

INDIAN PSYCHIATRIC SOCIETY

AMENDMENT RESOLUTIONS PROPOSED BY THE CONSTITUTION SUB-COMMITTEE

Section /article	Existing	Proposed	Justification
Article XIII BRANCHES Section 19.	Section 19. For better attainment of the Society, the Members of the Society shall, whenever possible, group themselves into separate Zonal, State and Local bodies styled as Zonal Branch, State Branch and Local Branch of the Indian Psychiatric Society. (a) Zonal Branch: There shall be five Zonal Branches in India to be known as Eastern, Western, Northern, Southern and Central Zonal Branches. Each Zonal branch shall have a jurisdiction to be determined by the Society. (b) State Branch: State Branches shall function under the Zonal Branch in all the States and Union territories. (c) Local Branch: Local Branches shall function under the State branches and if there is no State branch in the particular area then under the Zonal branch. i) There shall not be more than one Local Branch in any one town or city. ii) There shall be minimum number of ten members of which two must be Life Fellows in a Local Branch. iii) Each Local Branch shall have a Local area to be determined by the State Branch and if there is no State Branch in the particular area then by the Zonal Branch. iv) A formal permission for formation of a Local branch shall be obtained from the Society through the concerned State and Zonal Branches. The Local Branch shall come into existence only after the approval of the Executive Council and ratification by the General Body of the Society. v) The Local, State and Zonal branches shall not have any claims on the assets and liabilities of the Society.	Section 19. For better attainment of the Society, the Members of the Society shall, whenever possible, group themselves into separate Zonal, State and Local bodies styled as Zonal Branch, State Branch and Local Branch of the Indian Psychiatric Society. To fulfil the legal requirement under the law of the land, all Zonal/ State/ Local Branches should get themselves registered under the Society Registration Act 1862 or any other relevant law applicable to the State where the branches are situated and should also get a permanent account number (PAN) from the Income Tax department. (a) Zonal Branch: There shall be five Zonal Branches in India to be known as Eastern, Western, Northern, Southern and Central Zonal Branches. Each Zonal branch shall have a jurisdiction to be determined by the Society. (b) State Branch: State Branches shall function under the Zonal Branch in all the States and Union territories. (c) Local Branch: Local Branches shall function under the State branches and if there is no State branch in the area then under the Zonal branch. i) There shall not be more than one Local Branch in any one town or city. ii) There shall be minimum number of ten members of	Our Society is a entity created under the Society Registration Act 1862. All the branches of the Society have been delinked financially so far as the financial matters are concerned. Therefore, all the branches are to get a separate PAN. For obtaining the PAN, the branches are also required to get registered under the Society Registration Act or any other extant law applicable to the State where the branches are situated. Therefore, necessary amendments are required to be incorporated in the Constitution.

		which two must be Life Fellows in a Local Branch. iii) Each Local Branch shall have a Local area to be determined by the State Branch and if there is no State Branch in the area then by the Zonal Branch. iv) A formal permission for formation of a Local branch shall be obtained from the Society through the concerned State and Zonal Branches. The Local Branch shall come into existence only after the approval of the Executive Council and ratification by the General Body of the Society. v) The Local, State and Zonal branches shall not have any claims on the assets and liabilities of the Society. (d) – All Branches will execute an affidavit/ undertaking/ memorandum of understanding to the Council of the Central Body agreeing to abide by the Constitution of the Society. After the affidavit/ undertaking/ memorandum of understanding is received and adopted by the Council of the Society, the branch shall be deemed to be an affiliated entity of the Society.	This sub-section (the cut off portion) should be deleted. Being a federal structure, a local or state branch may apply for affiliation after its formation.
Article XIII, Section 22 of the Rules of the Society	The Local, State and Zonal Branches shall bear the name of the Indian Psychiatric Society followed by Local branch, State Branch or Zonal Branch, as the case may be.	All affiliated branches shall bear their registered name followed by the respective branch name within brackets.	The registration of the branches under the Society Registration Act may not be possible with a pre-determined name

		The branch name shall be written as Indian Psychiatric Society followed by Place then Local branch, State Branch or Zonal Branch as the case may be.	according to this Constitution. Therefore, the branches must be given power to select an appropriate name.
Article XIII Section 23	When a Local, State or Zonal branch fails to conform with the standards laid by the Society or acts in a manner contrary to the provisions made in Rules and Byelaws of the branch concerned or 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. The decision of the AGB of the Society, which shall usually be taken on the recommendation of the Executive Council, shall be binding upon the Zonal, State and Local Branches.	When a Local, State or Zonal branch fails to conform with the standards laid by the Society or acts in a manner contrary to the provisions made in Rules and Byelaws of the branch concerned or of the Society, the Society shall have absolute power to take such measures as it deems fit including suspension of affiliation of the branch concerned to the national body or taking control of the branch in its own hand. The decision of the AGB of the Society, which shall usually be taken on the recommendation of the Executive Council, shall be binding upon the Zonal, State and Local Branches.	All the branches are independent body in their own rights and a federal structure is planned where the branches are “affiliated” to the national body or to the next higher-level body. Therefore, “taking control of the branch in its own hand” is not legally possible and these words should be deleted.
Article XIII Section 24 (a) to 24 (d) Section	Delete the words “Audited Statement of Accounts” in all four subsections.		As they have their own PAN, they are independent financial body under the law of the land and to file income tax return as separate body. They should submit the audited statement of accounts only when they have organized an event of the National body.
Section 30 Article XV of the Rules	30. The General management of the Society shall be vested in the Executive Council, which shall not exceed 28 in number.	30. (a) The General management of the Society shall be vested in the Executive Council, which shall not exceed 28 in number. 30 (b) The General management shall include taking such action/ decision that is necessary to fulfil legal requirement or obligation under any law for the time	

		being in force. All such action/ decision shall be put before the next AGB meeting for approval. 30(c) – It is clarified that in case of any discrepancy between the provisions of this Constitution and the provisions of Society Registration Act or any other extant law of the land, the provisions of the Rules and Regulations of the stand would be invalid to the extent of discrepancy and the Council shall take appropriate action in this respect. The report regarding this action will be put before the next General Body Meeting, whenever held, so that remedial action may be taken by the General Body.	
Section 35, Article XX of the Rules	35. 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 Life Fellows of the Society and any amendment to be carried, shall have at least two-thirds majority of voters attending the meeting.	35. (a) 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 Life Fellows of the Society and any amendment to be carried, shall have three-fifths majority of voters attending the meeting, including the online attendees and those who have communicated their consent by email.	
Section 36, Article XX of the Rules	36. Resolution for amendment shall be very precise and may be proposed by any Life Fellows of the Society who shall inform the Honorary. General Secretary of his desire to do so and send him a copy of the resolution for consideration by the Council. The resolution shall be sent to the Honorary General Secretary not less than 60 days before the Annual General Meeting and he shall circulate it among the	36 (a) Resolution for amendment shall be very precise and may be proposed by any Life Fellows of the Society who shall inform the Honorary. General Secretary of his desire to do so and send him a copy of the resolution for consideration by the Council. The resolution shall be sent to the Honorary General Secretary not less than 60	

	Members of the Society and submit it to the Annual General Meeting with comments of the Council, if any.	days before the Annual General Meeting and he shall circulate it among the Members of the Society and submit it to the Annual General Meeting with comments of the Council, if any. 36(b) Resolution for amendments may also be proposed by the Executive Council on recommendation of the Constitution Sub-Committee, provided all such resolutions have been circulated to all the members of the Society at least 30 days in advance before the scheduled date of the AGBM or EOGBM convened for the purpose.	
Article XXI Section 37 (e)	Sec 37 (e) Except under special circumstances, which shall be recorded in writing, the Council shall not refer any dispute to the Tribunal without bringing it to the notice of the Annual General Body.	Sec 37 (e) All reference to the Tribunal by the Council shall be put before the next Annual General Body Meeting for information and necessary action.	Wording changed so as to have a clarity and remove contradiction between sec 37(d) and 37(e).
Article IV, Section 8 of the Bye-Laws of the Society Duties, Powers and Terms of Office- Bearers	8. 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 Balance sheet at the Annual General Meeting. The Hon. Treasurer shall also furnish at the Annual General Body the copy of acknowledgement of the Income Tax Return filed with the Income Tax department for the financial year preceding the Annual General Body meeting. (Amendment adopted in 68th AGBM held in Bhopal 23-01-2016)	8. 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) In case of taking foreign grant or donation, due permission shall be taken from the Home Department of Govt. of India. (d) 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 Balance sheet at the Annual General Meeting. The Hon. Treasurer shall also furnish at	The yellow shaded portions added to fulfil the legal requirements as stipulated by the law of the land.

	(d) Shall have power to make payments not exceeding Rs. 1000 without consent of the Hony. Secretary. (e) Shall open an account with a Nationalised 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 upto date statement of dues from the Fellows. (g) When retiring, shall hand over cash, account books and other papers and documents connected with works of the Treasurer of the Society to newly elected Hony. Treasurer within three weeks after the election.	the Annual General Body the copy of acknowledgement of the Income Tax Return filed with the Income Tax department for the financial year preceding the Annual General Body meeting. (e) Shall upload the audit report once a year with the consent of the general meeting to the Registrar of the Societies, Jharkhand. (f) Shall keep a provision for audit by the Inspector General of Registration at the expense of the Society. (g) Shall have power to make payments not exceeding Rs. 1000 without consent of the Hony. Secretary. (h) Shall open an account with a Nationalised Bank approved by the Council and shall have the authority to operate this account for the expense of the Society. (i) The funds to be withdrawn on the joint signatures of Hon. Treasurer and Hon. General Secretary. (j) Shall submit to the Returning Officer and Election Officer, an upto date statement of dues form the Fellows. (k) When retiring, shall hand over cash, account books and other papers and documents connected with works of the Treasurer of the Society to newly elected Hony. Treasurer within three weeks after the election.	
Section 30(e) Article VIII of the Bye-Laws of the Society	Sec 30 (e) - Business to be Transacted - The business to be transacted at the Annual General Meeting shall be taken up in the following order: -	Sec 30 (e) - Business to be Transacted - The business to be transacted at the Annual General Meeting shall be taken up in the following order. In case the President of the AGBM is satisfied that a particular matter in the agenda is of special importance, that agenda may be undertaken earlier than its scheduled order. The matter taken up earlier may	

	30 (e) (ii) Confirmation of the minutes of last Annual General Body Meeting and Extra-ordinary General Body Meeting, if any	include a matter to be discussed under the agenda “any other matter.” 30 (e) (ii) Confirmation of the minutes of last Annual General Body Meeting and Extra-ordinary General Body Meeting, if any	The word “Annual” cut off as there would be more GB meeting.
Section 30 Article VIII of the Bye-Laws of the Society	A new subsection (h) to be added.	Section 30(h) – In exceptional circumstances like fulfilling a legal requirement under any law for the time being in force or in case of any other matter of extreme exigency, a General Body Meeting of the Society may be called on an agenda approved of the Council at any time in the year on a 30-days’ notice circulated to all the members of the Society. Confirmation of the last General Body Meeting which may be the last AGBM or Extra-ordinary GB Meeting, if any, may be taken up in this GB Meeting.	
Section 31 – Quorum of the General Body	The quorum of the General Body Meeting shall be 10% of the Fellows of the Society in India. The Annual General Body Meeting shall be dissolved if a quorum is not present.....	Replace the word ‘dissolved’ with the word ‘adjourned’.	

Dr. CL Narayan
Chairperson

Dr Ashish Saboo
Co-Chairperson

Dr. Harsh Gowda
Convenor

Dr. RR Ghosh Roy
Advisor

Dr. Parag S. Shah
EC Co-ordinator