

## **Bye Laws**

- 1. Name of the society:- INDORE SOCIETY FOR ORGAN DONATION**
- 2. Address:- MOTI BUNGLOW , M.G. ROAD , INDORE**
- 3. Area of work of the society :-** Indore Division and such other area as may be decided by the governing body from time to time.
- 4. Mission and Objectives of the society :-**

Mission of the Indian Society is to prevent and alleviate suffering with complete impartiality, making no discrimination as to nationality, race, sex, religious beliefs, language, class or political opinions.

For this purpose, its task is in particular:-

1. To contribute to the improvement of health and the prevention of disease.
2. To make available the platform & disseminate information to its members, NGOs, hospitals, patients, donors, recipient & citizen's at large about the latest development in this field.
3. To recruit, train and develop volunteer/ personnel as necessary for undertaking promotion & facilitation of human organ donations from deceased for saving life.
4. To serve the community within its jurisdiction, particularly for organs donations, body donations for health from deceased persons and to identify local needs and set priorities.
5. To ensure correct use of the society emblem, to maintain its protective value.
6. To coordinate between individuals, companies, institutions, NGO's recipient organizations to maximize organ & tissue donations due to brain and accidental death.
7. To collect donations for providing insurance coverage to donors.
8. To collaborate with national registry for organ & tissue donations & other similar organizations/ societies for popularizing the organ & tissue donations from deceased.

## 5. Membership :-

### a) EX-OFFICIO MEMBERS

Following shall be ex-officio members of the society by virtue of Holding a particular official post

Sr	EX-OFFICIO MEMBERS	POST IN SOCIETY
1	Commissioner Indore Division	President
2	IG , Police Indore	Vice President
3	Collector Indore or his authorized representative	Deputy Vice President
4	Dean MGM Medical College , Indore	Secretary
5	Vice Dean MGM Medical College, Indore	Joint Secretary

### b) Patron Members

The Patron Members shall be the mentors and advisors of the society and will help the society in leveraging funds and support from various Govt. as well as private Agencies. The patron members can be nominated by the Governing Body from amongst eminent personalities of public at large for such period as the governing body may think fit. Patron members of the society can be removed by the governing body for replacing them with new patron members or for any reason the governing body may think it fit but decision of the president of the society will be final for such removal.

### c) Life Members

Any person may become a life member of the society by agreeing in writing to be bound by its rules & regulations of society and by paying Rs 5,00,000/- a non refundable donation to the society for achieving its objective.

**d) Associate/Agencies Members:**

any person , firm, institution, company , Society or trust etc. can become associate member of society, by paying admission fees of Rs. 1,00,000/- (Rupees One Lac)for the term of 5 years and if they wish to continue their membership after 5 years than the annual renewal fees is Rs. 20,000/- (Rupees Twenty Thousand only)

**e) Primary Members**

An Ordinary Members is any individual who applies on the prescribed format duly approved by the President of the Society and who pays the admission fee Rs. 5,000/- And annual subscription fee of Rs. 2000/- (Rupees Two Thousand only).

**f) Honorary Members**

Persons in recognition of their exceptional services rendered to the Society may be given honorary membership by the Governing Body on the approval on the Governing Body meeting for such period as the governing body may deem it fit . Membership of such member can be renew for such period as the governing body may deem it fit.

**g) Institutional Members**

any undertaking running a hospital having transplant facility can become Institutional member of the society by paying a membership fee of Rs. 1,00,000/- (Rupees One Lacs) as admission fee and the renewal fees is Rs 25,000/- (Rupees Twenty-Five thousand) and the same is payable annually

## **6. Eligibility for Membership-**

- a) Membership of the Society is open to all residents of India irrespective of their nationality, race, sex, religions, beliefs, language, class or political opinions.
- b) Members may be subscribing or honorary.
- c) The categories of membership and the amount of subscription shall be as decided by the Governing Body from time to time.
- d) He/she has completed 18 years of age on the date of application.
- e) He/she is willing to abide by the rules of the society.
- f) Has good moral character and conduct and is not an insolvent.
- g) Has not been convicted for any offence involving moral turpitude.

## **7. Application for Membership:**

The application for membership of the Society shall be made in writing and shall be submitted to with the Executive Panel/ Secretary/ or any other authorized person as may be decided by the governing body and the Governing Body shall on its absolute discretion decide whether such applicant is to be made a member of the Society or not. Such applications shall be placed before the Governing Body in its following meeting and the decision of the Governing Body with regard to grant or refusal of membership shall be final.

## **8. Duties of members**

The enrolled members will perform the following duties:

- a) To recognize and comply with the rules and regulation of the society, and pay their subscription regularly;
- b) To adhere to and disseminate the fundamental principles of the movement and the protection of the name of society.
- c) To promote and participate actively in the activities of the society at the district level and for such area as may be decided by the governing body , including the promotion of membership.

## **9. Cessation of membership**

- a) Any member may withdraw from the membership by giving notice in writing at any time to the Secretary of society from where he/ she has become the member.
- b) Membership expires on transfer of nominated government servant.
- c) Society may expel a member for grave misconduct or for any of his/her activity prejudicial to the image of the society for which the member concerned should be given full opportunity to explain his/her conduct. Any member so expelled should be informed in writing and the member concerned shall have a right to appeal in writing to the President of the society. Grave misconduct for the purpose of expulsion is defined as the display of character or morality incompatible with the engagement in activities which are detrimental to the reputation or the activities of the Society.
- d) On the cessation of membership , members are not entitle to claim refund of membership fees / donation if any paid at the time of admission or after becoming member of society.

## **10. Donations and Contributions:-**

Donations received by society earmarked for a particular purpose for which the same is to be used, will be utilized by the receiving body for the purpose for which it was received.

## **11. Fund Raising:-**

The Funds can be raised by society through donations, proceeds of collections from fairs, raffles, sale of pin flags, seals, fetes, lotteries and variety shows and any other collections received, not earmarked for a specific purpose.

## **12. Annual General Meeting:**

The General Body shall comprise of all the members of the Society as provided in Bylaw 5. Meeting of the General Body shall be held as and when necessary. However, a meeting of the General Body shall be held once every year compulsorily. Notice of such meeting shall be given in writing fifteen days in advance of the meeting to every member. Quorum for such meeting shall be 3/5<sup>th</sup> of the Members of the Society. If the quorum is not complete, then the meeting shall

be postponed for an hour and thereafter the meeting shall resume at same venue, and quorum for such meeting shall be a minimum of five members. Meeting of the General Body shall be called within three months of the registration of the society. Such meeting would nominate the officials of the society.

### 13. Powers and duties of the general body:

Annual General Meeting shall be held within six months from the close of each financial year to transact the following business, namely;

- a) Annual General meeting of society shall be held at the principal place or such place as may be decided by the governing body, upon a date (or dates) to be fixed by the President.
- b) The following shall be entitled to attend the AGM and vote on any question that may be submitted to the meeting for determination. Member of the Governing Body and other all categories members.
- c) A representative of the Registrar of Society may attend the AGM as an Observer .
- d) The notice shall specify the following business among others to be transacted :-
  - Confirmation of proceeding of previous AGM .
  - Presentation and Consideration and adoption of Annual Report for preceding year.
  - Presentation and consideration and adoption Audited Annual account for the preceding year.
  - Presentation and Consideration adoption of budget estimates for the succeeding year.
  - Appointment of statutory Auditor for the following year for the purpose of compilation and certification of accounts

### 14. Extra-Ordinary Annual General Meeting

An extra ordinary Annual General Meeting of the society may be convened at any time by the President of society for the purpose connected. Or if 2/3<sup>rd</sup> of the total members give a written requisition for meeting on a particular matter, then a meeting of the General Body shall be called by the Governing Body with in the period of 45 days from the date of receipt of valid requisition.

### 15. Governing Body

The president ( who shall be the Commissioner revenue of Indore Division) shall constitute the Governing Body by nomination for the term commencing from the date of registration of the society . Governing body may have fifteen members in it as follow:-

Sr.	POST	NO.
1	President	1
2	Vice-President	1
3	Deputy Vice President	1
4	Secretary	1
5	Joint Secretary	1

6	Treasurer	1
7	Member	9
	TOTAL NO. OF MEMBERS	15

The strength of the governing body may be increase by the president from 15 to such no. of members as he may deem it fit. President may nominate one member from each category of membership.

**16. Tenure of Governing Body :**

All nominated office bearers and members tenure till transfer and other nominated members tenure shall be normally 3 years and they can be re-nominated by the President of society.

**17. Meeting of Governing Body :**

The Governing Body shall meet once in three months. The notice of agenda for such meeting and date of meeting shall be sent to all members of the Governing Body at least seven days before the meeting. The Quorum of such meeting shall be one half of the strength of the number of members of the Executive society. If the quorum is not complete, then the meeting shall be postponed for an hour and thereafter the meeting shall resume at same venue, and quorum for such meeting shall be a minimum of two members out of which one must be either President, Vice-President, Deputy Vice President or Secretary of society.

**18. Power and Duties of Governing Body:**

It shall be the duty of the Governing Body to co-ordinate and direct the work of the Society and of all committees and to deal with all matters in the interest of the Society and to present at each Annual General Meeting a report on the position of the Society. financial and otherwise and on the affairs and proceedings of the Society during the preceding year.

The Governing Body shall have the power to regulate its own procedure and to make provisions for carrying out the objectives of the Society, and for conducting its affairs. It shall, subject to the provisions of the bye-laws, have the sole control and management of the income, property and affairs of the Society, and may exercise all powers and do such acts and things as may be exercised or done by the Society. The Governing Body may make such regulations and/or bye-laws as they may from time to time determine for the proper administration of the Society provided that no such regulations or bye-laws shall be in contravention of any provision contained in the Memorandum or the Rules.

The Governing Body may appoint committees from among its own members and others and delegate to them any of the powers of the Society as it thinks fit. The committees shall, in the exercise of their powers, conform to any instructions given by the Society, but shall in all other respects regulate their own procedure.

For the purpose of carrying out the objectives of the Confederation, the Society shall *inter-alia* exercise the following powers.

- a. take decisions on questions of policy relating to the administration and working of the Society;
- b. consider and approve the work programme of the Society within the scope of the objectives of the Society;
- c. frame regulations and bye-laws for the conduct of the affairs of the Society and to add to, amend, or repeal them from time to time,
- d. Institute such funds like Corpus Fund, Building Fund, Renewal Fund, Research Fund or any

other Fund considered necessary to meet specific short term or long term financial obligations of the Society by appropriating to such funds the receipts or income or surplus, as the Society may decide.

- e. consider, and pass resolutions on the Annual Report, the Annual Accounts and the budget estimates of the Society;
- f. Manage properties of the society and control payments to staff of the society, and pay any taxes that are due whether municipal, state or central level tax. All movable and immovable properties of the society shall be in the name of the society. Property of the society shall be sold or transferred after taking written consent from the Registrar of Societies
- g. Approve development plans of the Society
- h. appoint committees or sub-committees by whatever name called, comprising members of the Society and / or such experts as may be nominated by it for specific tasks, for the disposal of any of its business or for tendering advice on any matter pertaining to the administration and management of the Society;
- i. solicit and receive grants, gifts, donations or other contributions from the Central Government or any State Government or from any other source in India or abroad, provided that no benefaction shall be accepted by the Society which involves conditions or obligations contrary to the objectives of the Society;
- j. Consider and approve eligibility conditions, duration, selection process contents and financial outlays for training programmes, entrepreneur development programmes, promotional programmes, or development projects, if any, organised by the Society!
- k. consider, approve and authorise operation of the Funds of the society.
- l. institute and award fellowships, awards, scholarships, prizes and medals;
- m. create permanent, temporary, ad-hoc or contractual posts for the Society and make appointments thereto
  
- n. Retain or employ professionals or technical advisers, consultants, or any other persons in connection with the objectives of the Society and to pay there for such honorarium, fees or other remuneration as may be thought expedient.
- o. co-operate and collaborate with other authorities and persons, whether Indian or foreign in the pursuit of its objectives:
- p. acquire by gift, purchase, exchange, lease. hire or otherwise any property movable or immovable and to construct, improve, alter, demolish or repair buildings, works and constructions, as may be necessary or convenient for carrying on the activities of the Society.
- q. deal with any property belonging to or vested in the Society so as to suit its best interest;
- r. negotiate, enter into and make contracts and deeds on behalf of the Society;
- s. pay out of the funds of the Society, any expenses incidental to the formation of the Society;
- t. delegate such of its powers to any committee or sub-committee constituted by the Society and through it or directly to the President or other members of staff of the Society or any committee or sub-committee appointed by it, as it may consider necessary or desirable.
- u. to do all such acts and things as are incidental or conducive to the discharge of its functions and attainment of any of the objectives specified in the Memorandum of Association.
- v. Any amendment in the bye-laws can be done after calling special meeting of the Governing Body and putting it to the General Body for approval. On passing of such resolution for amendment of the byelaws of the Society by the General Body by two third majority of members present, it shall be forwarded to Registrar of Societies for approval.

## **19. Powers and Duties of the President:**

Apart from powers expressly conferred under the Bye-laws the President shall also chair all meetings of the General Body and the Governing Body and to provide general guidance on the affairs of the Society. The decision of President shall be final.

## **20. Powers and duties of the Vice President:**

In absence of the President, to chair all meetings of the General Body and the Governing Body and to provide general guidance on the affairs of the Society. To exercise all powers and Duties of President, except the power to nominate the Governing Body Unless the Commissioner of Revenue of Indore Division decline to become president of society.

**21. Powers and duties of the Deputy Vice President:**

In absence of the President and Vice President , to chair all meetings of the General Body and the Governing Body and to provide general guidance on the affairs of the Society. To exercise all powers and Duties of President, except the power to nominate the Governing Body unless Commissioner of Revenue of Indore Division and IG Police of Indore both decline to become President or Vice-President of Society.

**22. Powers and Duties of the Secretary:**

To arrange for meetings of the Governing Body and General Body of society from time to time and present before it all the applications and suggestions received by the society

- I. Present the replies to the Audit Report and present it before the General Body.
- II. To prepare all the papers relating to the Society, inspect all the papers and files, and keep the Governing body of Society informed of all the happenings relating to the Society.
- III. The Secretary shall be empowered to give sanctions amounting to Rs 1,00,000/- (Rupees One Lacs only) at a time and should bring in notice of President of Society for all the amount sanction above Rs. 50,000/- or such amount as may be specified by the Governing Body , with in the period of Seven days from the date of sanction of amount .

**23. Powers and Duties of the Joint Secretary:**

In absence of the Secretary the joint Secretary will perform the duties of secretary.

**24. Powers and Duties of the Treasurer:**

To keep accounts and all records and documents relating to such accounts. To incur expenditure after sanction of the Governing Body of Society or the Secretary of the Society. The treasurer can hold a maximum cash balance of Rs 25000/- to cater for the daily expense of the society.

**25. Bank Account:**

The Society shall open its account in any Scheduled Bank. Any transaction in this account shall be done only when such instrument is signed jointly by the President or Secretary and the Treasurer of the Society. The Society may also allow the operation of account by any other mode as may be decided by it.

**26. Information to be sent to the Registrar of Society:**

Returns under Rule 27 of Societies Registration Act, shall be filed within 45 days of the Annual General Meeting in the prescribed format along with executive members list. Audited Accounts shall also be filed under Rule 28.

**27. Amendment:**

The General Body may, after considering the views of the Governing Body amend or alter by a Two Third majority of the members present and voting in a Meeting called expressly for this purpose after giving 15 days notice If it is deemed necessary, in the interest of the Society, the Registrar of Society shall amend the Bye Laws of the Society and that shall be accepted to its members.

**28. Dissolution:**

If dissolution of the Society is decided upon by a three-fifth majority of the General Body called for this



purpose and after satisfying all just dues and debts of the Society, properties or assets are left behind, the same shall in no case be handed over or given to any of the members of the Society but shall be given or transferred to another institution or Society, as per procedure laid down under the Societies Registration Act.

### **29. Finance and Revenues:**

Income of the Society shall be derived from the following:

- a. Admission fee, membership fee, annual subscription etc.
- b. Grants, gifts, donations or any other contributions in cash or kind from Governments, local bodies, companies, institutions and other persons.
- c. All fees and other charges including license fee, if any, received by the Society from its activities.
- d. Rent, interest, dividend, income received from investment of the funds of the Society or income from any other sources.

### **30. Investment of Funds and Their Control:**

- a. The entire income of the Society shall be applied solely for the fulfillment of the objectives of the Society and no part of it shall be paid directly or indirectly to any member of the Society. Allowances, fees or remuneration shall not be paid to any member of the Society or the Society for any services rendered by him and authorized by the Society by a general or special order Nothing contained herein would be deemed to prohibit payment of travelling or other expenses incurred by any of the office-bearers or members of the Society or of any committee for attending any meetings of the Society or committee or for discharge of duties assigned by the Society or for any professional services rendered in their individual capacities.
- b. Subject to provisions of Section 11(5) of the Income Tax Act, 1961. all surplus funds of the Society shall be deposited in such scheduled bank or banks or may be invested in such manner by the Society as it may deem expedient from time to time in the interest of the Society. the decision of the Society as regards custody or investment of the funds of the Society shall be final.
- c. The Society may open an account or accounts in the name of the Society for and on behalf of the Society with any scheduled bank or banks or Post Office.
- d. All funds shall be deposited or invested strictly in the name of the Society.
- e. The entire movable and immovable property of the Society shall be deemed to be vested, for the time being, in the name of the Society.

### **31. Assets:**

All immovable and movable assets of the society will be held in the name of the society. Immovable assets of the society will not be sold, donated or otherwise transferred without the prior written approval of the Registrar of society.

### **32. Accounts and Audit:**

The Governing Body of Society shall keep or cause to be kept proper accounts of the receipts and payments, income and expenditures and of the property. Assets and liabilities of the Society, in books to be maintained for the purpose. The Annual Accounts shall be made up to the end of the financial year. The Accounts of the Society shall be audited annually by a Chartered Accountant or a firm of Chartered Accountants appointed by the Society.

### **33. Notice of Meeting:**

Notice of Meeting of Governing Body and/or General Body is to be given in writing by speed post or through email. Written notice to the ex-officio members can be given on their address of office and by email on their official email address.

Notice to all other members may be given on the address specified by them in their application form address for communication in writing or by email any change in their address should be intimated in writing .

**34. Financial Year:**

The financial year of the Society shall start from the first day of April and end on the thirty-first day of March of the following year.

**35. Disputes and Legal Proceedings:**

If there is any dispute in the Society, The President of the General Body would have the power to resolve it. If the members are not satisfied, the members can refer the matter to the Registrar of Societies The decision of the Registrar of Societies shall be final and acceptable.

The Society may sue or be sued in its own name and shall indemnify any of its officers who have acted in good faith on behalf of the society. Notwithstanding anything contained in this clause, in such matters the decision of the Governing Body of Society shall be final.

**36.Meeting called by the Registrar:**

If the Annual Meeting is not called in accordance with this bye-laws, the Registrar of Societies is empowered to suo moto call such meeting.