

RULES AND REGULATIONS

Name of the Association : FEDERATION OF FORMEDEX ASSOCIATES

Address of the Association : No.59, 2nd Cross Street, Saraswathi garden,
(Near East Facing Street), Nainarmandapam,
Puducherry – 605 004.

1. SHORT TITLE:

These rules and regulations may be called Federation of Formedex Associates Rules and Regulations.

2. INTERPRETATION:

- i. "Federation" means Federation of Formedex Associates
- ii. Formedex means experts in Forensic Medicine & Toxicology;
- iii. "Associates" includes all faculty/teaching specialist, consultant, senior residents and postgraduate junior residents in the field of forensic medicine and toxicology;
- iv. "Central Executive" means Central Executive of the Federation;
- v. "President" means President of the Central Executive;
- vi. "Secretary" means General Secretary of the Central Executive;
- vii. "Member" means Member of the Federation
- viii. "General Body" means General Body of the Federation.

3. (a) OFFICE:

The Office of the Federation will be located at, it shall also be its official address.

(b) WORKING HOURS:

Subject to control of the Central Executive, the working hours of the Federation shall be prescribed by the secretary as per requirements.

4. AUTHORITIES OF THE FEDERATION:

The following shall be the authorities of the Federation, namely;

- (i) The Central Executive and
- (ii) Such other committee or committees as may be appointed by the Central Executive by resolution passed from time to time, specifying their duties, power and functions.

5. CENTRAL EXECUTIVE:

1. There shall be a Central Executive consisting of following office bearers:

- a) President
- b) Vice President
- c) General Secretary
- d) Joint Secretary
- e) Treasurer
- f) Registrar
- g) Spokesperson

6. MEMBERS:

There shall be two class of members ordinary members, advisory members and honorary members. Only persons duly qualified, as advocates, auditors or accountants shall be eligible for Honorary Membership.

7. ELIGIBILITY:

Any persons who have faith in the aims and objectives and programmes of the Federation and who attain the age of 18 years and who are the FMT experts and doctors of INDIAN HEALTH INSTITUTES are eligible to be the members of the Federation.

- o Admission fee for a new member is Rs. 500/-
- o Every member should pay Rs.500/-per year as subscription. (subscription fee subject to changes based on the needs and analysis after a resolution)

8. ENROLLMENT AND ELECTION OF MEMBERS:

1. Subject to the approval by the Central executive, any member who is a Junior resident or Senior Resident in INDIAN HEALTH INSTITUTES or, any person or institution who is actively interested in the objects of the Federation may become a member of the Federation on an application made in this behalf. Provided, that any person as member shall be entirely at the discretion of the Central Executive and no applicant can claim admission as member as a matter of right.

2. The Central Executive may co-opt as members, the representatives of other organizations or institutions, which may be concerned with the work or programme of the Federation and individuals with special knowledge or interest in such work or programmes;

Provided that:

- a) The members appointed by virtue of their office shall cease to be members when they cease to hold such office; and
- b) An individual member shall cease to hold office if he resigns or becomes of unsound mind or is adjudged as insolvent or is convicted of a criminal offence involving moral turpitude.

3. The Central Executive is empowered to remove any member from the membership of the Federation if it, or he or she indulges in any activity adverse to the interest of the

Federation or contrary to the rules or bye-laws of the Federation in which case the majority decision of the Central Executive shall be final and binding.

4. All the office bearers will be elected directly by and from amongst the General Body as explained in Point No.9 of Rule No.5, by a simple majority vote of all the members of the General Body attending the election, in accordance with this Constitution and the rules framed there under.

5. All the office-bearers of the Federation will function within the frame work of the policies approved by the General Body and enshrined in the constitution. Delegation of powers, if any, to the office bearers will have to be specifically provided for by a resolution of the appropriate council or committee for a specific duration of time but not exceeding one month.

6. All the office-bearers of the Federation shall be responsible to the rest of the central Executive and will function strictly in accordance with the provisions of this Constitution.

7. The office-bearers of the Federation shall be responsible for the smooth and orderly functioning of the Federation.

A. To be elected as an office bearer the candidate should fulfill following requirements:

- i) Is a member of the General Body
- ii) Is likely in all possibilities to continue his course in the respective department for at least another year from his election.
- iii) Should not meet any of the disqualification clauses as stated below

He/she has been convicted of a criminal offence including moral turpitude, or he/she has been punished by the University/College for an act which is coercive in nature and constitutes a threat to life and property.

He/she has been found guilty of and punished for the use of unfair means in any examination of a University or Board. (A mere warning issued against a resident will not be deemed to be a punishment for the purpose of this clause)

B. In the absence of President or when there is a vacancy in the office of the President, the Vice-President and in the absence of both the President and Vice-President, the members of the Central Executive who are present shall nominate a President to discharge the functions of the President.

C. Every applicant admitted to membership shall, within 15 days of his election, as member pay the prescribed admission fee and also monthly subscription payable for the time being and from time to time.

D. The admission, fee and the subscription or any part thereof once paid shall not be refundable under any circumstance.

E. On election of an applicant as member, the member, his nominee member or alternative member shall be bound by the rules and regulations of the Federation in force for the time being and from time to time. Every member shall be entitled to receive a copy of the Rules and Regulations on payment of the prescribed fee, if any.

F. No application shall be enrolled as member of the Federation or shall exercise any of the rights or privileges of membership until he has paid the admission fee and has been duly elected as a member.

G. The subscription shall be payable before the commencement of the July month or 15 days from the date of admission to membership.

H. Every member of the Federation shall pay such subscription at such rates as may be recommended from time to time by the committee and approved by the members at General Meeting.

I. A member shall not be entitled to exercise any of the right or privileges of membership if his subscription is in arrears for more than six months.

J. A member who fails to pay his subscription for a period of three months after it has become payable, shall cease to be a member of the Federation and his name shall be removed from the Register of members; provided that the committee may for good cause show for such non-payment of subscription in arrears revoke the cancellation of membership and order the name of such member to be reinstated in the member's Register.

K. Subscription in arrears shall be treated as a debt due to the Federation and recoverable by the Federation.

9. EXECUTIVE COMMITTEE:

The Executive shall carryout the following activities and the decision of the Executive Committee shall be final in the following matters:

- A. Admission of New Members
- B. Fixing of the Expenses limit to various activities & finalization of annual Budget.
- C. Fixing and revision of Membership fees.
- D. Decisions regarding the change of Bye-Laws of the Federation.
- E. Mediating & solving the problems of the Members of the Federation.
- F. Creation of Permanent Funds for the Development of the Federation.
- G. Decision to spend the funds of the Federation for carrying out Social service Activities.

10. MEETINGS:

1. The General Body will meet as often as may be necessary, but at least once in 6 months, while the Central Executive will have to meet mandatorily at least once in 3 months

2. The meetings of the General Body or the Central Executive will be convened by the Secretary or President of the Federation by giving at least 7 days' notice.

3. An emergency meeting of the General Body, however be convened by giving at least 24 hours' notice.

4. All the meetings of the General Body or the Central Executive shall be held at a pre decided convenient venue.

5. An agenda for General Body meetings will be issued along with the notice of the meeting except in the case of an emergency meeting.

6. The notice of a General Body meeting and a copy of the agenda (except for an emergency meeting) for the meeting will be duly served on all the members; the notice of the meeting would be served as under:

- (a) By emails or phone calls to respective members.
- (b) By notices put up on notice boards at various places in the institute and residential hostels.

7. Any accidental omission to give notice to or the non-receipt of notice by any member or other person to whom it should be given shall not invalidate the proceedings of the meeting.

8. The Central Executive may also hold extra-ordinary meetings whenever the President thinks it necessary to convene or whenever a requisition in this behalf is made in writing by members of the Federation.

9. The following business shall be transacted at the meetings

- a) Confirmation of the minutes of the previous General Body Meetings;
- b) Consideration and approval of the annual report on the management of the federation for the preceding year together with an audited copy of the balance sheet, income and expenditure statement and the audited report;
- c) Appointment of auditors;
- d) Consideration of any matter or matters that may be brought before it with the permission of the President;

11. QUORUM:

In all ordinary as well as emergency meetings of the Central Executive, one third of the total membership will constitute the quorum. In the case of meetings of the General Body, one-tenth of the total membership will constitute the quorum.

12. FUNCTIONS OF THE OFFICE BEARERS OF THE FEDERATION:

- 1) (i) The General Secretary of the Federation will be the Chief Executive Head of the Federation and will function in all matters relating to the Federation in accordance with this Constitution.
- (ii) The General Secretary of the Federation will act in consultation with the President and will function in all matters relating to the Federation in accordance with this Constitution.
- (iii) In the absence of the President, the Vice-President of the Federation will perform all the function of the President in accordance with this Constitution.
- (iv) The Junior Resident, Senior Resident and Intern representatives will aid in the general functioning of the Federation.
- 2 (i) The President of the Federation shall preside at the meetings of the Central Executive and it shall be his / her duty to conduct these meetings in an orderly and peaceful manner in accordance with this Constitution.
- (ii) It shall be the duty of the Joint Secretary of the Federation to prepare the minutes of all the meetings of the Central Executive and to keep the records of these meetings properly and in safe custody.
- (iii) The Joint Secretary of the Federation will also carry on correspondence on behalf of the Federation and will keep and maintain all records.
- (iv) The Deputy General Secretary, in the absence of General secretary, will carry out the functions and execute the duties of General Secretary, either at the

intimation by the General secretary in any forms or on emergency basis either by intimating the General Secretary or central executive, subject to exigencies.

(v) The Deputy Finance Secretary, in the absence of Finance secretary, will carry out the functions and execute the duties, either at the intimation by the Finance secretary in any forms or on emergency basis either by intimating the Finance Secretary or central executive, subject to exigencies.

(vi) The Deputy Recreational & Sports Secretary, in the absence of General secretary, will carry out the functions and execute the duties, either at the intimation by the General secretary in any forms or on emergency basis either by intimating the Recreational & sports secretary or central executive, subject to exigencies.

3) With a view to promote all the objects specified in the Constitution of the Federation, the Central Executive may:

- i. Maintain and carry on the administration and management of federation and to allocate funds for the purpose;
- ii. Make subsidiary rules and bye-laws as and when deemed necessary for the management of the Federation and for the incidental purpose of the objects of the Federation.
- iii. Create administrative, technical, ministerial and other posts in the Federation and made appointments thereto;
- iv. Acquire and dispose of moveable and immovable properties;
- v. Invest and deal with the funds and moneys entrusted or endowed to the Federation in such manner as may from time to time, be determined by the Central Executive;
- vi. Construct buildings and structures of whatever nature or kind as are found to be necessary or expedient and to demolish, alter, repair, renovate, improve, extend,

develop and buildings or parts of them in furtherance of the objects of the Federation;

- vii. Apply for, receive, accept and utilize any Government or other grants, aids and / or other allowances in connection with the works and activities conducted and properties held by the Federation, and to deal with the same in accordance with the terms and conditions thereof, to execute such documents therefore over all or any of the properties of the Federation as may be required.
- viii. Receive, accept, hold, expend charge and receive from the members of the Federation such sums, whether by way of fees, contribution and the like as may be prescribed by the Central Executive from time to time and administer and use any gift, bequest, grant, donation or foundation, in kind or in money or any other property as authorized by law;
- ix. Open, operate, jointly or separately, accounts of any description with any recognized or scheduled banks on such terms and in such manner as the Central Executive may deem fit in respect of the funds belonging to the Federation;
- x. Appoint/hire services or discharge/terminate services of the personnel and to pay them in return for the services rendered to the Federation, salaries, wages, gratuities, provident funds, pension or other allowance or remuneration in accordance with the rules and regulations and bye-laws of the Federation;
- xi. Frame such rules and regulations and bye-laws for the conduct of the business of the Federation for the achievement of the objects of the Federation as aforesaid;
- xii. Appoint and engage a qualified auditor to audit the accounts of the Federation as approved by the Central Executive and to pay him such remuneration as the nature of the work warrants;

- xiii. Constitute such committee or committees as it may deem fit for the disposal of any business of the Federation or for tendering advice in any matter pertaining to the Federation;
- xiv. Delegate any of its powers to any other committee or committees constituted by it; and
- xv. Do all such lawful acts and things either alone or in conjunction with other organizations or persons as the Central Executive may consider necessary incidental or conducive to any or all of the objects.

13. COMMITTEES:

- 1) The Central Executive may provide for committees consisting of members and non-members for any purpose it considers necessary on such terms as it may fix.
- 2) The Central Executive may make bye-laws from time to time regulating the functions of the committee and also the procedure that shall be followed by them in conducting their business.
- 3) Casual vacancies in the committees may be filled up by the President of the Central Executive by nomination and the President of a committee may also co-opt any member as and when necessary.
- 4) Save as otherwise provided by the Central Executive and the bye-laws, all committees shall be advisory bodies to the Central Executive and shall function subject to the control of the Central Executive.

14. BUDGET AND ACCOUNTS:

A meeting of the Central Executive will be held not later than 2 months within its formation and the budget estimates shall be presented before the General Body for their consideration.

15. FUNDS:

- 1) Every member of Federation shall pay Rupee 500/- (ref.) as annual subscription to Federation funds which will be collected by designated members at the time of joining the Federation and yearly thereafter.
- 2) A provision to collect funds for a planned activity/event/ contingency can be made, if a resolution to this effect is passed by two thirds majority of members attending the given meeting. Such collection will be voluntary and the amount per member shall depend on members will and ability to pay.
- 3) Funds of the Federation will be utilized for the welfare of the residents and towards meeting the expenses of the Federation incurred in the exercise of its powers and discharge of its functions in accordance with the approved budget.
- 4) All expenses out of the Federation fund will be incurred in accordance with the rules made in this regard.
- 5) The Treasurer will regulate the disbursement of Federation funds in accordance with the rules framed in this regard from time to time.
- 6) All moneys credited to the fund shall be deposited in such banks or invested in such manner as the Central Executive may decide
- 7) The investments of the Federation shall be made in accordance with the provisions of section 11 (5) read with section 13(d) of the Income Tax, 1961.
- 8) The income and funds of the Federation will solely be utilized towards the objects cited and no portion will be utilized for the payment to the members/office bearers by way of profit/ dividend/interest etc.,
- 9) The Accounts of the Federation shall be subject to audit by a Chartered Accountant appointed by the Central Executive. The Accounts of Federation will be audited at least once a year.

- 10) Unspent balance of the Federation funds of a year, if any, will be credited to a special fund of the Federation. The money under this fund may be spent for resident welfare purposes as decided in a Central Executive Meeting.

16. PROPERTIES OF THE FEDERATION:

- 1) The Federation shall be the owner of all its properties, movable or immovable.
- 2) The Central Executive shall be the custodian of the properties and funds of the Federation and shall manage the same prudently for the purpose of the Federation.
- 3) The moneys of the Federation shall be credited to an account opened in the name of the Federation with any of the nationalized banks and withdrawals there from shall only be by cheques signed by the President or Treasurer.

17. AMENDMENT OF THE CONSTITUTION:

A provision of this Constitution may also be amended if such amendment is agreed to and passed by a majority of the total membership of the Central Executive at the beginning of the year and by a majority of not less than two-third of the members of the General Body present and voting in a meeting specially called for this purpose by giving at least one month notice in advance.

18. REGISTER OF MEMBERS:

The Central Executive shall maintain a register wherein the phone numbers, addresses and email addresses of all members shall be entered.

19. AUTHENTICATION OF ORDERS:

All orders and decisions of the Central Executive shall be authenticated by the Secretary

For the purpose of section 6 of the Societies Registration Act, 1860, the person by whose name the Federation may sue or be sued shall be the Secretary.

20. OFFICIAL YEAR AND TENURE:

1. The official year of the Federation will be from January 1 of every year to the 31th of December of the following year
2. The election of the office-bearers should be completed at the latest by the 15th of December every fifth year
3. The Central Executive, the sub-committees, if any, and the office-bearers of the Federation will not remain in office beyond a term lasting 5 years.
4. An office-bearer of the Federation or a member of the Central Executive may in writing, addressed and delivered to the president resign his office before the expire of the term, in which case a by election for the post shall be conducted.
5. In the event of dissolution of the Federation, the assets remaining as on the date of dissolution shall under no circumstances be distributed among members of the Federation but the same shall be transferred to another Federation whose objects are similar to those of the Federation.

21. IRREVOCABILITY:

The formation of the Federation is irrevocable except by the procedure provided in Regulation 20(5) above.

22. OFFICE BEARERS, AUDITORS AND LEGAL ADVISOR:

a) The Committee may appoint any person as the staff of the Federation and fix their remuneration and define then powers and duties and delegate to them such function as it may deem desirable or expedient. The Committee shall also engage the services of duly qualified auditor and legal Advisor on such terms as it thinks fit.

b) The General Secretary shall function in accordance with the supervision and under the supervision and control of the Committee.

23. VOTE OF MEMBERS:

Each member entitled to vote present in person or by proxy, shall have one vote.

24. MINUTES:

The Committee shall cause minutes of meetings of the Federation and Committee and any sub-committee thereof to be duly entered in books provided for the purpose. The minutes shall contain a fair and correct summary of the proceedings at the meeting including the following:

- a) The names of the Members and Alternate Members of the Committee present at the Meetings of the Committee.
- b) All orders made by the Committee.
- c) All resolutions and proceedings of the General Body Meetings and of the Meetings of the Committee.

Any such minutes of any such meetings of the Committee or of the Federation or of the sub-committee if purported to be signed by the President of such meeting or by the President of the next succeeding meeting, shall be prima-facie evidence of the actual passing of the resolution recorded and the actual passing of the resolution recorded and the actual and regular transaction or occurrence of the proceedings so recorded and of the regularity of the meeting at which the same shall have appeared to have taken place.

25. NOTICE:

(A) A notice may be given by the Federation to any member either personally or by sending it by post to his registered address, if any, supplied by him to the Federation for the giving of notices to him.

(B) Where a notice is sent by post, service of notice shall be deemed to be effected by properly addressing, pre-paying and posting a letter containing the notice and unless the

contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

26. INDEMNITY:

EVERY member of the Committee, Secretary, and other officer or servant of the Federation shall be indemnified by the Federation and it shall be the duty of the Committee out of the funds of the Federation to pay all costs, losses and expenses which any such member of the Committee, Secretary, or other officer or servant may incur or may become liable to by reasons of any contract entered into or act or things done by him as such officer or servant or in any way in the discharge of his duties.

27. DISSOLUTION OF THE FEDERATION:

(1) The Federation may at any time be dissolved by the consent of not less than three fifths of the voting strength of members of the Federation voting in a meeting specially convened for the purpose of which fourteen days previous notice in writing has given to all members specifying the intention to propose such a revolution, provided always that at such meeting the quorum shall be 75% of the voting strength of the members.

(2) If upon dissolution of the Federation there remains, after the satisfaction of all its debts and liabilities and property what so ever the same shall not be paid to or distributed among the members of the Federation, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Federation to be determined by not less than three-fifths of the members of the Federation at or before the time of dissolution.

28. RETIREMENT, REGISTRATION AND EXPULSION OF MEMBERS

A member shall cease to be a member:

- a) On giving three months notice in writing of his desire to terminate such membership and upon expiry of the said notice period.

b) On default in payment of subscription as laid down in Rule 10.

c) On expulsion from membership by a majority of three fourths of the members present and voting at General meeting of the Federation duly convened.

d) Every member of the Federation shall be entitled to act and vote at all General Meetings personally or by a proxy nominated in the manner hereinafter provided for appoint of proxies.

e) Every member, elected, nominated co-opted to the Committee shall have the right to nominate one person (who need not be a member of the Federation) as an 'alternate member' to the Committee in his place for voting at a meeting of the Committee. Such 'alternate member' shall be entitled to be present at the meeting of the Committee, but shall have right to vote only when the nominating members is not voting.

f) Every nomination of proxy by a member of the Federation under Rule 13(a) shall be in the prescribed form duly signed and shall be lodged with the Federation 48 hours before the General Meeting for which it is intended.

g) Every nomination of an 'Alternate Member' by a member under Rule 13(a) shall be in the prescribed form duly signed by the member and registered with the Federation as hereinafter provided. Such nomination shall be valid only for the life of the Committee to which the 'Alternate Member' is nominated.

h) The Federation shall maintain a register called 'Register of Members and Nominees' referred to in these Rules as 'Members Register' in which shall be entered.

i) The name of all members of the Federation with the prescribed particulars thereof.

ii) The name of members of the Committee and their respective nominees to the Committee as Members and Alternate Members. Called the "Proxy Register" in which shall be recorded the names of the representatives or proxies of members duly authorized to represent, act and vote on behalf of members in the manner herein before prescribed in the General Meeting of the Federation.

- i) The Registers under Rule 19(a) and (b) shall contain:
 - i. The full name and address of each member,
 - ii. The full name and address of members and alternate members, if any, nominated by each member to the Committee.

- j) A managing Committee called "The Committee" in the rules shall manage the Affairs of the Federation.

- k) The Committee shall consist of (a) A President (b) Vice- President and (c) Secretary.

- l) The members of the Federation shall, once in every five years at their Ordinary General Body Meeting elect the Members of the Governing Body consisting of 29 Members for the Posts: PRESIDENT-1, VICE-PRESIDENT-1, GENERAL SECRETARY-1, JOINT-SECRETARY-1, TREASURER-1, REGISTRAR-1, SPOKESPERSON-1, for the period from among the list of members whose names appear in the Register of members as members only.

- m) Retiring members are eligible for re-election and any casual vacancies occurring in the office of the members other than, President and Vice-President, during the year may be filled by the Committee by co-option.

- n) The Committee holding office for the time being shall, not later than 30th June each year, hold an ordinary General Body Meeting of members for election of the President, Vice President and members of the Committee and passing of reports and annual accounts as hereinafter provided.

- o) At the conclusion of every year, in the annual General Body Meeting of members, the President, Vice Presidents and members of the Committee, then in office including, co-opted and alternate members shall retire and a new Committee shall be elected. The retiring members are eligible for re-election. The new Managing Committee shall begin to function after the conclusion of the said Annual General Body Meeting at which it was elected.

p) i) Seven days notice shall be given to the members and Alternate members of the Committee.

ii) Emergency meetings may be held with one day's notice by telegram or by phone call.

iv) The President and in his absence a Vice-President and in their absence, member elected as such, shall be the President of the meeting.

v) Four members or Alternate members present shall form the quorum for meetings, a member and his Alternate member being treated as one member only.

vi) Every member present or his alternate member shall have one vote only. A member present shall exclude his Alternate member for purposes of voting. In case of equality of votes the President shall have a casting vote.

vii) In the absence of a quorum whether at the beginning or during the course of the meeting, the meeting shall be adjourned.

viii) All acts done at meetings of the committee or by the President or Vice-President notwithstanding that it shall afterwards be discovered that there was some defect in their appointment or that any of the members or Alternate members were disqualified be as valid as if every such person had been members of the committee.

ix) A resolution may be passed by circulation without a meeting of the committee and it shall be as valid as resolution duly passed at the meeting of the committee.

x) A resolution shall be deemed to have been duly passed, by circulation, if the resolution has been circulated in draft with necessary papers, to all members resident in Pondicherry City and has been approved by a majority. Provided that, if on circulation, a majority of the total number of committee members signify their decision in one manner it shall not be necessary to circulate it to the other members.

29. TERRITORIAL LIMITATION:

The objects/activities of the Federation shall be carried out only in India.

30. AMENDMENT, VARIATION AND RESCISSION OF RULE:

No rule shall be amended, varied and or rescinded except with the consent of three-fourths of the voting strength of the voting at a meeting specially called for the purpose by the committee. The procedure laid down in Section 12 of the Societies Registration Act shall be followed for amending Memorandum.