

INDIAN PSYCHIATRIC SOCIETY

PROPOSED AMENDMENT IN THE MEMORANDUM OF ASSOCIATION, RULES AND BYE-LAWS PREPARED BY THE ELECTION REFORM TASK FORCE AND THE CONSTITUTION COMMITTEE

Existing	Proposed	Justification
Article XIX, Clause 35 of the Rules of the Society –Amendment to Memorandum, Rules and Bye-Laws 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.	Article XIX, Clause 35 of the Rules of the Society - Amendment to Memorandum, Rules and Bye-Laws Amendment to the Memorandum, Rules and Bye-laws of the Society may be made at the Annual General Meeting or at a General Body 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 three-fifths majority of voters attending the meeting. Extra-ordinary GB Meeting for this purpose may be held only in exceptional circumstances on recommendation of the Council.	Two-thirds majority changed to three-fifths majority to conform with the provisions of the Society Registration Act, 1860, under which our Society is registered. Extra line at the last added to clear ambiguity.
Article IV, Clause 10 10(c) of the Bye-Laws of the Society– In case of the inability of the General Secretary, Treasurer, Editor, to discharge the duties of their office due to any reason the Asst. Secretary, Asst. Treasurer. Asst. Editor respectively shall officiate in his place, unless decided otherwise by the Council	Clause 10 (c) to be replaced by following text If the Honorary General Secretary, or the Hon. Treasurer or Hon. Editor are unable to discharge their duties due to any reason, the Council shall nominate one of the elected members of the Council to officiate in the office for the remaining period of the year or till a member is elected to the post and has assumed the charge of the office, whichever is later.	Assistant Secretary, Assistant Treasurer or Assistant Editor are usually a non-elected member of the Council. Therefore, it is not proper to let them to officiate on an important post.
Clause 12 of Article VI of Bye Laws 12. Election for the vacancies occurring in post/posts of Vice President (who will be the President Elect for the succeeding year). Honorary General Secretary, Honorary Treasurer, Honorary Editor and Direct Members of the Council shall be held according to the procedure as described below in this Article. The result of the election will be declared in the Annual General Body Meeting and the newly elected Office Bearers/	Clause 12 of Article VI of Bye Laws 12 Election for the vacancies occurring in post/posts of Vice-President cum President-Elect (who will be the President for the succeeding year), Honorary General Secretary, Honorary Treasurer, Honorary Editor and Direct Members of the Council shall be held according to the procedure as described below in this Article. The result of the election shall be declared in the Annual General Body Meeting or in an Extra ordinary GBM called for the purpose, and the newly elected Office Bearers/ Direct Council Members shall take their	The provisions amended to provide clarity as regards to declaration of results and schedule of assumption of offices by newly elected office-bearers and members of the Council.

Direct Council Members will take their respective charges in the Post AGB Executive Council Meeting. If, however, post of President falls vacant in a year because of any reason, election of President will also be held along with election of other office bearers mentioned earlier. No member will be allowed to contest for more than one post at the same time.	respective charges in the Post AGBM or Post Extra Ordinary GBM Executive Council Meeting. If, however, post of President falls vacant in a year because of any reason, election of President will also be held along with election of other office bearers mentioned earlier. No member will be allowed to contest for more than one post at the same time.	
EXISTING In clause 14 of Article VI of Bye Laws, (a) The Hon. General Secretary/Treasurer of the Society shall provide the list of Fellows of good standing (electoral rolls) as on 30th June to all members of the election commission by the 15th July. The Honorary General Secretary shall inform the CEC by 15th July about the posts for which election is to be held. The Hon General Secretary shall inform the CEC about the date of AGBM by 15th September. (b) By the 15th August every year CEC shall address through e-mails to all the eligible fellow members (voters) of the Society (as per the electoral roll given to the Election Commission), informing them about the details of the e-voting procedure and also vacancies due to occur in the ensuing year and inviting online nominations, for the posts to which elections are to be held; along with the Election Schedule. (c) Canvassing by mobile/telephonic calls is only permitted. No other	Clause 14 of Article VI of the Bye-Laws (a) The Honorary General Secretary shall inform the CEC by 15th August of the respective year about the posts for which elections are to be held. The Hon. General Secretary/ Treasurer of the Society shall provide the list of Fellows of good standing (Electoral Rolls) as on 31st August of the respective year to all the members of the Election Commission by the 15th Sept of the year. The Hon General Secretary shall also inform the CEC about the scheduled date or the tentative date of AGBM by the same date. (b) By the 20th Sept every year, the CEC shall send communication by emails to all the eligible fellow members of the Society (who constitute the Electoral Roll for the Election), informing them about the details of the e-voting procedure and also about the vacancies due to occur in the ensuing year and inviting online nominations for the posts to which elections are to be held. The full Election Schedule along with the Election Schedule is also to be included in the email. (c) Canvassing by are permitted only by mobile/telephonic calls to the members and in the manners as described in the	All the dates in respect of the Elections extended by one month to streamline the process and reduce the time duration of the election. As everything is done online and by email, so much time in the election process is no longer necessary Contents of the Clause 14 (a) to (c) modified and new sub-clauses 14 (d) to 14 (g) added in this Clause. The date for information shall be 20th of September to give time to the CEC for the communication Additional mode of

means are permitted for canvassing. If any breach is detected, the contestant shall be disqualified	succeeding sub-clauses. No other means of canvassing are permitted. If any breach is detected and proved in this respect, the Election Commission shall take appropriate action including disqualification of the concerned contestant. (d) No academic or non-academic program of Society, including the program by the branches of Society, Task Forces, Subcommittees, Specialty Sections shall be held during the whole voting period of the Election. The official meetings of the Society shall continue as and when scheduled or required. (e) The Election Commission, with help of the Website in-charge of the Society will provide a virtual platform to each candidate for fixed time, date and duration so as to enable them to address all the voters and also to interact with them. The online mode shall be supported by appropriate tools to facilitate the interaction. (f) One video of each candidate, which is to be provided by the candidate and approved by the Election Commission, shall be uploaded on the website of the Society. The contestants shall discuss his/her vision for development of Society. The duration of the Video and the period of time for which it is available on the website shall be decided by the Election Commission. (g) Appointment of the Agency for conduction of the election – The appointment shall be done every year in AGBM. The Honorary General Secretary of the Society will send invitation to reputed agencies for conduction of Election. The list of invitation so received shall be put before the Council for scrutiny and final decision. Out	canvassing described in the Constitution, so that they may communicate their vision and plan of action.
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	of these invitations, the Council shall short-list 2-3 agencies to be put before the AGBM for final decision along with the details and credentials of each agency. A declaration about the conflict of interest with any members of the Society shall be taken from the Agency. Any candidate having conflict of interest with the Agency shall not be eligible to contest the Election which is conducted by the Agency. At the time of appointment of the Agency for conducting, the IPS shall get a deed of agreement executed regarding the terms and conditions including protection of data as per the Indian standard.	Changes (G) Appointment of the Agency for carrying out the election, shall be done every year by way of inviting open tender from the reputed agencies in digital voting by EC. EC will short list one or more appropriate companies and in consultation with the President and EC will select the best and present it before AGBM for approval. A declaration about the conflict of interest with any members of the Society shall be taken from the Agency. Any candidate having conflict of interest with the Agency conducting the election shall not be eligible to contest the Election. At the time of appointment of the agency, the IPS must get deed for protection data as per the Indian standard.
Existing Clause: 15 The eligible fellow willing to contest the election for the post of his/her choice, shall have to fill in the information on-line in the prescribed nomination form uploaded on the Society's website, by 15th September. At the time of filing of the nomination, the	The eligible fellow willing to contest the election for the post of his/her choice, shall have to fill in the information on-line in the prescribed nomination form uploaded on the Society's website by 15th October. At the time of filing of the nomination, the contestant shall have to upload his/her recent photo, required	Schedule of different dates of the election process revised due to reason described above.

contestant shall have to upload his/her recent photo, required information & brief bio data (not exceeding 100 words). Nominations without bio data and photograph are liable to be rejected.	information & brief bio data (not exceeding 100 words). Nominations without bio data and photograph are liable to be rejected.	
<u>Clause: 16</u> (a) The nominations forms received on-line shall be duly scrutinized by the Election Commission at the Scrutiny Meeting of Election Commission, which shall be held before 30th September and the quorum for this meeting shall be two members of election commission. The Election Commission shall invite the Hon. Gen. Secretary and Hon. Treasurer of the Society to attend Scrutiny Meeting as representative of the Society. (b) The Election Commission shall have the power to scrutinize and if found invalid reject the nominations. (c) The venue for the scrutiny meeting shall be decided by the Chairman, Election Commission and he shall inform all the concerned. The contestant or their representative may remain present in this meeting. (d) The CEC shall inform Scrutiny Report to all the candidates about the validity of all nominations by 5th October. Invalid / Rejected nominations shall also be intimated to the concerned contestants. The means of communication shall be through SMSs / e-mail. (e) Candidates wishing to withdraw their nominations shall do so on-line to the CEC. The last date for withdrawal of nomination shall be 20th October.	Proposed Clause 16 (a) The nominations forms received on-line shall be duly scrutinized by the Election Commission at the Scrutiny Meeting of Election Commission, which shall be held before 31 October and the quorum for this meeting shall be two members of the Commission. The Election Commission shall invite the Hon. Gen. Secretary and Hon. Treasurer of the Society to attend Scrutiny Meeting as the representatives of the Society. (b) The Election Commission shall have the power to scrutinize all the nominations and to reject the nominations found invalid. (c) The venue for the scrutiny meeting shall be decided by the CEC in consultation with other members of the Commission and the date shall be communicated to all the candidates. The contestant or their representative may remain present in the scrutiny meeting. During the scrutiny Meeting, the election process, including voting and counting process will be demonstrated. (d) The CEC shall send the Scrutiny Report by email/ SMS/ WhatsApp message to all the candidates about the validity/ invalidity/ rejection of all nominations by 5 November of the year. (e) Candidates wishing to withdraw their nominations may do so by sending email/ WhatsApp communication to the CEC. The last date for withdrawal of nomination shall be 20 November of the year (f) The CEC shall get posted the final list of candidates for various posts on the website of the Society by 27 November of the year.	Dates according to the revised Election Schedule incorporated. Provisions of Scrutiny meetings described to increase transparency in the Election Process.

(f) The CEC shall display the final list of candidates for various posts on-line on the website of the Society by 27th of October		
17. (a) The CEC shall disclose on the Society's website the list of all the contesting candidates & the posts for which they are contesting, along with their photograph, Bio data and also the detailed instructions for all the voters for casting of their votes through e-voting process by 21st November. (b) The software shall generate a separate ballot for individual voter on-line and all the voters shall have the right to cast their votes on-line by visiting the Election Commission of IPS website. The details of the website shall be intimated by CEC. The entire data that has been entered by the voters during the complete process of e-voting shall be preserved in the form of back-up files, after declaration of results, for a period of nine months. The said entire data shall be in the custody of President of the Society. (c) The procedure of counting shall be automatic by way of the commands of the software. On invitation of the Chairperson of the AGBM, the Chairman Election Commission shall declare the final results at the AGBM. Till then the CEC shall keep the results with him in a sealed cover.	17 (a) The CEC shall get posted on the Society's website the list of all the contesting candidates & the posts for which they are contesting, along with their photograph, Bio data and the detailed instructions for the voters explaining the complete procedure of e-voting by 15 December of the year. The e-voting channel will open at 10 AM on 16 December and the e-voting shall be completed by 31st December 5:00PM of the respective year. (b) The software shall generate a separate ballot for individual voter on-line and all the voters shall have the right to cast their votes on-line by visiting the Election Commission of IPS website. The details of the website shall be intimated by CEC. The entire data that has been entered by the voters during the complete process of e-voting shall be preserved in the form of back-up files, after declaration of results, for a period of nine months. The said entire data shall be in the custody of President of the Society. (c) Counting will be done in the morning at 10 AM of pre AGBM EC meeting. The procedure of counting shall be automatic by way of the commands of the software. (d) On invitation of the presiding office of the AGBM, the Chairman Election Commission shall declare the final results of the elections at the AGBM. Till then the CEC shall keep the results with him in a sealed cover. However, if in exceptional circumstances, the AGBM is not likely to be held within six weeks of counting of votes, an extra ordinary general body meeting (EOGBM) shall be called, which may be in online mode, for the purpose of declaration of results.	Dates according to the proposed time schedule. (B) on-line by visiting the, website designated for the election by IPS election commission. Election Commission . The details of the website shall be intimated by CEC.

Clause 18 (a) to Clause 18 (f)	No change suggested in Clause (a) to Clause (e) Clause 18 (f) to be deleted as the matter is already in Clause 17 (b)	
Clause 18 (g) (g) Disputes: - I. If a contestant is not satisfied with the election process, the matter shall be referred to the President who shall give his decision before commencement of AGBM. If, however, the complainant is still not satisfied with the decision of the President, the result of that post shall be withheld and the matter shall be referred to the tribunal as per Article – XXI clause 37 a) of rules of the Society. In all such cases the tribunal shall give it's verdict as quickly as possible, which in no case shall exceed 90 days. II. Non-declaration of result of any post in no way shall affect the transfer of office of other posts and functioning of Society. III. Till the verdict of tribunal, Council may nominate a member having experience of that post to discharge the duties of the said office. IV. Delayed installation of any office in no way will extend the tenure of the said office. V. Under extra-ordinary circumstances, the CEC in consultation with Election Commission members, President and Secretary of IPS may adjourn the election proceedings of e-Voting for a particular post in interest of the Society or to maintain harmony. This in no way will affect the election process of other posts or normal functioning of Society. (Amendment adopted in	(g) Disputes: - i. If a contestant is not satisfied with the election process, he may lodge complaints to the President before the declaration of results. If the candidate has lodged the complaint to the President, the result of that post shall be declared only after the President gives his decision. The President shall give his decision as early as possible before commencement of the AGBM so as the Election Process is not disturbed. ii. The President, using his own discretion and after consulting other office-bearers and senior fellows according to his discretion, may either overrule the objection filed by the candidate or decide to refer the matter to the Tribunal. iii. If the matter is referred to the Tribunal by the President, the result of that post will be withheld. iv. Non-declaration of result of any post in no way shall affect the transfer of office of other posts and functioning of Society. v. Till the verdict of the Tribunal, Council may nominate a member having experience of that post to discharge the duties of the said office. vi. Delayed installation of any office in no way will extend the tenure of the said office. vii. Under extra-ordinary circumstances, the CEC in consultation with Election Commission members, President and Secretary of the Society may adjourn the election proceedings of e-Voting for a particular post in	Clause 18(g) relating to the Disputes related to the Election matters to be redrafted and renumbered according to the pattern as described.

68th AGBM held in Bhopal 23-01-2016) VI. Such vacancy will be filled up in post AGB council meeting as per Article XVII, clause 33 a) of rules of Society.	interest of the Society or to maintain harmony in the Society. This is no way will affect the election process of other posts or normal functioning of Society. viii. Such vacancy shall be filled up in post AGB council meeting as per Article XVII, clause 33 a) of rules of Society. ix. A contestant, not satisfied with the decision of the President, or otherwise, may make an appeal to the Tribunal. An appeal to the Tribunal in this respect has to be accompanied by DD/ UTR number of transfer of Rs 10000/- (Ten Thousand Rupees) in favour of the Indian Psychiatric Society. If the decision turns out to be in favour of the contestant, the amount shall be refunded. x. In case of the Tribunal decides in favour of the candidate, the Election Commission will conduct a fresh election for that post according to the time schedule decided by the Election Commission in consultation with the President and after inviting fresh nominations for the post. The election for other posts will not be affected in any way and will stand valid.	
Article VI, Clause 22 of the Rules of the Society The newly elected office-bearers and Members of the Council shall assume office immediately after their election. Zonal representatives to the Council shall assume office after their elections have been notified to the Honorary. General Secretary along with a copy of the proceedings of the Zonal meeting at which the election was held	The Clause is to be replaced by the following text. The newly elected office-bearers and Members of the Council shall assume office in the Post Conference Council Meeting of the Society. Zonal representatives to the Council elected by the General Body of the respective Zones shall also assume their offices in the Post Conference Council Meeting of the Society. The previous Zonal Representative shall continue in their post till then.	Taking over schedule of the newly elected office-bearers and Council Members including the zonal representatives described.
Article VII of the Bye-Laws of the Society - Meetings of Executive Council 23. The meetings of the Executive Committee shall be of three kinds: (a) The Ordinary Meeting shall be	Article VII of the Bye-Laws of the Society - Meetings of Executive Council 23. The meetings of the Executive Committee shall be of three kinds: (a) Ordinary Meetings shall be held at least three times in a year.	Meeting of the Executive Council will be of three kinds– Ordinary meeting, Special Meeting and Requisition Meeting.

held at least three times in a year. (b) The Special meeting shall be held as often necessary. (c) A requisition meeting shall be called within 6 weeks from the date of receipt of a requisition signed by at least 2 members of the Executive Council stating the business for which the requisition meeting is required. (d) The General Secretary with the permission of the President can requisition an extra-ordinary meeting of the Executive Council for which at least 10 days' notice shall be circulated to all Members of the Council. 24. Notice - At least four weeks' 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.	(b) Special Meeting - The Honorary General Secretary, with an approval of the President, may call a Special Meeting of the Executive Council as and when necessary (c) Requisition meeting called on receipt of a requisition signed by at least 2 members of the Executive Council submitted to the President stating the business for which the requisition meeting is required. 24. Notice – (a) At least four weeks' notice specifying the place, date and time and the agenda of business to be transacted at the ordinary meeting of the Council shall be circulated to all members of the Society. (b) For special meetings of the Council, a minimum of 10 days' notice with circulation of the agenda to be transacted at the meeting will be required. In exceptional circumstances, the special meeting may be called on 48 hours' notice with circulation of agenda. (c) Requisition meeting of the Council shall be called within six weeks of the receipt of the notice with at least three weeks' notice and only the business for which the meeting is requisitioned will be discussed in the meeting.	Notice period of all types of the meeting of the council described.
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