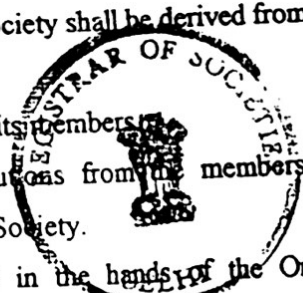
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## ARTICLE - XII

### 12.0 Funds of the Society

12.1 **Income:** The funds or income of the Society shall be derived from the following sources:

- (a) Subscription, paid to the Society by its members.
- (b) Donations and voluntary contributions from the members and others, including the donation towards the corpus of the Society.
- (c) The surplus amount accumulated in the hands of the Organising Committee of the Annual Conference of the Society, other conferences or symposiums or activities of the Society. The share of the Society shall be 70% when the Annual Conference/ other Conference or symposium or educational programme is held under the auspices of a State or Local Branch of the Society. In any other case the share shall be 100%.
- (d) Advertisement in the Journal or any other publications of the Society.
- (e) Proceeds from the sale of periodicals or books and such other property as may be acquired from time to time.
- (f) Interests on Savings Bank, Fixed Deposit, other Accounts or investments.



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- (g) Income from any investments made by the Society.
  - (h) Income from any property held under trust (including business undertaking so held).
  - (i) Capital gain from transfer of any property held under trust.
  - (j) Contribution from Government or Local Bodies.
  - (k) Any business carried out by the Society in furtherance of its aims and objectives.
  - (l) Income from any other business carried out by the Society.

**12.2 Expenditure:** The Council shall, out of the funds of the Society, defray all expenses including rents; salaries, wages and such other charges as may be necessary for carrying on the work and business of the Society.

**12.3 Borrowings:** If approved by the Council and the NAB, the Society may borrow funds for the furtherance of its aims and objectives from Banks or other Financial Institutions, but subject to all provisions of the Societies Registration Act, 1860 under which the Society is registered.

## ARTICLE - XIII

### 13.0 Annual Conference

**13.1** An Annual Conference of the Society known as the "Nth Annual National Conference of the Indian Association of Private Psychiatry" abbreviated as "ANCIAPP" shall be organized every year, or as the General Body may decide, under the auspices of the Society at a suitable place and time to be decided at the Annual General Meeting of the Society. Such Conference shall usually be held before the 31<sup>st</sup> day of December of any year.

**13.2** The Secretary General of the Society shall be responsible for:

- (a) Fixing the dates of the Annual Conference in consultation with the Organising Committee, such dates must not vary from dates fixed at the previous Annual Conference by more than 4 (four) weeks.



- (b) To make alternative arrangements, in case the Organising Committee fails to give a firm commitment regarding the proposed dates for the Conference by the 31<sup>st</sup> of May of that year or under any exceptional circumstances fails to organise the Conference.
- (c) To negotiate with members desirous of inviting the Annual Conference at different places in India and to keep 2-3 different invitation always pending.
- (d) Informing all members of dates of the meeting
- (e) Inviting delegates from the Psychiatric Associations of Foreign countries.
- (f) Writing to all Governments at the Center (including DGHS AND DGAFMS) and the States, as well as Non-Governmental, private or other similar agencies to permit if possible, members serving under them to attend the Conference on temporary duty.

**13.3 Venue of the Annual Conference** – A State or Local Branch, or any Fellow, or group of Fellows of the Society shall have the privilege of inviting the Annual Conference of the Society. Any other category of Member including a Corporate Member shall not have the privilege of inviting or organising the Conference. The Secretary General in one of his circulars issued prior to the Annual Conference shall request all Fellows to invite and organise the Annual Conference at a suitable place.

**13.4 The President of the Society for the year shall be the President of the Conference.**

#### **13.4 Organising Committee of the Annual Conference:**

- i) The Local Branch or Fellow(s) inviting the conference shall form an Organising Committee of the Annual Conference.
- ii) Office-bearers of the Organising Committee shall be elected by the Members of the Organising Committee and shall consist of a Chairman, and Organising Secretary, a Treasurer and others as required.
- iii) The Organising Committee shall determine the registration fee at the Annual Conference in consultation with the Council.
- iv) The Conference shall be open to the following: -
  - (a) All members of the Organising Committee.
  - (b) All Members of the Society.



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- (c) Any other person authorised by the Organising Committee to be present on the occasion.
- v) The Organising Committee shall be responsible for:
- (a) Making arrangements for suitable accommodation and food for delegates (on payment).
  - (b) Arrangement for the plenary and scientific session.
  - (c) Printing of brochure and programme in consultation with the Secretary General of the Society.
  - (d) Arranging for a suitable dignitary (in consultation with the Secretary General of the Society) to inaugurate the plenary session.
  - (e) Arranging for social and cultural functions and sight seeing.
  - (f) Raising funds for the Conference through registration fees, grants, donations, advertisements etc.
- vi) The expenses of the Conference shall be wholly by the Organising Committee and the Society shall not be responsible for any loss on account of holding the Conference. The Council shall render every possible assistance to the Organising Committee of the Conference. The Council may sanction an appropriate advance not exceeding Rs. 10,000/- for making the preliminary arrangement in connection with the Annual Conference. This amount will be placed at the disposal of the Organising Secretary of the Conference or the Secretary General of the Society and only be spent for this purpose. The funds of the Society will be reimbursed, as far as possible from the registration fee paid by the members at the time of the Annual Conference and any balance left from the funds raised by the local members.
- vii) All members attending the Conference shall pay a Registration fee to the Organising Committee, except Members of the Organising Committee and the President and Secretary General of the Society if the Organising Committee so decides.

13.6 Visitors – The following can attend the Conference as visitors:

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- i) Prominent public men who are specially invited by the Organising Committee to attend the Conference without payment of any fees.
  - ii) Medical persons and men and persons eligible for at least Associate Membership of the Society who wish to take part in Scientific session only as Special Visitors on payment of a fee to be determined by the Organising Committee.

### 13.7 Accompanying Persons:

Persons accompanying the registered delegates to the Conference may be registered as an Accompanying Person on the payment of a pre-determined registration fee. An Accompanying Persons' Programme may be drawn up for the benefit of registered Accompanying Persons.

### 13.8 Programme of the Conference: The programme of the Conference must include:

- a) *Inaugural Session*: Should include the addresses to be delivered by the Chairman of the Organising Committee, the President of the Society, the Vice President of the Society, remarks/ report by the Secretary-General of the Society, the Chief Guest's address, release of the souvenir etc. and vote of thanks by Organising Secretary and any other item decided by the Organising Committee with prior approval from the Council.
- b) *Scientific Session (s)*: Have to be planned and conducted by the Scientific Committee in the best and highest scientific tradition. These would be open to all Members and Visitors.
- c) *Annual General Meeting of the Society*: Open to all Members of the Society.
- d) *Medical and Scientific Exhibition*: Organised by the Organising Committee.
- e) *Cultural Programme*: Organised by the Organising Committee.

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## ARTICLE - XIV

### 14.0 Scientific Papers & Sessions

14.1 There shall be a standing 'Scientific Committee' of the Society to hold scientific meetings, symposia, workshops, continuing medical education programmes, and to further the scientific objectives of the Society.

14.2 This Scientific Committee shall consist of three - the President of the Society as its Chairman, the Editor, and the Secretary General, with power to co-opt members and delegate its function to co-opted member (s). The co-opted member(s) would have tenure for two years and would be Fellows of the Society who have made significant contribution of scientific merit to research, academics or the advancement of knowledge.

14.3 The Scientific Committee shall chose topics, themes, and subjects for the scientific activities including those at the Annual Conference, scrutinise scientific papers to be read/presented, select and invite speakers or experts to such meetings/conferences, and lay down the general guidelines and orientations of the sessions.

- a) Only those papers, which are read or are to be read at a scientific session of an Annual Conference, would be printed in the Society's Journal. Papers presented at other scientific proceedings of the Society may be published, if feasible, in the Journal, or as a monograph, or as proceedings of the meeting.
- b) For publication of any paper presented at the Conference, a copy of the same written in the manner prescribed by the Journal Committee and notified in the Journal under the heading "Instruction to Contributors" shall have to be submitted to the Editor. For all other proposed publications the Scientific Committee may lay down appropriate guidelines.
- c) If the acceptance or refusal for publication of a paper is not conveyed to the author within six months of its being sent to the Editor of the Indian Journal of Private Psychiatry or if it is not published within 18 months of its submission or presentation at

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the annual Conference of the Indian Association Of Private Psychiatry, the author will be free to publish it elsewhere after informing the Editor of the Indian Journal of Private Psychiatry.

## ARTICLE XV

### 15.0 Awards and Scholarships

15.1 The Society can enter into contract with individuals, institutions, commercial and other bodies to organise competition for prizes, fellowships, or bursaries to encourage research in Psychiatry and allied subjects, or for any other purpose in keeping with Society's aims and objects.

15.2 The Society may institute awards, fellowships and scholarships from special grants or endowments it may receive to encourage scientific activity, research, raise the level of clinical practice or for any other purpose in accordance with objects of the Society. Any award named after an individual or body would be named as "the name of the individual/body - (followed by) - Indian Association of Private Psychiatry Award/ Fellowship etc. - (followed by) - reason/ purpose of the Award."

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15.3 While accepting any grant, endowment or funds for an award or scholarship etc., the Council would ensure that the objects or the dignity and image of the Society is in no way compromised.

15.4 Any proposal for the institution of an Award, Fellowship, Scholarship, Prize or the like would be scrutinised by the Council and placed before the NAB who would then approve or reject it, based on its purpose, merits, feasibility, and need.

15.5 While accepting the proposal of an Award the Council and the NAB would ensure that the donor or the person instituting the award deposits a sufficiently large fund to make the Award feasible not only today, but in the future too.

15.6 The Society may set up a separate Awards Committee to judge, regulate and oversee the awarding of the Award, Scholarship, Prize etc. to the right person.

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## ARTICLE XVI

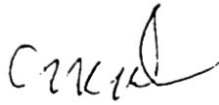
### 16.0 General

- 16.1 The headquarters of the Society shall at present be at New Delhi.
- 16.2 **Annual List of Office Bearers and members of Executive Council (Section 4 of Societies Registration Act (XXI) of 1860):** Once in every year a list of the Office Bearers and members of the Executive Council of the Society shall be filed with the Registrar of Societies, New Delhi as required under Section 4 of the Societies Registration Act 1860.
- 16.3 **Legal Proceedings (Section 6 of the Societies Registration Act 1860)**  
The society may sue or be sued in the name of the President / Secretary General as per provisions laid down under Section 6 of the Societies Registration Act 1860 as applicable to the National Capital Territory of Delhi.
- 16.4 **Amendments to the Memorandum of Association or Rules and Regulations (Section 12 and 12A of the Societies Registration Act 1860).**  
Any amendment in the Memorandum of Association or Rules and Regulations will be carried in out in accordance with procedure laid down under Section 12 and 12A of the Societies Registration Act 1860.
- 16.6 **Dissolution And Adjustments of Affairs (Section 13 & 14 of the Societies Registration Act 1860).**  
The Society would have perpetual succession by its name but if the Society needs to be dissolved it shall be dissolved as per the provisions laid down under Section 13 & 14 of the Societies Registration Act 1860.
- 16.7 If upon the dissolution of the Society, there shall remain after the satisfaction of its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Society but shall be given over to organisations with similar and comparable objects and purpose according to the decision of the National Advisory Board or, in default thereof, that of a competent Court.
- 16.8 **Contingency:** Any contingency not covered by these Rules and Regulations and Byelaws of the Society, may be decided upon by the Executive Committee and the National Advisory Board.

16 9 **Application of the Act**

All the provisions under all the Sections of the Societies Registration Act 1860, as applicable to the National Capital Territory of Delhi, shall apply to the Indian Association of Private Psychiatry

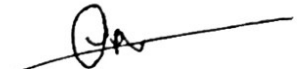
16 10 **Certified that this is the correct copy of the Rules & Regulations of the Society.**



Dr. A. K. Kala  
President



Dr. Sunil Mittal  
Secretary General



Dr. Rajesh Nagpal  
Treasurer



