

**Proposed amendments as approved by managing committee on 30-8-2024**



## **Memorandum & Rules & Regulations**

**of**

## **The Mumbai Obstetric & Gynecological Society**

**(Formerly known as the Bombay Obstetric & Gynecological Society)**

**(As amended on 10<sup>th</sup> December, 2006)**

### **Memorandum of the Mumbai Obstetric & Gynecological Society**

1. The name of the society shall be "The Mumbai Obstetric and Gynecological Society."
2. The registered office of the Society will be situated in the jurisdiction of Greater Mumbai.
3. The objects of the Society are:
  - a. To promote fellowship amongst the members.
  - b. To support and protect the character, status and interest and promote the welfare of the Medical profession in general, and of member - practitioners of Obstetrics & Gynecology of Greater Mumbai, in particular.

- c. To hold periodical meetings and conferences of Obstetricians and Gynecologists.
- d. To promote and encourage the study of medicine and advancement of medical knowledge & research in relation to Obstetrics, Gynecology, Family Welfare, Human Reproduction, Maternal & Child Health Care & allied subjects and further to create public opinion in the matters related to Maternal and Child Health and Family Welfare.
- e. To promote efficient standard of teaching and practice of Obstetrics, Gynecology, Family Welfare, Human Reproduction, Maternal & Child Health Care and to encourage research therein.
- f. To promote services for betterment of the health of the community, maternal and child health, prevention of ailments and diseases and treatment of disorders related to the practice of Obstetrics, Gynecology, Human Reproduction and Family Welfare.
- g. To publish a newsletter / bulletin of the Mumbai Obstetric & Gynecological Society as and when possible.
- h. To participate with other bodies, agencies and organizations, medical or non - medical, Governmental or non - Governmental, Indian or foreign, for furtherance of the above stated objects in India.
- i. To purchase, take lease of or otherwise acquire, hold, manage, let, sell, change, mortgage or otherwise dispose off moveable or immovable properties of every description and all rights and privileges necessary or convenient for the purpose of the Society and in particular buy land, building, furniture, household, or other effects, utensils, books, newspapers, periodicals, instruments, fittings and appliances, apparatuses, conveyances and accommodation as and when deemed necessary or desirable in the interest of the Society and sell, let or hire out, mortgage, transfer or otherwise dispose off the same.
- j. To erect, maintain, improve or alter and keep in repair any building for the purpose & in the interest of the Society.
- k. To borrow or raise money in such manner as the Society may think fit and to collect subscriptions and donations.
- l. To do such other things as are cognate to the objects of the Society and/or are incidental and/or conducive to the attainment of the above objects.

In order:-

- I. To promote knowledge & foster education.
- II. To encourage, promote & participate in study and research.
- III. To provide, encourage & participate in services as stated in the objects in general and as stated in clause III (d), (e), (f) in particular.

And to fulfill its objectives in general.

The Society may –

- I. Establish various committees of its own, with Chairperson for each of them.
- II. Organize, promote, associate with regional, national, international organizations, special conferences, seminars, symposia, workshops, refresher courses, continuing medical education programmes, exhibitions, lectures, demonstrations, clinical meetings & public forum.

- III. Organize or participate & cooperate with suitable Government / non Governmental organizations to hold health / operative camps, Clinics, Hospitals and other health promotion and welfare activities.
  - IV. Establish / Institute Orations, Scholarships, Fellowships, Prizes or other awards or distinctions
  - V. Carry on Surveillance, conduct surveys and specific research projects from time to time, as and when thought fit and necessary.
  - VI. Publish reports, monograms, proceedings & conferences etc.,
  - VII. Establish library of books and audio – visual material & acquire equipments, instruments & such other items as necessary.
  - VIII. Promote and encourage dialogue, discussion, meeting between our Society and other bodies, agencies, Governmental & non-Governmental, National or International & even individuals.
  - IX. Create or help to institute foundation by donations.
  - X. Invite scientists to deliver Orations / Guest lectures.
  - XI. Allocate funds from money of the Society from time to time as and when thought fit on suitable terms for the above mentioned objectives.
4. The income & property of the Society whenever derived shall be applied solely towards the promotion of the objects of the association as set forth in the Memorandum of Association and no portion there of shall be paid or transferred directly or indirectly by the way of dividend, bonus, or other wise however by way of profit, to persons who at any time are or have been members of the Society or to any of them or to any person claiming through any of them, provided that nothing herein contained shall prevent the gratuitous distribution among, or sale at a discount to, subscription to publications, whether published by the Society or otherwise, relating to all or any of its objects as above set forth nor the payment in good faith of remuneration to any officers, or servants of the Society, or for any services actually rendered to the association.
  5. If on dissolution of the Association there remains after settling of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed among the members of the association but shall be given or transferred to some other institution or institutions having objects similar or in part similar to the objects of the association to be determined by the members of the association at or before the time of dissolution.
  6. Accounts shall be kept of the sums of money received and expended by the Society & matter of respect of which such receipts and expenditure takes place and of the property, credits and liabilities of the Society and subject to any reasonable restrictions as to the time & manner of inspecting the same may be imposed for the time being shall be open to the inspection by members. At least once a year, the accounts will be examined & the correctness of the balance sheet certified by auditors.

## **Rules & Regulations of The Mumbai Obstetric & Gynaecological Society**

He, Him, and His, shall include She, Her, and Hers respectively in all the framework of the rules & regulations.

**Proposed Constitutional Amendments as approved by MOGS managing committee on 30-8-2024**

1. The name of the Society shall be “**The Mumbai Obstetric and Gynecological Society.**”

### **2. Office and Jurisdiction of the MOGS**

a) The registered Office of the Society will be situated in the jurisdiction of Greater Mumbai.

b) Jurisdiction of the MOGS. **(OLD)**

The area of jurisdiction of the MOGS will be as follows:

- I. All that area comprising Mumbai City and the precincts of Greater Mumbai.
- II. Areas contiguously and geographically surrounding the area mentioned in Section 2a) including Virar in the Northwest and Kalyan in the Northeast and all the contiguous areas around these areas where there is no recognized Society of FOGSI.

**(NEW)**

b)Jurisdiction of the MOGS.

The area of jurisdiction of the MOGS will be as follows:

I.All that area comprising Mumbai City and the precincts of Greater Mumbai..

II.Areas contiguously and geographically surrounding the area mentioned in Section 2a) including Colaba in the south to Mulund, Mankhurd, and Dahisar in the north, and is under the jurisdiction of MCGM, and all the contiguous areas around these areas where there is no recognized Society of FOGSI.

### **4. Membership Eligibility(OLD)**

Any person desirous of becoming a Member of the Society with full voting rights must fulfill the Eligibility criteria tabled below here in Section 4 (a).

- (a)
- i) MBBS or an equivalent degree recognized by the Medical Council of India (Act 1956) or the Maharashtra Medical Council.

Along with,

A postgraduate degree, diploma in the subject of Obstetrics, Gynecology, Human Reproduction and/or Family Welfare, recognized and registered with the Medical Council of India (Act 1956) or the Maharashtra Medical Council.

And

- ii) Must be staying, residing or practicing in the area of jurisdiction of the Mumbai Obstetric and Gynecological Society as stated in 2 (b).
- (b) All other registered medical persons with MBBS or equivalent degree recognized by the Medical Council of India (Act 1956) or the Maharashtra Medical Council who do not fulfill the criteria of membership listed above in Section 4 (a) but are involved or interested in the practice, study or research in Obstetrics, Gynecology, Human Reproduction or Family Welfare may be admitted as an Associate Member.

Such an Associate Member will not have any Voting Rights nor will he be permitted to hold any Office in the Managing Council of the Society. This group of Members will be in addition to another group of Associate Members detailed below in Sec (5)

All those Members already on the Rolls or Register of the MOGS in any category of Membership will continue to enjoy all the rights and privileges they presently have in the Society.

#### **4. Membership Eligibility (NEW)**

Any person desirous of becoming a Member of the Society with full voting rights must fulfill the Eligibility criteria tabled below here in Section 4 (a).

- (a)
- i) MBBS or an equivalent degree recognized by the Medical Council of India (Act 1956) or the Maharashtra Medical Council.

Along with,

A postgraduate degree, diploma in the subject of Obstetrics, Gynecology, Human Reproduction and/or Family Welfare, recognized and registered with the Medical Council of India (Act 1956) or the Maharashtra Medical Council.

And

ii) Must be staying, residing or practicing in the area of jurisdiction of the Mumbai Obstetric and Gynecological Society as stated in 2 (b).

(b) All other registered medical persons with MBBS or equivalent degree recognized by the Medical Council of India (Act 1956) or the Maharashtra Medical Council who do not fulfill the criteria of membership listed above in Section 4 (a) but are involved or interested in the practice, study or research in Obstetrics, Gynecology, Human Reproduction or Family Welfare may be admitted as an Associate Member.

Such an Associate Member will not have any Voting Rights nor will he be permitted to hold any Office in the Managing Council of the Society. This group of Members will be in addition to another group of Associate Members detailed below in Sec (5)

The new Members enrolling after 5th January 2007 will be considered in the above categories respectively with immediate effect.

The old members registering before 5th January 2007, continuing membership without break with only MBBS qualification, remain members as before with voting rights, but they will not be eligible to contest any FOGSI/MOGS election.

All those Members already on the Rolls or Register of the MOGS in any category of Membership will continue to enjoy all the rights and privileges they presently have in the Society.

#### **5. (a) Classes of Membership (OLD)**

- 1) Patron**
- 2) Life Member**
- 3) Ordinary Member**
- 4) Associate Member**

##### **1) Patron**

**A new eligible person, desirous of becoming a Patron shall apply in the prescribed form and pay a one time fee decided by and existing in the society rules at the time of joining. Following the approval by the Managing Council of the MOGS, such an applicant will be a Patron.**

**An existing Life Member of the society desirous of becoming a Patron can do so by a one time payment of the difference in the existing Patrons fees payable, less the life membership fees already paid at the time of becoming a life member. An existing Ordinary member can become a Patron by paying a one time payment of the total Patron ship fees existing at that point of time.**

##### **2) Life Member**

**Any eligible person as per Section 4 (a) desirous of becoming a Life Member shall apply in a prescribed form and pay a one time fee decided by and existing in the society rules at the time of joining. Following the approval by the Managing Council of the MOGS, such an applicant will be a Life Member. Newly joining eligible members will pay the existing entrance fee.**

### **3) Ordinary Member**

**Any eligible person desirous of becoming an Ordinary Member can do so by paying the existing Annual Fees payable along with a one time entrance fee decided by and existing in the society rules at the time of joining. Following the approval by the Managing Council of the MOGS, such an applicant will be an Ordinary Member. He will continue as an Ordinary Member only on continuing to pay the prescribed annual fee, as decided by the society from time to time.**

**Any member joining the MOGS within four weeks of the Annual General Body Meeting of the society shall not be eligible to vote at that Annual General Body Meeting.**

### **4) Associate Member**

**There will be two types of Associate Membership in the Society.**

**(1) ALL those categorized in Section 4 (b)**

**(2) Those members already existing in the MOGS who resign from the society to**

**become members of another Society affiliated to FOGSI but desirous of**

**maintaining their association with the MOGS can do on paying such fees as**

**applicable by the MOGS.**

**Associate Members of both the above mentioned groups can become Associate Ordinary Members by paying the existing annual fees or Associate Life Members of the society by paying the existing life membership fees payable along with a one time entrance fee decided by and existing in the society rules at the time of joining.**

**An Associate member can avail of the Prizes and Scholarships offered by the Society as well as present papers at seminars and meetings of the society.**

## **5. (a) Classes of Membership (NEW)**

- 1) Patron
- 2) Life Member
- 3) Ordinary Member
- 4) Associate Member

### 1) Patron

A new eligible person, desirous of becoming a Patron shall apply in the prescribed form and pay a one-time fee decided by and existing in the society rules at the time of joining. Following the approval by the Managing Council of the MOGS, such an applicant will be a Patron.

An existing Ordinary member can become a Patron by paying a one-time payment of the total Patron ship fees existing at that point of time.

### 2) Life Member

Any eligible person as per Section 4 (a) desirous of becoming a Life Member shall apply in a prescribed form and pay a one time fee decided by and existing in the society rules at the time of joining. Following the approval by the Managing Council of the MOGS, such an applicant will be a Life Member.

Newly joining eligible members will pay the existing entrance fee.

### 3) Ordinary Member

Any eligible person desirous of becoming an Ordinary Member can do so by paying the existing Annual Fees payable along with a one-time entrance fee decided by and existing in the society rules at the time of joining. Following the approval by the Managing Council of the MOGS, such an applicant will be an Ordinary Member. He will continue as an Ordinary Member only on continuing to pay the prescribed annual fee, as decided by the society from time to time.

Any member joining the MOGS within four weeks of the Annual General Body Meeting of the society shall not be eligible to vote at that Annual General Body Meeting.

### 4) Associate Member

There will be two types of Associate Membership in the Society.



- (1) ALL those categorized in Section 4 (b); or,
- (2) Those members already existing in the MOGS who resign from the society to become members of another Society affiliated to FOGSI but desirous of maintaining their association with the MOGS can do so on paying such fees as applicable by the MOGS.

Associate Members of both the above-mentioned groups can become Associate Ordinary Members by paying the existing annual fees or Associate Life Members of the society by paying the existing life membership fees payable along with a one-time entrance fee decided by and existing in the society rules at the time of joining.

An Associate member can avail of the Prizes and Scholarships offered by the Society as well as present papers at seminars and meetings of the society

### ( c ) Honorary Fellow of the MOGS (old clause)

Individuals including medical persons who have rendered valuable services to the Science and Art of Obstetrics and Gynecology, Family Welfare and related sciences and also those persons who have rendered yeoman service to the Community, may be admitted into the Society after a due process of selection and recommendation by the existing members. Such an individual will be an Honorary Fellow of the Society

A Fellow shall be recommended by the Managing Council of MOGS after prior approval by the Board of Trustees for conferring Honorary Fellowship. No more than one Fellowship shall be conferred each year.-There shall be no more Than twenty five Honorary Fellows of the society at any given time.

### ( c ) Honorary Fellow of the MOGS (New clause)

Individuals including medical persons who have rendered valuable services to the Science and Art of Obstetrics and Gynecology, Family Welfare and related sciences and also those persons who have rendered yeoman service to the Community, may be admitted into the Society after a due process of selection and recommendation by the existing members. Such an individual will be an Honorary Fellow of the Society

A Fellow shall be recommended by the Managing Council of MOGS after prior approval by the Board of Trustees for conferring Honorary Fellowship. No more than one Fellowship shall be conferred each year.

## **6 Fees for MOGS Membership (old)**

MOGS would be paying as annual subscription to FOGSI, a yearly fee of Rs. 500/ per member or as decided by FOGSI from time to time.

### **a) Entrance Fee**

This is a one time payment as decided by and existing in the society rules at the time of

joining Rs. 500/- or as decided by the Managing Council from time to time shall be paid by Life Members, Ordinary Members and Associate members.

Rs. 200/- or as decided by Managing Council from time to time for the MOGS Building Fund.

Rs. 30/- or as decided by FOGSI from time to time for the FOGSI Building Fund.

## **6. Fees for MOGS Membership (New clause)**

MOGS would be paying as annual subscription to FOGSI, a yearly fee of Rs. 590/ per member or as decided by FOGSI from time to time.

### **(a) Entrance Fee**

This is a one time payment as decided by and existing in the society rules at the time of joining Rs. 1000/- or as decided by the Managing Council from time to time shall be paid by Life Members, Ordinary Members and Associate members.

Rs. 400/- or as decided by Managing Council from time to time for the MOGS Building Fund.

Rs. 150/- or as decided by FOGSI from time to time for the FOGSI Building Fund.

### **(b) Patron's Fee**

A one-time payment of Rs. 35000/- (Inclusive of GST) or as existent at the time of joining.

### **(c) Life Member's Fee**

#### **1) New Entrants**

A one-time payment of Rs. 25000/- (Inclusive of GST) or as existent at the time of joining.

#### **2) Existing Ordinary Members**

A one-time payment of Rs. 25000/- (Inclusive of GST) or as existent at the time of joining.

No separate entrance fee is payable if membership is continuous.

#### d) Ordinary Membership and Associate Membership Fee

The annual subscription as determined by the Managing Council from time to time will be paid every year by the member.

In addition a one-time payment of Rs 1550 applicable as in 6 (a) above or as existing at that time will also have to be paid in the first year of joining. Associate members' life membership fee/ordinary membership fee/Patron membership fee will be the same fee as described for regular members as hereinabove

#### **Time of Payment of Fees**

The subscription amounts and fees shall be paid in advance by 31st December of the preceding year.

#### **Donations for Academic Activities**

Contributions towards orations and other academic activities (symposia/prizes/awards/etc.) must be recommended by the Managing Council of the Society and follow the resolutions of the General Body detailed in the annexure at the end of the constitution

#### **9. Resignation from Membership (old clause)**

A Member may at any time resign his membership of the Society by giving 30 days notice in writing of his intention to do so and on paying dues if any to the Society. A Member shall continue his membership till he sends in a resignation in writing to the Secretary.

The name of the member whose resignation has been accepted by the Managing Council should be forwarded to the FOGSI. A no objection certificate of no dues payable must be intimated to the concerned member by letter within one month of acceptance of the resignation.

#### **9. Resignation from Membership (New clause)**

A Member may at any time resign his membership of the Society by giving 30 days notice in writing of his intention to do so and on paying dues if any to the Society. A Member shall continue his membership till he sends in a resignation in writing to the Secretary.

The name of the member whose resignation has been accepted by the Managing Council should be forwarded to the FOGSI. A no objection certificate of no dues

payable must be intimated to the concerned member by letter within one month of acceptance of the resignation.

No refund of Life Membership fee will be paid in any circumstances.

#### **11. Removal from Membership (old)**

a) If an Ordinary Member or Associate Member fails to pay his subscription within a period of two months after a notice sent by Registered A. D. Post or by registered email to his registered address the Managing Council shall strike off his name from the register.

Should such a member desires to rejoin the Society, he can only do so after he has paid all outstanding dues to the society and reapplies for the same.

#### **Removal from Membership (New)**

a) If an Ordinary Member or Associate Member fails to pay his subscription within a period of two months after a notice has been sent by Registered Post with A. D. or by email to such member's email address, the Managing Council shall strike off his name from the register.

Should such a member desires to rejoin the Society, he can only do so after he has paid all outstanding dues to the society and reapplies for the same.

#### **14. Managing Council (old clause)**

The Managing Council of the MOGS is made up of:

- 1) Office Bearers
- 2) Managing Council Members
- 3) Immediate Past Presidents of the Society (five)
- 4) Co-opted members (two)

#### **14. Managing Council (New clause)**

The Managing Council of the MOGS is made up of:

- 1) Office Bearers
- 2) Managing Council Members
- 3) Immediate Past Presidents of the Society (five)
- 4) Co-opted members (three)

#### **(a) The Managing Council shall consist of ( old clause)**

1. President

- 2.Senior Vice President
- 3.Vice President
- 4.Secretary
- 5.Joint Secretary
- 6.Treasurer
- 7.Librarian
- 8.Clinical Secretary
- 9.Joint Clinical Secretary
- 10.Twenty one members
11. Last five Immediate Past Presidents
12. Co-opted Members: Maximum of three eligible Members of the society may be Co-opted at the discretion of the President.

**(a) The Managing Council shall consist of ( New clause)**

- 1.President
- 2.President Elect
- 3.Vice President
- 4.Secretary
- 5.Joint Secretary
- 6.Treasurer
- 7.Librarian
- 8.Clinical Secretary
- 9.Joint Clinical Secretary
- 10.Twenty one members
11. Last five Immediate Past Presidents
12. Co-opted Members: Maximum of three eligible Members of the society may be Co-opted at the discretion of the President.

**16. Election to the Managing Council (Old)**

The outgoing Managing Council shall invite nominations for:

- (i) Seven posts of members for the Managing Council ( or the number may vary depending upon vacancies as determined by the Managing Council).
- (ii) One post of Joint Clinical Secretary.
- (iii) One post of Treasurer
- (iv) One post of Vice President

The incumbent Managing Council shall not recommend any names as candidates for the post of Joint Clinical Secretary.

The outgoing Managing Council shall invite nominations for election to the new Managing Council at least four weeks before the Annual General Body Meeting.

All nominations must be addressed to the Secretary and sent or given to the office of the MOGS in a sealed envelope (superscripted - Election MOGS .... Year).

Nominations can also be sent by Reg. A. D. Post or by courier service. The office must record the receipt of such envelopes and give an acknowledgment for the same immediately.

The nominations should reach the Society's office at least fifteen days before the Annual General Body Meeting and will be scrutinized by at least two Office Bearers. It is clearly emphasized that no contestant at these elections can also be a scrutinizer.

All nominations received must be put inside a sealed box and kept in locked security. These will be opened only on the day and time of scrutiny and in front of the scrutinizers.

A person may withdraw his nomination not later than ten days prior to the Annual General Body Meeting.

If the requisite number of nominations for the membership of Managing Council are not received, the Managing Council shall recommend names to fill up these vacant posts or these may be filled up by the names suggested for consideration by the General Body itself or by the newly elected Managing Council.

Should the number of nominations for any elected post or post of Member of Managing Council exceed the number of vacancies, an election by a secret ballot to choose the winning candidate will be held at the Annual General Body Meeting of the society.

Contestants and/or their certified representatives can be present at the time of scrutiny and counting of votes. For the post of member of Managing Council, the candidate receiving the highest number of votes will be appointed to the longest term. Elections must be held to decide the tenure of membership if any vacancy is less than 3 years.

## **16. Election to the Managing Council (New clause)**

### **Nominations**

The outgoing Managing Council shall invite nominations for:

- (i) Seven posts of members for the Managing Council (or the number may vary depending upon vacancies as determined by the Managing Council).
- (ii) One post of Joint Clinical Secretary.
- (iii) One post of Treasurer
- (iv) One post of Vice President

The outgoing Managing Council shall invite nominations for election to the above-mentioned positions on the new Managing Council at least six weeks before the Annual General Body which is held in month of April.

The President/Vice President/Joint Secretary/Treasurer shall be the returning officers of the election.

E nominations :

A separate registered special email address will be provided for the purpose of nominations. All nominations must be proposed and seconded by eligible MOGS members and must be addressed to the president and sent by electronic means, i.e. by registered email (with subject - Election MOGS [Year]). The President's office must record the receipt of such email by an email response as acknowledgment for the same.

The nominations should be sent on the registered special email address not later than 5.00 pm on the prescribed date as recommended by managing council. All nominations received must be proposed and seconded by eligible MOGS members and must be put in a secured database, encrypted and locked digitally.

The nominations will be scrutinized by at least two returning officers. These will be opened after 5.00 pm on the last date of receiving nominations as recommended by managing committee. After confirming the eligibility of each contestant, the society office shall forward to each contestant an email signed by two returning officers by registered special email address containing the names of persons who have been nominated for same post.

A person may withdraw his nomination within 7 days of last date of submission of nominations via his personal email registered in MOGS database, sent on the registered special email address containing a duly signed letter of withdrawal from his/her nomination

If the requisite number of nominations for the membership of Managing Council are not received, the Managing Council shall recommend names to fill up these vacant posts or these may be filled up by the names suggested for consideration by the General Body itself or by the newly elected Managing Council in AGM.

Should the number of nominations for any elected post or post of Member of Managing Council exceed the number of vacancies, an election by a secret ballot to choose the winning candidate will be held electronically before the AGM as specified in subsequent outlined clause of E-voting.

**E-voting :**

**Elections should be conducted by electronic Voting as a rule however in case of exceptional circumstances if it is not possible,** Subsequent outlined method of physical ballots can be adopted.

**Eligible voters' list will be finalized 6 weeks before the AGM date.**

The encrypted database shall be locked for members' voting by all returning officers in the morning, around 9 am of the first day of scheduled voting period, as announced by president after approval by Managing committee.

Only votes casted electronically with electronic authenticity confirmed will be valid. The last date for accepting these will be on or before 5.00 pm on the prescribed date as recommended by Managing Council.

## **Counting and Declaration of Results**

The electronic votes will be counted and declared under the supervision of the returning officers and a representative of the independent auditor.

Unlocking of the database will be done by all the returning officers at 5.00 pm on the last day of voting as announced by the president. However, in exceptional circumstances where all the returning officers are unable to unlock the database, then all the returning officers present and available shall unlock the database and in any event not less than 2 (two) returning officers shall be required to unlock the database. This prescribed time and date, which necessarily must be before the date of AGM held in month of April. Contestants and/or their certified representatives can be present at the time of scrutiny and counting and declaration of the result of votes. The result has to be uploaded immediately on the official MOGS website, and sms with website link of result must be sent to entire membership of MOGS

For the post of member of Managing Council, the candidate receiving the highest number of votes will be appointed to the longest term. Elections must be held to decide the tenure of membership if any vacancy is less than 3 years.

## **Physical Voting :**

The outgoing Managing Council shall invite nominations for election to the new Managing Council at least four weeks before the Annual General Body Meeting.

All nominations must be addressed to the President and sent or given to the office of the MOGS in a sealed envelope (superscripted - Election MOGS [Year]). Nominations can also be sent by Reg. A. D. Post or by courier service. The office must record the receipt of such envelopes and give an acknowledgment for the same immediately.

The nominations should reach the Society's office at least fifteen days before the Annual General Body Meeting and will be scrutinized by at least two Office Bearers. It is clearly emphasized that no contestant at these elections can also be a scrutinizer.

All nominations received must be put inside a sealed box and kept in locked security. These will be opened only on the day and time of scrutiny and in front of the scrutinizers.

A person may withdraw his nomination not later than ten days prior to the Annual General Body Meeting.

If the requisite number of nominations for the membership of Managing Council are not received, the Managing Council shall recommend names to fill up these vacant posts or these may be filled up by the names suggested for consideration by the General Body itself or by the newly elected Managing Council.

Should the number of nominations for any elected post or post of Member of Managing Council exceed the number of vacancies, an election by a secret ballot to choose the winning candidate will be held at the Annual General Body Meeting of the society. Two scrutineers from general body will be appointed for counting the votes and preparing



the report to be submitted to President who will declare the results of elections at the AGM

Contestants and/or their certified representatives can be present at the time of scrutiny and counting of votes. For the post of member of Managing Council, the candidate receiving the highest number of votes will be appointed to the longest term. Elections must be held to decide the tenure of membership if any vacancy is less than 3 years.

17. (6) (OLD) Election shall be by secret ballot which includes any computerized election process. The elections will only be held at the Annual General Body Meeting where the members are physically present and voting. Adequate number of returning officers shall be appointed at the Annual General Body Meeting by the President

17.(6) (New)

-E voting shall be held by Secret Ballots through an Electronic Process prior to the Annual General Body Meeting.

-Physical voting :The counting of votes will only be held at the Annual General Body Meeting where the members are physically present. Adequate number of returning officers(scrutineers) shall be appointed at the Annual General Body Meeting by the President.

### **19. Vacancy in the Managing Council (old clause)**

- (a) Non-attendance of a member of the Managing Council at three consecutive meetings without permission or leave of absence of the President shall constitute a vacancy.
- (b) If a member of the Managing Council continues to be absent for four consecutive Managing Council meetings with or without permission, this shall constitute a vacancy. Such members shall cease to be a member of the Managing Council and will not be eligible to be a member for the next 3 years.
- (c) The Section 19 (a) and (b) shall not be applicable to the five Immediate Past Presidents or if a member of the Managing Council is unable to attend the meetings due to official FOGSI or MOGS assignments pre-informed to the President and Secretary.
- (d) Vacancy in the Managing Council caused by death, retirement, resignation, absenteeism or dismissal from membership of the Society shall be filled in, by co-option of an eligible member at the next Managing Council meeting Such a coopted member will continue to remain in the Managing Council until the next Annual General Body Meeting.

### **19. Vacancy in the Managing Council (New clause)**

(a) Non-attendance of a member of the Managing Council at three consecutive meetings without permission or leave of absence of the President shall constitute a vacancy.

(b) If a member of the Managing Council continues to be absent for four consecutive Managing Council meetings with or without permission, this shall constitute a vacancy. Such members shall cease to be a member of the Managing Council and will not be eligible to be a member for the next 3 years.

The Section 19 (a) and (b) shall not be applicable to the five Immediate Past Presidents or if a member of the Managing Council is unable to attend the meetings due to official FOGSI or MOGS assignments pre-informed to the President and Secretary.

(c) Vacancy in the Managing Council caused by death, retirement, resignation, absenteeism or dismissal from membership of the Society shall be filled in, by co-option of an eligible member at the next Managing Council meeting. Such a co-opted member will continue to remain in the Managing Council until the next Annual General Body Meeting.

Vacancy created by resignation of any office bearer the post will be open for election as per the election rules in the next AGM.

f. **Business at the Annual General Body Meeting- (old clause)**

7. To adopt the Balance Sheet and audited Statement of Accounts by the certified auditors and passed by the Managing Council.

f. **Business at the Annual General Body Meeting- (New clause)**

7. To Present the Balance Sheet and unaudited Statement of Accounts prepared by the certified auditors after being presented to the Managing Council.

**g. Collaboration With Other Bodies/Organizations (old clause)**

This will be a strictly monitored event as detailed in the relevant Resolution appearing in the Annexure at the end of this constitution

Briefly it involves:

- a. An application in the prescribed format by the person or institution requesting the collaboration.
- b. Acceptance by the Managing Council of such a request.
- c. Appointment of MOGS Representatives to be on the Organizing Committee of the collaborator.

Adherence to the terms and conditions agreed in the contract of collaboration.

The above resolutions can be modified by the recommendation of the MC and approved by the General Body.

**i. Collaboration With Other Bodies/Organizations and use of MOGS name/ LOGO (New Clause)**

**This will be a strictly monitored event after approval by managing committee on receipt of an official email requesting for collaboration. MOGS members will be involved in organising committee as well as the faculty of the collaborative event.**

This collaborative event will be organised as per detailed separate agreement (contract of collaboration) to be entered into and executed with the Other Bodies/Organizations

The terms and conditions of such agreement shall be as per the approval of the managing committee from time to time

MOGS name/ logo shall be used for a fee/remuneration to be decided by MOGS' managing committee under the separate agreement (contract of collaboration) entered with the other bodies / organisations. Under no circumstance shall the MOGS name /Logo be permitted to be used without such fee/remuneration except in exceptional circumstances duly approved by the MOGS Managing committee.

**Use of Presidential year theme logo:**

**President can have his/her year's logo to be used exclusively for all MOGS activities during his/her year. President cannot use his/her theme logo after presidential year is over. MOGS will own all intellectual copy rights of this logo. It will be used only during the respective presidential year along with the MOGS Logo. Presidential theme logo cannot be used without MOGS logo. Financial dues as per guidelines will be applicable whenever MOGS logo, Theme logo of the year, name of MOGS/ post is used.**

***Exclusive rights for creating theme logo of President:***

**MOGS does not permit or there is no provision for any managing committee member, Vice president/ /subcommittee chairperson/ or any such person to create and use a separate logo for official MOGS / COMMITTEE activities. It is an exclusive right of the president of MOGS.**

**Use Of MOGS Name /Logo or Both**

***Propriety Right of Possession***

- The MOGS name & logo are exclusive brands belonging to The Mumbai obstetrical and gynecological society
- The logo is registered under the Trade Marks Act, 1999
- Any misuse or unauthorised use is liable for appropriate action.

***Permissible Use of MOGS Name / Logo or both***

**The MOGS name & logo may only be used in the following situations:**

- Official MOGS conferences.
- MOGS publications.
- MOGS subcommittee activities & publications.
- MOGS when organising events with FOGSI.
- Other conferences in collaboration with other societies like, ISAR/ IAGE IMS / ISOPARB, etc. when MOGS dues are paid as per guideline.
- When formal permission has been granted by MOGS for other use.
- Due permission must be obtained for using MOGS Logo.
- If any publication to be endorsed with MOGS Logo, royalty amount of minimum Rs 50,000/- (Rs. Fifty Thousand Only) should be paid to MOGS in situations where the publication is not for sale. Authors and contents will be decided by President
- Publication with a logo 15 % Royalty fees of selling price.

- ***Identification of Unauthorised Use***

***Situations where use of MOGS logo is considered unauthorised:***

- Any conference or workshop in which MOGS is not officially involved or acknowledged, directly or through one of its committees.
- Any conference where financial commitments with MOGS do not fulfil the FOGSI Administrative Guidelines.
- Any publication, brochure, booklet, poster or CD not officially sanctioned by MOGS, prior to publishing
- Any promotional material released, displayed or exhibited by commercial interests.
- Any use by any individual or organization where formal permission has not been granted by the MOGS for such use.

**Action to be taken for Unauthorised Use**

- Formal communication pointing out the unauthorised use of a brand registered to MOGS & seeking an explanation & a formal apology if necessary.
- Office bearers to inform the Managing Committee of the unauthorised use.
- In a contravention that is judged serious or that is repeated:
- MOGS – Managing Committee may initiate action / legal action / termination of membership.
- Nonmembers or other organization – Appropriate legal action on behalf of MOGS

## **27. Board of Trustees (OLD)**

i) Eligibility to be a trustee:

Only a Past President of the Society can be nominated to be a trustee of the Society.

ii) A Board of trustees will be the custodians of the assets, immovable properties and the corpus of the Society. Five eligible members will constitute this Board.

- a) The Managing Council will nominate five Trustees who shall be the senior most Past Presidents of the Society, whose names will be recommended by the

Managing Council for approval by the General Body at the Annual General Body Meeting. The number of Trustees will always remain constant at five only.

**b)** The original Trustees were

1. Dr. Chamanlal Mehta
2. Dr. G. N. Vazifdar
3. Dr. K. M. Masani
4. Dr. B. N. Purandare
5. Dr. C. L. Jhaveri

The current Trustees are:-

1. Dr. R. D. Pandit appointed on 20-8-78
2. Dr. V. N. Purandare appointed on 21-7-91
3. Dr. Mahendra N. Parikh appointed on 12-6-97
4. Dr. Vasant B. Patwardhan appointed on 12-7-01
5. Dr. N. D. Motashaw appointed on 12-7-01

It is expressly desired and specified that the above five existing trustees on the board are appointed for life. New appointments when a vacancy occurs in the Board shall be made as per the guidelines and amendments suggested below. The suggested amendments will therefore not follow the yearly rotational retirement recommended for future new Trustees till such time the existing Trustees continue to carry out their designated functions.

Eligible members will be recommended by the Managing Council to the General Body for approval to be selected as a trustee will be appointed in the AGM in April.

The term of office of a trustee will be seven years. No member can occupy the Trustee's post for more than seven years.

In the event of vacancy in the board due to death or disability of a trustee during the term of office of that trustee, the Board of Trustees will be authorized to temporarily fill up this vacancy with another eligible candidate. However at the ensuing AGM a regularly appointed trustee will fill in this vacancy. The Chairman of the Board of Trustees shall be elected by mutual consensus of the existing Board members. The tenure of the Chairman will be two years. The chairman will retire in AGM and a new chair man will be appointed by the general body on recommendation of the managing council from amongst existing four members of board of trustees generally as per seniority. A New member of board of trustees will be appointed by the general body on recommendation of the managing council from amongst Past presidents of the society generally by seniority.

The Incumbent President, President Elect, Secretary and the Treasurer of the society shall be Ex-Officio members on the Board of Trustees. They will have all rights to deliberate and participate and vote at all the meetings of the board. In issues of

dispute when voting on the issue takes place, the Chairman will have the discretion to use his casting vote in case of a tie. Four members will constitute a Quorum for a board meeting of which at least two members must be Trustees. No meeting can be held without a Quorum

During important functions of the society and the AGM the Chairman of the Board of Trustees, shall be seated on the dais next to the Vice President.

## **27. Board of Trustees (New Clause)**

(i) Eligibility to be a trustee:

Only a Past President of the Society can be nominated to be a trustee of the Society.

(ii) A Board of trustees will be the custodians of the assets, immovable properties and the corpus of the Society. Five eligible members will constitute this Board.

(a) The Managing Council will nominate five Trustees who shall be the senior most Past Presidents of the Society, whose names will be recommended by the Managing Council for approval by the General Body at the Annual General Body Meeting. The number of Trustees will always remain constant at five only.

(b) The original Trustees were

1. Dr. Chamanlal Mehta
2. Dr. G. N. Vazifdar
3. Dr. K. M. Masani
4. Dr. B. N. Purandare
5. Dr. C. L. Jhaveri

Board of Trustees tenure and appointments :-

Eligible members will be recommended by the Managing Council to the General Body for approval to be selected as a trustee will be appointed in the AGM in April.

The term of office of a trustee will be seven years. No member can occupy the Trustee's post for more than seven years.

The new trustees as per seniority will be appointed in AGM in April in case of the vacancy in board. New chairman of board of trustees will be appointed in April meeting from the trustees board as per seniority.

Tenure of chairman will not be more than 2 years and the total tenure of trustees will not be more than 7 years however In the event of vacancy in the board due to death or disability of a trustee during the term of office of that trustee, the Board of Trustees will be authorized to temporarily fill up this vacancy with another eligible candidate. However at the ensuing AGM a regularly appointed trustee will fill in this vacancy. In case temporary trustee continues as regular trustee, his regular tenure will begin from the AGM and will be for 7 years.

The Chairman of the Board of Trustees shall be elected by mutual consensus of the existing Board members. The tenure of the Chairman will be two years. The chairman will retire in AGM and a new chairman will be appointed by the general body on recommendation of the Managing Council from amongst existing four members of board of trustees generally as per seniority. A New member of board of trustees will be appointed by the general body on recommendation of the managing council from amongst Past presidents of the society generally by seniority.

The Incumbent President, President Elect, Secretary and the Treasurer of the society shall be Ex-Officio members on the Board of Trustees. They will have all rights to deliberate and participate and vote at all the meetings of the board. In issues of dispute when voting on the issue takes place, the Chairman will have the discretion to use his casting vote in case of a tie. Four members will constitute a Quorum for a board meeting of which at least two members must be Trustees. No meeting can be held without a Quorum

During important functions of the society and the AGM the Chairman of the Board of Trustees, shall be seated on the dais next to the Vice President.