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# CONSTITUTION

THE ASSOCIATION OF PHYSICIANS OF INDIA

Amended Constitution as adopted by the  
**68<sup>th</sup> ANNUAL GENERAL BODY MEETING**  
held on 31<sup>st</sup> January, 2013 at Coimbatore

And also added the Amended Constitution  
as adopted by the 70<sup>th</sup>, 71<sup>st</sup>, 75<sup>th</sup> and 77<sup>th</sup> Annual General Body Meetings

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# **The Association of Physicians of India**

(Registered at Madras on 23rd December, 1944  
under the Societies Registration Act XXI of 1860)

## **PREAMBLE**

The vision of a few stalwart Physicians of India gave birth to the idea of forming the Association of Physicians of India in 1944 mainly to provide a common forum to the Physicians of India to meet and to share experience and research observations in the field of Medicine. (The names of the Founder Members are listed in Annexure I).

## **PART I : MEMORANDUM OF THE ASSOCIATION**

1. The name of the Association is "The Association of Physicians of India."
2. The registered office of the Association shall be situated at Mumbai for the present.
3. The headquarters of the Association shall be at Mumbai.

### **4. Aims and Objectives**

- 4.1 To encourage and advance the knowledge, study and practice of the science of medicine in all ways.
  - 4.1.1 To spread the knowledge / awareness in the field of medical science among all the Medical practicenor, NGOs having similar objects and general public at large.
- 4.2 To encourage research, including experimental work, in the science of medicine.
- 4.3 To organize, establish, conduct, superintend or control institutions for promoting, whether directly or indirectly, the study of and research in problems, prevention and control of various diseases relating to the science of medicine.
- 4.4 To hold meetings and organize conferences, exhibitions, study circles or conventions for the study and discussion of problems relating to and allied with the science of medicine.
- 4.5 To provide instruction and education to deserving persons in the science of medicine.

- 4.6 To make pecuniary grants by way of scholarships, donations, subscriptions, allowances, gratuities, guarantees and otherwise to and for the benefit of deserving students, scholars and other persons who are worthy of receiving such grants by reasons of their skill and proficiency in the science of practice of medicine or their contribution to the cause of promotion of learning, research and practice of the science of medicine
- 4.7 To award prizes, medals or other certificates or diploma of proficiency in the science of medicine to persons found deserving after such tests, examinations or other forms of scrutiny as may be prescribed from time to time.
- 4.8 To make rules, prescribing standards of professional conduct for members of the Association in conformity with the relevant provision of Medical Council of India.
- 4.9 To establish and maintain libraries and reading rooms.
- 4.10 To print, publish, distribute or sell books, pamphlets, notices, pictures, periodicals, newspapers or magazines or any other literature on any matter concerning or relating to the science or practice of medicine or the life or work of eminent persons.
- 4.11 To suggest, study, offer opinion and advise on, or take part in, the framing of laws affecting the science of practice of medicine, medical education, health policies and health care activities.
- 4.12 To promote esprit de corps among persons studying or practicing the science of medicine and good feelings between them and members of the general public or public authorities.
- 4.13 To co-operate with other associations or individuals to promote the objects of the Association.
- 4.14 To construct, provide, regulate and maintain buildings, rooms or other structures for the purpose of the Association and to alter, add to or remove any of them.
- 4.15 To receive any gift or legacy of moveable or immovable assets with or without conditions for promoting the objects of the Association.
- 4.16 To acquire by purchase, lease, or otherwise, any property, rights, or privileges for the purposes of the Association.

- 4.17 To improve, manage, develop, sell, mortgage, lease or let, under-lease or sub-let, dispose of, turn to account or otherwise deal with, all or any part of the property of the Association.
- 4.18 To act as trustees, agents or managers of property endowed by any person for objects similar to those of the Association.
- 4.19 To encourage formation of chapters/branches at local and state level and to appoint agents and correspondents whether in India or abroad for promoting all or any of the objects of the Association.
- 4.20 To draw, make, accept, endorse, execute, negotiate, purchase, lend money upon, discount, hold and dispose of cheques, promissory notes, bills of exchange, drafts and other instruments and to cancel or change such instruments as per statute of Government.
- 4.21 To lay out, advance, invest, and deal with the Association's funds for such investments and securities and generally in such manner as may be determined from time to time.
- 4.22 To engage such officials, servants or other persons as may be found necessary or useful for the conduct and management of the affairs of the Association.
- 4.23 To make bye-laws, rules and regulations of the Association and to delete, change, or add to the same from time to time.
- 4.24 To do all such other acts as may be necessary, incidental, conducive or convenient to the attainment of the above objects or any of them.

## **EXPLANATION**

It is hereby declared that none of the objects or powers enumerated above shall be deemed subsidiary or auxiliary to the objects mentioned in any one or more of them.

## **PART II: RULES AND BYE-LAWS**

### **1. Definitions and Abbreviations**

Unless otherwise specified in succeeding paragraphs,

- A) "Association" or "API" means "The Association of Physicians of India",
- B) "HQ" means the "Head Quarters" of the Association at Mumbai.
- C) "Journal" or "JAPI" means "The Journal of Association of Physicians of India",
- D) "APICON" means the "Annual Conference of the Association of Physicians of India".
- E) "Ex-Officio Members" shall mean Members as specified under Clause 3.2.9.
- F) "Governing Body" means "The Governing Body of the Association of Physicians of India" as constituted under these rules and bye-laws.
- G) "Faculty Council" means "The Faculty Council of the Indian College of Physicians" as constituted under these rules and bye-laws.
- H) "Co-opted Members" shall mean members as specified under Clause 3.2.10.
- I) "Credentials Committee" means "The Credentials Committee of The Association of Physicians of India" as constituted under these rules and bye-laws.
- J) "ICP" shall mean "The Indian College of Physicians".
- J1) "PRF" shall mean "Physicians Research Foundation".
- K) "Organising Secretary" means "The Organising Secretary of the Annual Conference of the Association" as nominated under these rules and bye-laws.
- L) "Office Bearer" means a person holding the office of President, President Elect, Vice President, Honorary General Secretary, Honorary Treasurer or Joint Secretary (HQ) in the Governing Body as per these rules and bye-laws.
- M) Member/Members means Member/Members of the various categories as specified in 2.1.
- N) "Membership Register" means the register containing details of the Members maintained by the Association.
- O) "A.G.M." or "Annual General Body Meeting" means the Annual meeting of the members of the Association of Physicians of India held as per the provisions of Clause 5.1.2.

1.1 All disputes regarding API, ICP, and their activities shall be subject to the jurisdiction of the court of law at the API Headquarters at Mumbai only.

## **2. Membership**

2.1 The membership of the Association shall be of six categories, viz. (a) Patrons with tenures decided by Governing Body on case basis (b) Life Members, (c) Life Associate Members, (d) Retired Members (e) Honorary Members and (f) International Members.

### **2.2 Eligibility Criteria for Various Categories of Memberships**

#### **2.2.1 Patrons**

Any corporate body or an individual donating (an amount as decided by the Governing Body from time to time) Rs.10,00,000/- (Rupees Ten Lakhs) can, at the discretion of the Governing Body, be enrolled as a Patron of the Association. Patron members shall have neither voting rights nor the right to propose or second any person for any post or hold any office of the Association.

#### **2.2.2 Life Members**

Life Members shall be required to possess a postgraduate degree such as MD/DNB, DM, or equivalent in Internal Medicine from any institution or university recognized by the Medical Council of India and holding super specialization qualification in medical specialties /or approved by the Governing Body of the Association.

MD General Medicine / Internal medicine includes specialties such as Cardiology, Gastroenterology, Diabetology, Nephrology, Neurology, Clinical Haematology, Chest & Tuberculosis, Endocrinology, Gerontology, Infectious Diseases, Allergy, Immunology, Rheumatology, Medical Oncology, Pulmanology, Gastroenterology and others approved by the Governing Body and ratified by the General Body. Life membership shall be open to citizens of India only.

This is because some of these candidates after other specialization than MD/DNB medicine like MD Pediatrics, MD Chest Etc.

2.2.2.1 Any person qualified to be a Life Member could be enrolled as a Life Member of API after paying one time subscription (as applicable) that is non-refundable. In addition he shall be required to

pay an admission fee as prescribed. The life membership fee shall form a part of the corpus.

2.2.2.2 Persons otherwise eligible to be admitted as Life Members but who are not citizens of India may be admitted as Life Associate Members only, in the manner provided below.

### **2.2.3 Life Associate Members**

A person holding a post-graduate degree or diploma recognized by the Medical Council of India in any branch of medical science related to general Medicine who is not eligible for life membership (as stated in Rule 2.2.2 above) shall be enrolled as a Life Associate Member. Life Associate Members shall have no voting rights, nor the rights to propose, second anyone or contest for any office of the Governing Body. Life Associate Members of the Association are not eligible for any oration, lectureship or any other award of the Association.

Note : Persons – who are not citizens of India are covered by 2.2.2.2.

2.2.3 A Post Graduate students in medicine for the membership of API which will be made Postgraduate Member on non refundable part payment of the 50% of membership fees initially followed by the rest of the payment after passing MD / DNB which will be paid within three years of initial payment.

### **2.2.4 Retired Members**

Henceforth, there shall be no member in this category. The existing Retired Members will continue their membership for lifetime. Retired members shall get all the privileges of Life Members.

### **2.2.5 Honorary Members**

The Governing Body may admit a person, who in their judgment is a renowned scientist as an Honorary Member. The proposal for Honorary membership should be made by two Life Members of API. The proposal should reach the Head Office by 30th June of the year. This decision shall be communicated to all the members of API through JAPI.

## **2.3 MEMBERSHIP PROCEDURE**

2.3.1 The membership application shall be in a form



prescribed by the Governing Body and shall be duly proposed and seconded by existing valid members. It shall be accompanied by documentary evidence of eligibility, qualification and prescribed fees by a bank draft payable at Mumbai.

2.3.2 The Governing Body is the final authority to admit applicants to all categories of membership. The Governing Body shall, also accept the resignation from membership, as also decide cessation of membership for any other reason.

## **2.4 MEMBERSHIP FEES**

2.4.1 The subscription for Life Membership or Life Associate Membership Proposed Rs.10000/- (Rupees ten thousand only) In addition excepting for Honorary membership there shall be an admission fee of Rs. 1100/- for all categories of membership. Rs. 500/- shall be utilized for API, Rs. 500/- shall be utilized for JAPI, the Balance of Rs. 100/- for corpus fund for Physicians Research Foundation (PRF). Life Membership or Life Associate Membership 11100/- + GST Rs. 1998/- Total Rs. 13098/-

On landmark events likes golden jubilee year of API, Physicians day etc, 25% discount will be offered for API membership.

2.4.2 Associate Life Membership fees for Physicians from any country other than India shall be (an amount as decided by the Governing Body from time to time) U.S. Dollars \$600/- or its equivalent in Indian currency.

2.4.3 Post Graduate students in medicine for the membership of API which will be made Postgraduate Member on non-refundable part payment of the 50% of membership fees Proposed Rs.5000/- (Rupees five thousand only) In addition excepting for Honorary membership there shall be an admission fee of Rs. 1100/- for all categories of membership. Rs. 500/- shall be utilized for API, Rs. 500/- shall be utilized for JAPI, the Balance of Rs. 100/- for corpus fund for Physicians Research Foundation (PRF). Postgraduate Membership 6600/- + GST Rs. 1098/- Total Rs. 7198/-

Initially followed by the rest of the payment after passing MD / DNB which will be paid within three years of initial payment Rs. 5900/-.

## **2.5 RESIGNATION**

A member wishing to resign his/her membership shall communicate the same to the Honorary Secretary in writing. Life membership fee of such member shall not be refunded and the name of such member shall be removed from the Membership Register.

## **2.6 CESSATION OF MEMBERSHIP**

The Governing Body by a three fourth (3/4) majority of the members present in the meeting may remove the name of any member from the register of members for gross misconduct after sending him/her a notice by registered post and giving him/her a proper opportunity to defend himself/herself including a hearing in person. Such action of the Governing Body shall be subject to ratification by 2/3 members present at the General Body Meeting of the Association.

## **2.7 MEMBERSHIP REGISTER**

A membership Register containing the names and addresses of members shall be kept at Headquarters of API. On receiving information from members, all changes pertaining to the members including their citizenship or addresses shall be recorded in the register. A list of members with their names and addresses shall be circulated to all members once in five years. The addendum shall be displayed on API Website after the new members are approved by the Governing Body and regular updating of this list shall be done.

## **2.8. PRIVILEGES OF MEMBERS**

2.8.1 Subject to the provisions of these rules and by-laws, all Life and Life Associate Members shall be entitled to participate in all activities of the Association. They shall also receive a free copy of the Journal (JAPI) and a Membership Directory.

Only Life Members shall have the right to vote.

2.8.2 All Life Members shall have the privilege of registration for the Annual Conference at a concessional rate, Fellowship of ICP (if eligible as per procedure), orations, awards, lectureships and other official assignments.

### **3. Governing Body**

3.2.1. President

3.2.2. Immediate Past President

3.2.3. President Elect

3.2.4 Vice Presidents 3

3.2.5 Honorary General Secretary

3.2.6 Joint Secretary of API / ICP

3.2.7. Honorary Treasurer

3.2.8 Elected Members General (on all India Basis) Eighteen **(18)**

3.2.9 **ELECTED MEMBERS ZONAL** 9

Nine zonal members shall be elected to the Governing Body once every three years.

- i. North West Zone**  
Jammu & Kashmir, Punjab, Haryana, Chandigarh and Himachal Pradesh
- ii North Zone**  
Delhi, Uttar Pradesh and Uttaranchal.
- iii Mid-East Zone**  
Bihar, Orissa and Jharkhand.
- iv East Zone**  
West Bengal and Sikkim
- v North East Zone**  
Assam, Meghalaya, Arunachal Pradesh, Mizoram, Tripura, Nagaland, Manipur, Andaman and Nicobar
- vi . Central Zone**  
Madhya Pradesh, Rajasthan and Chattisgarh.
- vii. West Zone**  
Maharashtra, Gujarat, Goa, Daman and Diu 11
- viii Mid South Zone**  
Andhra Pradesh and Karnataka
- ix South Zone**  
Tamil Nadu, Pondicherry, Kerala and Lakshadweep

### **3.2.10 Ex-Officio Members**

Dean – ICP

Director – PRF

### **3.2.11 Co-opted Members**

Jt. Secretary from the Place of President - 1

Armed Forces Medical Services – 1

(if there is no elected serving member in the Governing Body from these Services)

Organising Secretary APICON

Immediate Past Organizing Secretary APICON

These vacancies shall be filled on yearly basis in the first meeting of the Governing Body in a given year.

### **3.2.12 Invited Members**

(a) Permanent Invited Members :

Editor – API Textbook of Medicine

Editor – JAPI

Chairman – API House Committee

Chairman – Finance Committee

(b) The President may invite a maximum of two members in a particular meeting of the Governing Body for a specific purpose.

(The Invited Members shall have no voting rights).

### **3.2.13 Tenure:**

a. The Tenure of Office of President Elect, President and Past President shall be one year.

- b. The Tenure of Office of Vice President shall be one term of 3 years only.
- c. The Tenure of Office of Hon. General Secretary shall be for a maximum of 2 terms of 3 years each.
- d. The Tenure of Office of Hon. Treasurer and Governing Body Member (General or Zonal ) shall be maximum 3 terms of 3 years each either alone or all combined together in the governing body.
- e. No member shall be eligible to seek election consecutively or otherwise for more than one tenure of one year for President Elect, for more than one tenure of 3 years for the post of Vice President and for more than 2 tenures of 3 years each as Hon General Secretary and 3 terms of 3 years each as Hon Treasurer or Elected member of the Governing Body (General or Zonal) in either or all of them put together in this sub-category. Thus one can serve the Governing Body for not more than a total period of 12 years excluding the period of tenure as Vice President, President Elect, President, Past President (However, the period of any tenure occupied due to a mid term vacancy shall not be counted towards this limitation).

### **3.3 ELECTIONS**

#### **3.3.1. Eligibility**

- 3.3.1.1 President Elect : To contest for the post of President Elect, the candidate should be a Life Member of API for at least 10 years and should have completed at least two full terms of 3 years each in any elected position in the Governing Body.
- 3.3.1.2 Vice President & Hon General Secretary: To contest for the Post of Vice President and Hon. General Secretary, the candidate should be a life member of API for at least 5 years and should have completed at least one continuous full term of 3 years in any elected position in the Governing Body.

- 3.3.1.3 Hon Treasurer & Member Governing Body: To contest for all other elected positions, continuous membership of the Association for at least 3 years is mandatory.
- 3.3.1.4 All the office bearers and members of the Governing Body shall be ordinarily residing in India during the tenure of their office.
- 3.3.2 No member shall be eligible to seek election consecutively or otherwise for more than one tenure of 3 years each as Vice President and more than three tenures of 3 years each as Honorary Secretary, Honorary Treasurer or Elected Member of the Governing Body (General and Zonal) in either or all of them put together. Furthermore, a member can only serve the Governing Body for not more than a total period of 12 years, excluding the period of tenure as Vice President, President-Elect, President and Past President. However the period of any tenure occupied due to a mid-term vacancy shall not be counted towards this limitation.
- 3.3.3 Persons holding the post of President/President-Elect at any time shall not seek election for any position in the Governing Body in future.
- 3.3.4. A member shall not contest simultaneously for more than one post (i.e. President-Elect, Vice-President, Honorary Secretary, Honorary Treasurer or Elected Member of the Governing Body –General and Zonal). Also a member shall not contest any post in the API or ICP simultaneously. Post means not only an office-bearer but also member of Governing Body or Faculty Council of ICP.
- 3.3.5. The President shall become Immediate Past President and the President-Elect shall automatically become President after the Annual General Body Meeting.

#### **3.4 ELECTION AND ELECTION PROCEDURE**

- 3.4.1 The elections shall be held for President-Elect, one Vice-President and four Elected Members— General (On all India basis) every year and for Honorary General Secretary, Honorary Treasurer and eight Zonal Elected Members every 3 years.

3.4.1.1 Number of Elected member General (on all India basis) should be raised to 18 from existing 12, out of which 6 are to be Elected each year.

3.4.1.2 One Vice-President shall be elected every year.

3.4.2. The Honorary General Secretary shall send the information to API members through JAPI by publishing the information regarding vacancies in the Governing Body and inviting nominations for these vacancies through March, April and May issues of JAPI and in addition also place the same information on API Website.

However for whatsoever unforeseen reason(s) if it is found that this information regarding elections can not be sent to members through JAPI in time at least one month before the last date of receipt of nominations i.e., 31st May of the given year, it would be then the responsibility of Hon General Secretary to see that this circular is sent to all members by Post.

3.4.2.1 The nomination paper which shall set out the candidate's name and address and the office for which the candidate is nominated shall be proposed by one valid Life member, seconded by another valid Life member and duly signed by the candidate signifying his/her willingness to stand for the election and to serve in the Governing Body if elected.

3.4.2.2 Nomination paper must reach the Honorary General Secretary not later than 31st May every year.

3.4.2.3 The nomination paper must be accompanied by a demand draft of (an amount as decided by the committee) Rs. 7500/- + GST 1350= 8850/- (Rupees eight thousand eight hundred fifty only) favouring "Association of Physicians of India" payable at Mumbai. A nomination paper not accompanied by a demand draft of Rs. 8850/- shall be deemed invalid.



- 3.4.2.4 A bio-data of the contesting candidate not exceeding 200 words may accompany the nomination. Excess of bio-data beyond the first 200 hundred words shall be deleted. Canvassing in any form or in favour of the candidate shall not be permitted.
- 3.4.2.5 Each candidate shall declare in the specifically provided column in the nomination form, the period of his/her having served the governing Body. In case at any stage if it is proved that the declaration has violated rule 3.2.12 or 3.3 he/she shall be debarred from contesting elections for a period of 3 years.
- 3.4.2.6 The Election shall be conducted from the headquarters at Mumbai. An Election Committee consisting of President Elect who will be the Chief Electoral Officer, Hon. Gen. Secretary or Jt Secretary - HQ (in case Hon. Gen Secretary is contesting the election) and three members nominated by the Governing Body shall conduct the Election. (One member from these 3 members shall be from head quarters). Any member contesting in the election shall not be part of the Election Committee.
- 3.4.2.7 The election process shall be conducted under the supervision of the Chief Electoral Officer who shall be solely responsible for initiating and conducting the elections as per API Rules and Regulations in force. No other official of the API shall have any role to play once the election process with inviting nominations for various posts is set in motion. In case the Chief Electoral Officer needs any clarification(s) and guidance, he shall seek the guidance from the President, and if still need be from the Governing Body and he shall be answerable to the Governing Body on this account.
- 3.4.3 The Honorary General Secretary shall inform the contesting candidates of all the nominations received for the post they are contesting by Speed Post / Registered Post and e-mail wherever available. If a candidate wishes to withdraw his/her nomination, he/she should inform the Honorary General Secretary in writing on or before 20th June of the year.

- 3.4.4 In case of a contest for any post the Honorary General Secretary shall send Ballot Paper to the members for voting by 15th July of the year by Registered Post by India Post only. The Ballot Paper shall have an API Election Hologram affixed on it. The ballot papers should bear the signatures of the Honorary General Secretary and Chairperson of the Election Committee. Canvassing in any form and collection of Ballot Papers by contesting candidates and / or others is not allowed. If any candidate/member is found indulging in the same, he/she shall be disqualified from the election and shall be debarred from contesting elections for the next three consecutive years. Collection of empty ballots must be discouraged. Disciplinary action should be taken against and debarred from contesting in three consecutive years. The ballot paper must not be shared and if found action will be taken by election chairman.
- 3.4.5 The Members should return the Ballot Paper after casting their vote to the Office by 31st August by India Post only and the Ballot Paper should be posted by the voter himself/herself from the city of his/her residence or nearby area. Ballot Papers received "By Hand" will not be accepted.
- Only Duplicate Ballot Papers sent by Single Courier also shall be accepted apart from Regular India Post
- 3.4.6 If the deadline for any of these procedures falls on a Sunday or a Bank holiday, the next working day shall be deemed to be the deadline.
- 3.4.7 The ballot papers shall be opened and counted by the Election Committee in the presence of the contestants / their authorized representatives who are members of API and whose signature shall be obtained on the Election Committee Report. Before counting the Election Committee shall record the details of ballot papers printed, posted, received, undelivered from the post office and returned by the voters. The committee on the spot shall immediately decide objections or complaints if any from the candidates or their authorized representatives. The results shall be declared at the end of counting of votes and announced in the subsequent issue of JAPI. The report shall be placed before the Governing Body for intimation.

- 3.4.8 Any Governing Body Member may resign his/her position by communicating the same in writing to the Honorary General Secretary or the President. The resignation shall take effect from the date of its acceptance by the Governing Body.
- 3.4.9 Any Governing Body member who ceases to be a valid member for any reason shall be deemed to have vacated his office in the Governing Body.
- 3.4.10 All vacancies in the Governing Body except that of President-Elect / President whether occurring as a result of uncontested position or otherwise shall be filled by the Governing Body, for a period till next General Election, not exceeding one year in any case. The Honorary General Secretary shall issue an urgent short notice in the journal inviting nominations and providing time for withdrawals. The valid nominations shall then be placed before the Governing Body in the immediate succeeding meeting for electing the incumbents.
- 3.4.11 In the event of vacancy arising for the office of President-Elect, a fresh election by postal ballot shall be held. The Honorary General Secretary shall issue a notice inviting nominations providing one month for the nomination, 15 days from the last date of nomination for withdrawal and not less than 1 month for balloting and return of ballots. The counting of votes and declaration of result shall be done by a committee of the Honorary General Secretary, Treasurer, Joint Secretary HQ and presided over by the President. For a vacancy occurring in the office of President, no fresh elections shall be held and the senior- most Vice-President shall perform the duties of the President as per rule 5.1.1. For any other unforeseen eventuality, the Governing Body shall take an appropriate decision.

### **3.5 ELECTION DISPUTES**

- 3.5.1 In the first instance, any complaint pertaining to any process of election, if any, except counting of ballots must be lodged with the Chief Electoral Officer along with documentary proof of any irregularity before the start of the counting procedure. No complaint other than that of the counting procedure shall be entertained once the counting procedure has started. Complaints pertaining

to the counting procedure or counting irregularities, if any, must be lodged in writing by the contestant or his representative with the Chief Electoral Officer during the counting procedure or immediately after the counting has been completed or within fifteen days after the completion of counting.

- 3.5.2 An Election Redressal Committee comprising of the President, Dean of ICP, Director of PRF two immediate Past Presidents and Chief Electoral Officer would review the evidence provided by the complainant and would give its ruling within 15 days.
- 3.5.3 If the complainant remains unsatisfied with the decision of the Election Redressal Committee, he/she may ask for hearing by the Panel of Arbitrators.
- 3.5.4 The Panel of Arbitrators shall comprise of
  - i) President
  - ii) Retired High Court Judge / Eminent Jurist
  - iii) Past President
- 3.5.5 The arbitration proceedings shall be conducted in accordance with the Indian Arbitration and Conciliation Act, 1996.
- 3.5.6 The seat of Arbitration shall be at the Head Quarters of the Association at Mumbai.
- 3.5.7 The decision of the panel of Arbitrators shall be final and binding on all parties.
- 3.5.8 The Governing Body of the Association shall determine the fees payable to the non-API arbitrators.
- 3.5.9 The fees payable to the Arbitrators shall be borne in equal proportion by the contesting persons.

### **3.6 CO-OPTION OF MEMBERS TO THE GOVERNING BODY**

- 3.6.1 The Honorary General Secretary shall receive nominations for co-option along with the consent of the nominees before-hand. The nomination for the Joint Secretary shall be made by the President, for the Organising Secretary APICON by the API Branch/ institution hosting the APICON, while for other posts any sitting Governing Body member shall make the nomination.

## 4. Order of Precedence and Protocol

4.1 Order of precedence shall be as under :-

1. President
2. Immediate Past President
3. President Elect
4. Dean ICP
5. Director PRF
6. Vice-Presidents
7. Honorary General Secretary
8. Joint Secretary, Headquarters
9. Hon. Treasurer
10. Elected Members
11. Organising Secretary APICON
12. Editor-in- Chief JAPI and Editor-in- Chief API Text Book
13. Co-opted members

4.2 Protocol and seating arrangements on dais at various functions. These functions will be conducted by the Head Quarters.

- 4.2.1 At the inauguration of the Conference - Appendix A  
*(see page 31)*
- 4.2.2 At the inauguration of the CME - Appendix B *(see page 31)*
- 4.2.3 At the inauguration of the Scientific Session - Appendix C  
*(see page 31)*

## 5. Meetings

### 5.1 GENERAL BODY

5.1.1. The President shall preside over all the meetings of the Governing Body and the General Body. If the President is not present, one of the Vice-Presidents in order of seniority or in their absence, one of members present at the meeting shall be elected by other members to preside over the meeting.

#### 5.1.2 Annual General Body Meeting

The Annual General Body Meeting of the Association shall be held each year on a day, time and place to be fixed by the Governing Body. The notice and agenda for the Annual General Body Meeting of the Association shall be posted at least 30 days in advance of the date fixed for the meeting.

- 5.1.3** The Governing Body shall submit an Annual Report of the proceedings of the Governing Body and its Committees, if any, and of the activities of the Association together with a statement of the assets and liabilities of the Association and an abstract of receipts and disbursements during the year and the report of the Auditors, if any.
- 5.1.4** The President may, whenever he thinks fit upon requisition made in writing and signed by not less than 500 members of the Association, shall convene a Special General Body Meeting at such place as he may decide. Any requisition made by the members shall state the objects of the Special Meeting proposed to be called and shall be addressed to the Honorary General Secretary.
- 5.1.5** The Honorary General Secretary shall, upon receipt of such a requisition, proceed to convene, under orders of the President, a Special General Body Meeting, which shall be held within sixty days from the date of receipt of such a requisition at a place and time fixed by the President.
- 5.1.6** At the Special General Body Meeting, only the business to which notice has been given or such questions as naturally arise thereon shall be discussed.
- 5.1.6.1 Any member desiring to move a resolution at the Annual Meeting shall give notice of the same in writing to the Honorary General Secretary at least sixty days before the date fixed for the General Body Meeting.
- 5.1.7** One hundred and fifty members present at a General Body Meeting shall form the quorum for that meeting.
- 5.1.8** If there is no quorum within half an hour from the time appointed for a General Body Meeting, the meeting if convened on the requisition of members, shall be dissolved, and in any other case, shall stand adjourned for half an hour and will meet on the same day and at the same place after the aforesaid period.

**5.1.9** The person presiding at the General Body Meeting may, with the consent of the General Body, adjourn the same, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place. No quorum shall be necessary for any adjourned General Body Meeting.

**5.1.10** Subject to the law for the time being in force, the resolutions passed in a General Body Meeting shall be given effect to after approval of the Minutes at the next General Body meeting. Another General Body Meeting for confirmation of the minutes of the earlier General Body will be held at the time of the same annual conference.

## **5.2. GOVERNING BODY**

### **5.2.1. Governing Body Meetings**

The Governing Body shall meet at such times as may be necessary for the transaction of the business of the Association.

**5.2.2** A meeting of the Governing Body shall be convened by the Honorary General Secretary with the consent of the President.

**5.2.3** At least thirty days notice shall be given to the members of the Governing Body for an ordinary meeting of the Governing Body. The Honorary General Secretary shall convene a special meeting of the Governing Body on a requisition in writing signed by not less than 10 members of the Governing Body. However an urgent meeting of the Governing Body may be called at a shorter notice but notice should not be of less than 7 days.

**5.2.4** Ten members of the Governing Body shall be the quorum for the meeting of the Governing Body. If there is no quorum within 15 minutes after the appointed time, the meeting if convened on requisition, shall be dissolved, but in any other case shall stand adjourned for half an hour and meet at the same place and on the same day. For such an adjourned meeting a quorum will not be necessary and it may transact the business for which the meeting was called.

- 5.2.5 If the President or the Governing Body so directs, any business of the Governing Body may be transacted by circular on paper instead of at a regular meeting.

## **6. Management**

- 6.1 The management of the Association shall be vested in the Governing Body, who in addition to the powers by these Rules expressly conferred upon them, may exercise all such powers, and do all such acts and things, as may be exercised or done by the Association but which are not hereby or by law expressly directed or required to be exercised or done by the Association in a General Body Meeting.
- 6.2 Without prejudice to the general powers hereby conferred, the Governing Body shall have the following powers:
- 6.2.1 To acquire for the Association by purchase, lease or otherwise, any property, rights, or privileges which the Association is entitled to acquire at such price and generally on such terms and conditions as they may think fit.
- 6.2.2 To enter into all such negotiations and contracts or rescind and vary them, and execute and do all such acts, deeds and things, in the name and on behalf of the Association, as they may consider expedient for or pertaining to any of the properties, rights and privileges or the purposes of the Association.
- 6.2.3 To borrow or secure the payment of any sum or sums of money for the purposes of the Association.
- 6.2.4 To institute, conduct, defend, compound or abandon any legal proceedings by or against the Association or otherwise concerning the affairs of the Association and to compound and allow time for payment or satisfaction of any debts due and of any claims or demands by or against the Association.
- 6.2.5 To refer any claim or demands by or against the Association to arbitration and to observe and implement the awards.
- 6.2.6 To make and give receipts, release and other discharges for money payable to the Association and for the claims and demands of the Association.



- 6.2.7 To receive donations and any other sums of money and all and any other material, articles and things due to or intended for the Association.
- 6.2.8 To incur all necessary expenses for the maintenance and carrying out of the objects and intentions of these Rules and Memorandum of the Association.
- 6.2.9 To appoint one or more persons whether members or otherwise to constitute a Board of Examiners, whenever necessary.
- 6.2.10 To appoint and, at their discretion, remove or suspend such managers, clerks, agents and servants for permanent, temporary, or special services as they may from time to time think fit, and to determine their powers and duties and fix their salaries and emoluments and to require security in such instances and to such amount as they may think fit.
- 6.2.11 To appoint committees and to delegate, subject to such conditions as they may impose, any of their powers to such committees or such member or members of their body as they may think fit and to revoke such delegations.
- 6.2.12 To nominate the Chairman and the Convenor from amongst the members of such a Committee. The Chairman will preside over such Committee meetings and the Convenor shall be responsible for convening the meeting, keeping its accurate minutes and forwarding the reports of these Committees to the Governing Body. The President and the Honorary General Secretary will be ex-officio members of these Committees.
- 6.2.13 To make, vary and repeal bye-laws pertaining to the regulation of the business of the Association, its officers, managers, clerks, agents and servants.

## **7. Property, Money and Accounts**

- 7.1 The property, moveable or immovable, belonging to the Association shall vest in the Governing Body. The Governing Body shall pass an appropriate Resolution authorizing to execute the transfer deed.

- 7.2 No sale, exchange, mortgage, lease or other transaction of immovable property belonging to the Association shall be valid unless at least the President or any one of the Vice-Presidents and the Honorary General Secretary execute the document concerned.
- 7.3 All moneys of the Association shall be deposited and/or invested:
- 7.3.1 In approved Bank or Banks
- 7.3.2. In Government and other negotiable trustee securities or in any mode permitted under the Act or in accordance with the administrative orders of the Government from time to time.
- 7.4 Accounts and other investments of the Association shall be operated by any two persons out of the following four viz. either one of the Hon. Treasurer or Hon. General Secretary or both and any one of either President or one Governing Body member from Mumbai duly authorized by the Governing Body for the purpose.

## **8. Duties of Office Bearers**

### **8.1 PRESIDENT**

The President shall preside over the General Body, Governing Body, Faculty Council meetings and all other official meetings & functions of the Association. The President shall guide the activities of the Association and its aims & objectives. The President may allocate all or any of the powers and duties under this or any other clause of the constitution to any other office bearer as he/she may deem fit and necessary for the discharge of his duties.

### **8.2 VICE-PRESIDENTS**

The senior most Vice-President will preside over the meetings in the absence of the President. The Vice-Presidents will act according to the duties assigned by the President and actively help the President to further the aims and objects of the Association in general and in the Zones in particular.

### **8.3 PRESIDENT-ELECT**

8.3.1 The President-Elect shall be an ex-officio member of all committees appointed by the Governing Body.

- 8.3.2 The President-Elect shall organise the Scientific programme of the Annual Conference. The Dean ICP shall be responsible for organizing the CME (Continuing Medical Education) programme at the Annual Conference.
- 8.3.3 The President-Elect shall be the Chairperson of the Election Committee.
- 8.3.4 President Elect cannot contest for any post other than Dean ICP and Director PRF

#### **8.4 HONORARY GENERAL SECRETARY**

Subject to the control and regulation of the Governing Body, the Honorary General Secretary shall be responsible for carrying out the directions and decisions of the Governing Body. In particular, the Honorary General Secretary shall :-

- 8.4.1 Convene meetings of the Governing Body whenever necessary or called upon to do so,
- 8.4.2 Have administrative control over all the affairs of the Association,
- 8.4.3 Keep accurate minutes of all meetings of the Association and Governing Body,
- 8.4.4 Prepare the Annual Report of the Association,
- 8.4.5 Be in charge of the furniture, library and all documents and other assets of the Association,
- 8.4.6 Collect all dues of the Association and deposit such amounts into the bank account of the Association, and inform the Honorary Treasurer at least once a month of the moneys so received and deposited.
- 8.4.7 Make disbursements and maintain vouchers, provided that he is authorized to make an expenditure of maximum of Rs. 20,000/- Monthly with information to president which should be ratified in next Governing body meeting.

Any expenditure above Rs. 20000.00 should first be brought before the finance committee for perusal and approval and finally ratified by next Governing Body.

8.4.8 Perform such duties as are incidental to his/her office.

8.4.9 All notice, communications, letters, memoranda and other papers whether they are acts of the Governing Body or of the General Body shall be signed or authenticated by the Honorary General Secretary and when so signed or authenticated shall be conclusive.

### **8.5 Honorary Joint Secretaries**

He/She shall carry out such duties as are assigned by the President or the Honorary General Secretary.

### **8.6 Honorary Treasurer**

The Treasurer shall maintain true accounts of the funds and other assets of the Association and of funds and other assets connected with or in any way controlled by the Association.

## **9. Miscellaneous Administrative Rules**

9.1 Any Suggestion / resolution submitted at a meeting of the Governing Body shall be decided by the majority of the votes cast by the members present and voting at the meeting. In case of equality of votes, the person presiding shall have a second or casting vote in addition to his vote as a member.

9.2 At least once every year, the accounts of the Association shall be examined and audited and their correctness ascertained by one or more registered auditors appointed for the ensuing year by the members at the Annual General Body Meeting each year. The report of the Auditor or Auditors shall form part of the Annual Report submitted to the next General Body Meeting. The Auditors of the Association shall hold office until the next Annual General Body Meeting. The retiring Auditor or Auditors may be reappointed.

9.3 Any notice required by these Rules may be sent by ordinary post, A prepaid letter to the person concerned on the address mentioned in the register of members and the same shall be deemed to have been received by him on the date on which it would have reached him in the ordinary course.

## **10. Publications and appointments of Hon. Editor-in-chief of JAPI and Editor-In-chief API Text Book of Medicine, etc.**

10.1 The Association may publish journals, books, pamphlets or any other literature under the general direction of the Governing Body. The Journal of API shall be published under the direction of the Editorial Board, consisting of an Editor, four Associate Editors, four Assistant Editors, and five members, who shall hold office for three years and will be eligible for re-nomination, but their total tenure shall not be of more than six years. The Board shall work under the general control and supervision of the Governing Body and shall submit six monthly reports to it. Any vacancy on the Board due to resignation or otherwise shall be filled by the Governing Body at its next meeting.

10.2 The Honorary Editor-in-chief's post shall be filled by inviting nominations from amongst the members of the Association. The Credential Committee will review the nominations and recommend a panel of 3 names to the Governing Body in order of merit for consideration and appointment of the Editor-in-chief so appointed shall hold the position for a period of 3 years but shall be eligible for re nomination for a maximum period of 3 years, consecutively or otherwise. For all other periodicals or books to be published by the Association, appointment shall be made in a similar manner.

10.2.1 The two Associate Editors, two Assistant Editors and two members of the Editorial Board of JAPI shall be nominated by the Governing Body as and when the vacancies arise. Two Associate Editors, two Assistant Editors and three members shall be nominated from the place of publication of the journal with the concurrence of the Editor.

### **10.3 CREDENTIALS COMMITTEE**

10.3.1 A Credential Committee consisting of a Chairperson and six members shall be nominated by the Governing Body every 3 years in the first meeting of the year in which nominations are due. It shall have only one tenure of 3 years.

10.3.2 The Credentials Committee shall scrutinize all nominations to the posts of Editor-in-chief of JAPI and Editor-in-chief API Text Book of Medicine, Editors of all Monographs and other publications by the Association and recommend three names to the Governing Body in order of preference for the final selection / appointment.

- 10.3.3 The Credentials Committee members shall be senior members of the Association, but shall not be serving Governing Body Members.
- 10.3.4 No member shall serve on the Credentials Committee for more than one tenure of 3 Years.
- 10.3.5 Chairman of Credential Committee shall be an invited member without voting rights.

## **11. Academic and Research Wings**

- 11.1 The Association may constitute one or more Academic Wings under its framework to carry out its Academic and Research activities.
- 11.2
  - 11.2.1 One such Academic Wing - The Indian College of Physicians has already been started with effect from January, 1989.
  - 11.2.2 One such Research Wing – Physicians Research Foundation has been started with effect from February 2015.
- 11.3 Such wings or units shall frame their own rules and regulations of business within the framework of the constitution of the Association.
- 11.4 The President of the Association of Physicians of India shall be the Chairperson and shall be overall incharge of all such wings.

## **12. Branches**

- 12.1 Any city or town or a group of towns having at least 10 valid members of the Association can form a Branch.
- 12.2 The Branches in any state can have academic meetings and also form a State Branch.
- 12.3 The Zones may form a Zonal Chapter of the Association. The States in the Zones, which are defined in the Constitution of the Association, can hold Zonal Academic meetings and these will be recognised as Zonal meetings.
- 12.4 The State and Zonal Chapters and all Branches shall be governed by the Constitution of the Association.

- 12.5 The State, and Zonal Chapters and Branches may frame their own rules and constitution in accordance with the Constitution of the Association for their day-to-day functioning. The head of the Zone or Chapter Branch will be designated as the “Chairperson” and not as “President”.
- 12.6 Membership of the Association is mandatory to become a member of a Branch, Zone or Chapter as mentioned above.
- 12.7 All members must pay their dues to the Central Office of the Association and not to the Branch, Zone or Chapter. However, the branches may collect a separate subscription for running the local activities.
- 12.8 State annual conference should be held with permission and knowledge of central API, the President, Dean and Secretary to be invited. Minimum contribution of Rs 30000.00 to be paid to central API Physicians welfare fund and 50% of the surplus fund should be transferred to State API and rest to be used by city branch.

City annual conference should be held with permission and knowledge of State API, the Chairman and Secretary to be invited. Minimum contribution of Rs.10000.00 to be paid to State

#### Publication of Medicine Update and Progress in Medicine

At the end of tenure out of savings of the Chairman S. C. API 50% should go to API and 50% to State Chapter/City branch: However if there is any permanent project of the concerned state the total saving will go to respective state chapter /City branch with submission of audited account to API HQ.

Out of the Dean’s saving 50% should go to ICP and 50% to State Chapter: However if there is any permanent project of the concerned state the total saving will go to respective state chapter /City branch with submission of audited account to API HQ.

Book should be provided to all registered delegates preferably either before or in the APICON.

- 12.9 Bidding Branch/State Chapter must submit a resolution, certifying that they will abide by all the rules and regulations of API HQ. The application must reach by 31st July.

The application must be signed by the branch/state chapter chairman and secretary.

Organising Chairman and organizing Secretary should be jointly responsible for accounting and money transaction time to time as per the APICON Norms.

### **13. APICON Shares or Fees to be paid to Central Office of API**

25% of the delegation fee from all categories of delegates and 10% of the income from Exhibition Stalls/,Hospitality area and all commercial area at the Annual Conferences of the Association shall have to be paid to the Central API . All accounts of the Conferences shall have to be audited and a copy submitted to the central office within one year by the organisers of the Annual Conference of the Association.

An undertaking should be signed by the organizers to abide by the norms of holding APICON and other constitutional provisions.

Bank account of organizers should preferably be opened in Bank of Baroda (API has account in this bank) with clear instruction to transfer the share of central API every 3 months as mandated in constitution.

Money saved, from APICON after meeting all expenses and the mandatory payments made to the central API, should be transferred to respective State API account with information to central API.

In case of default of financial provisions the chairman organizing committee, Secretary, finance secretary/Treasurer should be debarred from contesting from any post of API and all orations etc., till the financial issue is settled.

Other led down provisions of the constitution to be followed.

Application fee for holding APICON Rs. 50000.00/- 75% to be returned after if not allotted.

### **14. Finance Committee**

#### **Term 3 years**

- May be re-nominated for one more term by the governing body
- The chairman should be a past president.
- Members 9 including chairman



- President
  - Chairman Finance committee
  - President elect
  - Dean
  - Dean Elect
  - Director PRF
  - 3 Members from the Governing body
  - Ex officio: Hon. General Secretary, Hon. Treasurer,
  - Invited: Chairman House committee, Chief Editor Text Book API/JAPI Need based.
  - Co-opted: Chairman can co-opt one person as expert in the field of Finance for a specific purpose.
  - EX officio, invited and Co-opted Members will have no voting rights
- Finance committee will oversee and take final decision regarding all printings and publications of API and ICP (Except Medicine Update, PG Medicine and Monograph)
  - The finance committee will meet before the governing body meeting for 2-3 hrs. for in-depth study of financial aspect.
  - The accounting of the finance should be done and presented to the finance committee on a quarterly basis so that the financial health of API is continuously monitored. The presentation of the account should be done in an itemized way so that expenditure in each head can be easily made out.
  - The annual audited account statement should be prepared with clear demarcation of the budgeted amount and presented to the finance committee along with the auditor's report and then to the governing body.
  - Auditor reports should be replied back once received and both should be submitted to the finance committee /GB.

- The Secretary should be in the known how of API finance and any change in the budgetary provision should be informed to the finance committee.
- The chairman of the finance committee will bring out the short comings if any during the governing body meeting.
- Available Software in market should be evaluated, procured and used for for financial management.

## 15. Website

There should be only one dynamic Web site under API (same website should contain pages of PRF, ICP, Monograph, API Textbook, Medicine Update, Progress in Medicine, JAPI etc) with link or dedicated page for each local chapter/Member with a user Id and password.

There should be a page for postgraduate teaching to be maintained by DEAN, Dean Elect, Director PRF or Experts nominated by them.

Secretary to invite quotations from different service providers for 3 years and place before finance committee for recommendation to GB.The service provider/vendor will take care of the Web site.

It should have a podcast section, wherein an unusual case, heart murmurs/lung sounds; gait videos etc (which are collected from our esteemed members themselves) can be uploaded.

Hon General Secretary/Joint secretary/ Person authorized by the secretary will coordinate with the service provider and will give written authority to place different items on website from time to time.

There should be a dedicated person to take care of website.

## 16. Amendment and Repeal

- 16.1 Subject to the law in force at the time, the General Body shall have the power to add, vary or repeal any of the provisions contained in the rule. Such additions, variations or repeals can be affected by means of a resolution of which due notice has been given as per rule 14.2 and which has been associated assented to by the vote of at least two-thirds of the majority of the members present at the Annual General Body meeting.

16.2 The Annual General Body meeting shall take up the proposal for amendment (additions, variations or repeal) once every three years starting with the year 2002. The notice of such amendment shall be given by the member to the Honorary General Secretary by 28th February of each year. These proposals shall be discussed in the Governing Body in the March - April meeting and shall be posted for discussion with their comments if any in the relevant Annual General Body meeting earmarked for discussing on constitutional amendments. Any proposal considered urgent by the Governing Body, however, shall be taken up for discussion in the meeting immediately following Annual General Body meeting.

The Secretaries of the State Chapter and City Branch should send annual report their activities for recognition.

16.3 The proposal submitted by the members shall conform to the format and lay out of the constitution in the following manner;

| Rule No. | Existing | Proposed Amendment | Revised rule after Incorporating amendment |
|----------|----------|--------------------|--|
|          |          |                    |  |

The member / members may append a note explaining the reason / necessity / justification of their proposal. Proposal not conforming to the format shall be returned by the Honorary General Secretary for resubmission in the prescribed format.

16.4 Any proposal / suggestion which has been discussed in the Annual General Body meeting and which has been rejected shall not be brought again in the immediately succeeding Triannual AGM earmarked for discussing proposals for constitutional amendment.

## **Annexure I**

### **Names of the Founder Members of The Association of Physicians of India**

1. Dr. M.R. Guruswamy, Madras
2. Dr. Jivraj N. Mehta, Mumbai
3. Col. Amir Chand, Delhi
4. Dr. Mangaldas J. Shah, Mumbai
5. Dr. M.D.D Gilder, Mumbai
6. Dr. George Coelho, Mumbai
7. Dr. J.C. Banerjee, Calcutta
8. Dr. M.N. De, Calcutta
9. Dr. N.D. Patel, Mumbai

## APPENDICES FOR API CONSTITUTION

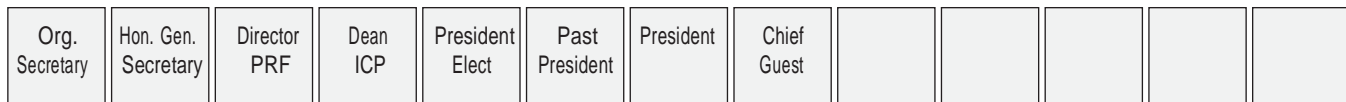
### Appendix - A

#### Rule 4.2.1

Seating arrangements on the dias at the inauguration of APICON. Only Past president, who will introduce the President. President and chief guest the Inauguration Function.

Right

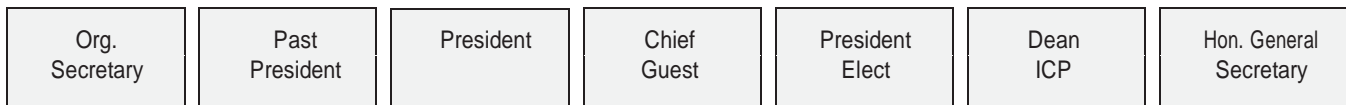
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### Appendix - B

#### Rule 4.2.2

Seating Arrangement at Inauguration of APICON CME



### Appendix - C

#### Rule 4.2.3

Seating Arrangement at Inauguration of Scientific Session of APICON

