
RULES & REGULATIONS OF HIMACHAL PRADESH OPHTHALMOLOGICAL SOCIETY

1. The Name of the Society, Himachal Pradesh Ophthalmological Society_

2. The Registered Office. Set no-6, Block- B. Correstophen Estate, Lakkar Bazaar, Shimla(H.P.)- 171001.

3. Area of operation State of Himachal Pradesh

4. MEMBERSHIP:-

No person shall be admitted to membership of the society except the following;

- a) An individual competent to contract under section 11 of Indian Contract Act, 1872 (9 of 1872).
- b) Such class or classes of persons or associations of persons as may be specified by the society.
- c) A person who has subscribed to the membership of the society by paying a subscription of Rs. 500/- for Associate Membership(Junior Residents in Medical Colleges)..
- d) An individual can become a life member with the approval of governing body and subsequent ratification by general body after paying life membership fees of Rs, 1500/-.

5. Re-Admission of the Member:-

Any member either expelled or removed by the Governing Body can be readmitted provided that the member concerned pays all dues up to the date of such re-admission and any penalty imposed upon him by the Governing Body.

6. Register of Member :-

The society shall maintain at its registered office or operating office a register of its members and shall record therein within fifteen days the admission, removal, expulsion and cessation of its membership. The following particulars may be mentioned therein –

Name, Address, Age and Occupation of the member

- (i) Name of proposer and seconds and date and amount of admission fee paid.
- (ii) The date of which the member has been admitted.
- (iii) The specimen signature of the members.
- (iv) The date on which the member has been removed, expelled or ceased to be the member and date of readmission.
- (v) Any other particulars as required from time to time may also be included therein as decided by the Governing Body. Provided further that all conditions imposed by the H.P. Societies Registration Act, 2006 shall be complied with by the Society.

(i) Rights and Duties of the Members –

All and every member of the Society shall –

- (i) Have one vote in every meeting of the General House.
- (ii) Be entitled to participate in the meetings minutes of proceedings of general meeting and the Register or members of society on any working day by giving reasonable notice but shall have no right to take extracts/notes of the same.
- (iii) Be bound by the rules and regulations, by-laws, instructions, directions and policy guideline which may be framed from time to time.
- (iv) Remain loyal to the Society and its Governing Body and the General Body.
- (v) Have right to take part in the election of the members of the society.

(ii) Cessation of Membership

- (a) A member ceases to be a member of the society, if he/she –
 - (i) Dies or becomes unsound mind, or declared as bankrupt.
 - (ii) is convicted by any court of law.

- (iii) willingly resigns from the membership.
- (iv) fails to attend three consecutive meetings of the general body of the society without leave of absence.

(b) If he/she does not pay annual subscription fee or fail to pay monthly installments of subscription fee as provided in clause 1 (c) and (d) of the bye-laws, the governing body of the society with the approval of general body shall remove such member from its membership after affording him/her opportunity of being heard.

(c) A member can be expelled from the membership of the society by the President on the advice of governing body subject to the subsequent approval of its general body for carrying out activates prejudicial to the interest of the society or harm/defame the regulation of the society after affording him/her opportunity of being heard.

(d) A member who has not paid full subscription as prescribed shall have no right to vote in the governing body/general boy of the society till such subscriptions are paid in full.

7. The Liability of Members to Fine & Forfeitures Under Certain Circumstance:-

Any member of the registered society, who steal, purloin, embezzle any money or other properties, or willfully and maliciously destroy or injure any property of the Society, or forge any deed, bond, security for money receipts or otherwise, or other instrument, whereby the funds of the Society may be exposed to loss or indulge in any unlawful, activity shall be subjected to the same prosecution as any other person who is not the Member of Society and shall be punished under Indian Penal Code and also shall be liable to indemnity the Society to the extent of loss sustained by it and other liabilities and persecutions as laid down under the provision of Section 25 of the H.P. Registration of Societies Act, 2006.

Whenever any bye-laws duly made in accordance with the regulations of the Society, any pecuniary penalty is imposed for the breach of any regulation of by-laws of the Society, such penalty, when accrued, may be recovered in any Court of law having proper jurisdiction which is situated where the defendant resides or where the office of Society is situated, as the Governing Body thereof shall deem fit an dependent and as provision laid down under Section 26 of the H.P. Societies Registration Act, 2006.

8. Meetings of The Society: -

- (a) The meetings of governing body of the society shall be held at least once in three months. The society shall at least send 15 days notice for such meeting to its members along with agenda notes.
- (b) The meetings of the governing body can be called at any time by the President or General Secretary and on request signed by at least one third members of the governing body.
- (c) The President however, may call an emergency meetings, at any time in case of emergency situation in the interest of the society duly informing all members of the governing body.
- (d) The meetings of the general body shall be held at least once in a financial year in accordance with the provisions of Himachal Pradesh Societies Registration Act, 2006.
- (e) A special General meetings can be called at any time by the President or on a requisition containing the proposed agenda and reasons for such meetings in writing of one fifth of the members of society or at the instance of Registrar of the societies.
 - (i) **Convening Special Meetings –**

A special meetings of the General Body shall be convened by the General Secretary of the Governing Body with the prior approval of the President and on

the receipt of the requisition made by at least one-fifth of the members of the Society or whenever the President/Governing Body thinks it fit. the requisition should reach the General Secretary at least 30 days before the date of the meeting and the General Secretary, after approval from the President/Governing Body, however, may call a special meeting of General Body at as short of notice as deem necessary by him.

(ii) Recording of proceedings of meeting -

The proceedings of every meeting of the Governing Body will be duly recorded by the General Secretary in a book under the signature of President and General Secretary of the society.

9. Quorum & Notice of Meetings:-

- (a) The quorum of the governing body meetings shall be at least two third of its members.
- (b) The quorum for the general body meeting shall be more than one half of its total number of members.
- (c) The society shall at least send 15 days notice for such meetings to its members along with agenda notes. Meetings may be called by serving notice through regular mail, e-mail, fax or any other mode of communication available.

10. The Manner of Making, Altering & Rescinding Regulations:-

No, proposal for the amendment in the memorandum of Association or regulation thereto shall be done, if such provision have not been approved by a majority of three-fifth Members present in the general meetings called specially for such purpose and as per provision laid down under Section-9 of the H.P. Societies Registration Act, 2006.

11. Management of The Society:-

a) General Body

The General Body of the society shall consist of all type of members and the meeting of such body shall be held once in a year. The following business shall be transacted in the annual General Meeting of the Society and decisions shall be taken by majority of votes-

- (i) To receive, consider and adopt and annual report of the Governing Body on the working and affairs of the society in the preceding financial year; and
- (ii) To receive, consider and adopt the Annual Audited Account for the proceedings- financial year along with the Audit Report thereon; and
- (iii) To elect members of the Governing Body and announce result; and
- (iv) to appoint auditors and fix their remuneration;
- (v) To consider any other business with permission of the President including consideration of Annual Budge, Constitution and appointment of standing sub- committee approval of any excess in expenditure over the sanctioned budget of the year, consideration of the schemes, polices and annual plane prepared by the Governing Body for the ensuring year and and amendments in the constitution of the society.

b) Governing Body

- (i) The society shall elect a governing body, consisting of at least three members, by resolution passed by a majority of the present and entitled to vote at an annual general body meeting of the society held in accordance with its bye-laws and provisions of Himachal Pradesh Societies Registration Act, 2006.
- (ii) The General Body of the society may increase the number of governing body members as per requirement from time to time and as specified in these byelaws.

- (iii) The terms of the governing body or its members so elected shall be three years.
- (iv) Initially the constitution of the governing body shall be as under –
 - a. President
 - b. General Secretary
 - c. Treasurer
 - d. Chairman Scientific Committee-cum-Editor
 - e. Executive Member-Five
- (v) The governing body shall be vested with the management of the society and shall exercise such powers and perform such functions as may be imposed or conferred by these bye-laws or the Himachal Pradesh Societies Registration Act, 2006.
- (vi) The members of the governing body shall be eligible for re-election.

12. Disqualification for Governing Body:-

A person shall be disqualified for being a member of the governing body on the date of election, if he/she.

- (a) is disqualified for such appointment by an order of a court or Registration for causing loss to the society or retaining property or for any other reason detrimental to the interest of society, or
- (b) Is in arrears of prescribed subscription fee and a period of 45 days is over after delivering notice to such members to such effect.
- (c) Has been convicted of a cognizable offence and sentenced to a term exceeding three months, or
- (d) Has incurred any of the disqualifications in any be prescribed by the general body.

13. Powers & Functions of the Governing Body:-

- (i) To admit new members and to remove or expel existing members subject to approval of general body.
- (ii) To raise funds as per provision of its bye-laws and Himachal Pradesh Societies Registration Act, 2006.
- (iii) To invest funds for furtherance of the objectives of the society.
- (iv) To appoint salaried or non-salaried officers for the conduct of working of the society in accordance with the rules framed by society for the purpose and to define their duties.
- (v) To institute, defend, or compromise legal proceedings etc. subject to approval of general body
- (vi) To dispose of applications of membership.
- (vii) To maintain true accounts of money received and expended, and accounts of the assets and liabilities.
- (viii) To prepare for submissions to the annual general meeting –
 - (a) Balance Sheet
 - (b) Receipt and disbursement statement.
 - (c) Details of movable and immovable property acquired by the society.
 - (d) Details of money received and source thereof and money expended and the object or purpose for which sums/money are expended.
 - (e) Prepare annual budget and annual report of the society for approval.
 - (f) Amendment of bye-laws if any and annual work programme for approval.
- (ix) To prepare statements of accounts required at audit and place them before the auditors.
- (x) To prepare and submit all statements and returns required by Registrar in such form as required.
- (xi) To maintain register of members up to date.

- (xii) To facilitate inspection of books and audit of accounts of the society by those entitled to inspect/audit them.
- (xiii) To convene annual general meeting in due times.
- (xiv) To examine and take prompt action in case of all arrears and defaults of the society.
- (xv) In general to carry out the management of the society in accordance with its byelaws.

14. OFFICERS OF THE SOCIETY:-

PRESIDENT

- (i) To preside over the periodical/quarterly meetings of the governing body/ general body of the society and to exercise general supervision over the activities of the society and to regulate the proceedings of the meeting to set-out the aims and objectives of the society and shall also permit for discussion, if necessary, any other subject items moved before him by the members.
- (ii) He shall be treated the 'Head of Society' and shall decide any matters by casting his decisive vote in case of tie. The President shall convene Meeting of the Society in the event of resignation, insolvency or insanity of any Officer/ Bearer/ Member within the period of a week of all or 2/3rd Members of the society along with all other Executives of the Society shall also be invited for the meeting.
- (iii) He shall give necessary directions and instructions to the General Secretary and Treasurer for the proper and smooth working, management, supervision and administration of the society.
- (iv) He may authorize for the expenditure up to 10,000/- (Rupees Ten Thousand only) for social benefits/activities and the expenditure so incurred should be got approved by the Society at its next meeting and the receipt of such expenditure must be present in the meeting for the record of society.
- (v) He shall keep copies of all official records and documents related to the members of the society and the copies of all other important records and documents of the society.

(vi) If, in the opinion of the President, and emergency has arisen which require immediate action, he can take such action as he deems fit and necessary, and inform the same to the members of the Governing Body and get it ratified in the next meeting in the due course.

GENERAL SECRETARY

- (i) The General Secretary shall be overall In-charge of entire administrative records of the society and carry out the all correspondence of the Society.
- (ii) He/ She shall administer the affairs of the Society in consultation with the President.
- (iii) He/ She shall convene and arrange the all-periodical and other meetings of the society in consultation with the President.
- (iv) He/ She shall prepare and present the Annual Report together with audited statements of the Accounts of the Society before the General Body meeting of the Society.
- (v) He/ She shall maintain a register containing the names and addresses of all the Members of the Society, issue notice of the meeting in consultation with the President and record the minutes of the meeting. He will be responsible for assigning the work of all activities of the Society and shall conduct correspondence on the behalf of the Society.
- (vi) He/ She has authority to incur expenditure not exceeding Rs. 5,000/- (Rupees Five Thousand Only) in accordance with the regulation of the Society, such expenditure should be reported in the next meeting of the Society for its approval
- (vii) To submit a report pertaining to the working of the Society for the preceding year at the annual General Meeting and execute contracts on behalf of the Society as and when authorised to do so by the Governing Body.
- (viii) To keep and maintain all records (excluding cash transactions and accounts) and perform all correspondence on the behalf of Society.

TREASURER

The Treasurer shall be over all In charge of the cash transactions and accounts of the Society.

- (i) He/ She shall be responsible for the proper maintenance of the Accounts of the Society i.e. prepare and finalize the Annual Statement of accounts at the end of every financial year and submit it in the annual general body meeting of the society after its approval from the society and duly audited (along with the Auditor's report and comments thereof, if any)
- (ii) To keep and update the accounts of the Society on regular basis pertaining all transactions of money received and paid; and he shall be responsible for the proper maintenance of the accounts of the society and for this purpose he shall record all the receipts/payments of income and expenditure regularly in the cash book and shall place it before the governing body of the society in its next meeting.
- (iii) Shall deal with the Bank(s) and all the financial institutions according to the directions of the governing body of the society.
- (iv) Shall be responsible for making all the collections, receipts of cash/cheque from members of society as subscription/ registration fee, fines penalties and other payments and receipts of any other financial and non-financial assistance from the Centre or State Government/ N.G.O. / National or International Agencies/ Bank/ Company and any other legal entity or individual and issue receipts thereof on the behalf of the Society.
- (v) The Treasurer may keep cash in hand as prescribed by the Governing Body of the Society and deposit the remaining or surplus amount in the bank.

15. THE APPOINTMENT AND REMOVAL OF STAFF OF SOCIETY:-

All persons who are paid out of funds of the society, regular, or part time/contractual/target based or any other salaried person shall be the employee of the Society. Such rules, instructions, and guidelines as are issued by the Society or Governing Body or the President from time to time shall govern them. The Governing Body, may appoint such administrative, technical, ministerial or any kind of staff as is required to run the office or offices or other establishments run under or by the Society and to fix such term and conditions of service including pay, allowances benefits etc. as is determined either by regulations, instructions, guidelines or other appropriate way as well the classification, control, conduct and appeal mechanism of the employees from time to time. Provided that the normal age of superannuation of the staff is fifty eight years but President, in the interest of the Society, and with the approval of General Body, may grant extension in service to deserving employees from time to time as considered necessary and appropriate to her/ him. No extension shall be granted to any employee beyond the age of 60 years. Provided further that the President may delegate his/ her all or specific powers to such such officers of the Society, for the control of the administration of the staff, as deems fit. The competence of removal of staff and officers shall vest in the governing body after affording adequate opportunity of being heard, on the following grounds if he/ she is found guilty-

- (i) For misconduct, violation of the Rules and Regulations and misappropriation/ embezzlement of funds/ properties of the society.
- (ii) On conviction for a cognizable offence and sentenced to a term exceeding 3 months.
- (iii) For in-discipline and breach of trust etc.

16. ELECTION:-

- (i) The general house shall elect the office bearers of the Governing Body in its Annual General Meeting once in every three years.
- (ii) The General Body shall elect the following office bearers who shall constitute the Governing Body.

President

General Secretary

Treasurer

Chairman Scientific Committee Cum-Editor

Executive Members Five

If the meeting of the General Body is not held to elect the office bearers, the Office, Bearers, earlier elected, shall continue till such time the election are duly held.

Every member, including founder member nominees of the Society, shall have one vote at the meeting to elect the office bearers except honorary, nominated and associate members who have no right to vote.

- (iii) Every member desiring to be elected as the office bearers shall make an application, to the General Secretary in writing and in the prescribed Performa. The candidature of the candidate shall be proposed by at least two founders, life or ordinary members of the society, who have eligibility to caste, vote in the General Body.

- (iv) The general Secretary shall scrutinize the application as per eligibility of the member and if the applicant found eligible the same will be notified as candidate for the post he/she is contesting after consultation with the President.
- (v) The election will be held by simple majority and in case of equality of the votes, the President shall have additional casting vote.
- (vi) The result of the election will be declared in the meeting by the President.
- (vii) The schedule to the election shall be notified by the General Secretary with the approval of the President.
- (viii) All application for candidature for office bearers of the General Body shall be made within 10 days of the schedule of election notified by the General Secretary and candidate may withdraw his candidature within 7 days after the scrutiny of names and its Notification by the General Secretary.
- (ix) The election to elect office bearers shall be thereafter held in the annual meeting of the Society called every three years.
- (x) No member shall be allowed to vote, who is in arrears of the society dues or who has been expelled, suspended or removed from the membership of the Society or debarred to caste vote elsewhere under these regulations.
- (xi) The election may be held either through secret ballot or by voice in the meeting of the Society.
- (xii) The President of the Governing Body may appoint a Returning officers for the conduct of the election. On appointment such Returning Officer shall carry out the election process of election.

- (xiii) The result of the election shall be announced by the returning officer so appointed by the President.
- (xiv) All election documents shall be preserved for six months by the General Secretary.
- (xv) The office bearers of the Governing Body so elected shall also be the office bearers of the General Body.
- (xvi) If, an account of any ineligibility or proven misbehavior or misconduct, 3/4th members, present in the annual general meeting of the Society pass resolution for the removal of the President or the General Secretary or any office bearer such President or the General Secretary or office bearer shall stand removed from their respective office with immediate effect.
- (xvii) The decision of the President, as to the procedure of the Society, the Annual General Meeting and the election meeting shall be final unless attended by 3/4th members present in the meeting.
- (xviii) All proceedings shall be duly recorded and signed by the President and General Secretary.

17. The Functions, Powers and Duties of the President:-

The functions, powers and duties of the President are as follow –

- (i) The President of the Society shall be the President of the Governing Body, who shall act as the Chief executive Officer of the Society and will be assisted by a Governing Body and such staff appointed for the purpose to discharge his administrative and financial functions.

- (ii) Subject to the regulation and the general control and supervision of the General Body and the Governing Body, the entire executive, administrative and financial authority to manage the affairs of the Society shall vest in the President.
- (iii) To preside at all the meetings of the General Body and the Governing Body and of all other committees and sub-committees of which she/he is a members, to take votes, to declare the result of voting, to determine the order in which the several proposal should be laid before General Body / Governing Body and generally to supervise the conduct of business.
- (iv) To countersign cheques issued by the General Secretary/ Treasurer or other authorized offices of the Society.
- (v) The control, Supervise, Advise and direct all establishment belonging to the Society and Departments under the control of the Society.
- (vi) To carry out day-to-day administration and all affairs of the society.
- (vii) To appoint temporarily one or more of the life members of the Society to act for him, or to delegate all or any functions performed by him to such persons (s). The President may co-opt General Secretary. Executive members to function for the Society and determine their status and terms of reference.
- (viii) To take upon herself/himself the duties of the absentees.
- (ix) To great such scholarship awards, honours and commendation as she/he is empowered to do by the condition of the award.
- (x) To suspend or to fine, take suitable action against any member of the ministerial or officer staff of the Society as prescribed from time to time, being appointing authority of the Society.
- (xi) To perform such other functions duties as may, from time to time, be entrusted to him by the Society / Governing Body.
- (xii) To sanction all expenditure within the budget or as per designation by the Governing Body not covered by the sanctioned budget.

- (xiii) The President may, in consultation with General Secretary and in anticipation of the approval of the Governing Body, incur/sanction all or any such expenditure in case of urgency or otherwise, not covered by the sanctioned budget.
- (xiv) In case of office bearers leaving the station or otherwise being unable to attend to her/his work. The President will make necessary arrangements for the performance of her/his duties, till the return of the office-bearer or till the next meeting of the Governing Body.
- (xv) In addition to powers mentioned above, the Governing Body, may by rules, guidelines, instructions etc. delegate additional powers to the President, who may make such further delegation, if considered necessary, to any office bearer/Head of the delegation, if considered necessary, by her/him.
- (xvi) The decision of the President on any question relating to the conduct of business at any meeting shall be final unless it is dissented from by 3/4th of the members present at the meeting. But votes shall not be taken on any such questions by the President unless a prior requisition is made in writing by at least five members present for such voting.

18. Funds:-

The President/ Governing Body shall have full power of supervision and control over the receipts and expenditures, and entire funds of the society shall be used body and only the purpose of the aims and object of the society. The society shall generate funds by way of raiding loans from the banks, receiving donations, gifts, membership fee/subscription fee and grant-in-aids from the Central Government or State Government, individuals, organizations, institutions, agencies, companies etc. The surplus funds of the society may be invested in the nationalized banks, Govt. departments/corporations or statutory bodies as per decision of the governing body and subsequent approval of the general body.

The Finances of the society shall be kept under

1. Reserved Fund, All life membership subscription shall go to the reserve fund only the interest from it can be transferred to general account. Any other income or donation may be added to this fund at the discretion of managing committee with the approval of General Body.
2. General Account, It will include all the receipts of the society other than the life membership subscription and any specific income or donation for the reserve fund 20% of the stall charges will go to this account. Money from this account can be withdrawn for publication of journal. Both the accounts will be maintained by the Treasurer.

19. Banking Operations:-

The society shall open its saving account in some nationalized or cooperative bank and such bank account shall be operated under the joint signatures of any two of the following: -

1. President
2. General Secretary
3. Treasurer

20. Accounts & Audit:-

- (a) The financial year of the Society shall start from 1st day of April to 31st day of March of the following year.
- (b) An auditor appointed by the President / Governing Body shall audit the accounts of the Society and subordinate offices at least once in a year.
- (c) Chartered Accountant appointed by the President and approved by General Body meeting will do auditing of accounts. The report shall be submitted to the Registrar Cooperative Societies within a period of 15 days of the audit.

21. Matters To Be Provided By – Laws:-

Society shall, deliver a copy of its by-laws, to each member of the Society at the time of admission and as per provision laid down in Section 17 of the H.P. Societies. Registration Act, 2006. All the account book shall be maintained by the society as per requirement of the Act.

22. Property:-

The property, moveable or immovable, belonging to the society shall be deemed to be vested in the general body by their proper title. No immovable property shall be acquired or transferred by way of sale, gift or otherwise without the previous approval of general house and such information shall be passed on and got recorded with the Registrar within a period of 15 days.

23. Dissolution:-

The 3/5th members may by a special resolution determine that the society shall be dissolved of and thereupon, with prior intimation to the Registrar of Societies, H.P, it shall be dissolved at the time specified in the resolution. The society dissolved under section-44 any property what so ever remaining after satisfaction of all its debts and liabilities shall be given to government to be utilized in the event of cancellation of the registration of society, All the moveable and immovable assets of society or its institutions or centers shall vest in the State Govt to the extent of assistance grant, aid or donation may have received from central or State Govt.

24. Legal Proceeding:-

The society may sue or be sued in the name of the President or the General Secretary as the case may be and determined and appointed by the governing body.

25. Application of the Act

All the provisions of the Himachal Pradesh societies Registration Act 2006 shall be applicable to the society.

It is certified that this is the true copy of the rules and regulations of the society namely Janjatiya Yuva Manch, Himachal Pradesh which have been adopted by all the promoters members and is in safe custody of the General Secretary of the society.

President

General Secretary

Treasurer

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