

THE MEMORANDUM OF ASSOCIATION

THE INDIAN ASSOCIATION OF PALLIATIVE CARE

I NAME: Name of the Association shall be Indian Association of Palliative Care (IAPC) hereafter called Association.

II REGISTERED OFFICE: Registered office of the Association shall be located at a place or address of the Hon. Secretary until such time that a permanent headquarters of the Association is established.

III AIMS & OBJECTIVES: The aims & objectives of the Association are as follows:

- a. Palliative care is the active, total care of the terminally ill and incurable patient at a time when the disease is no longer responsive to curative treatment and when the control of pain of other physical symptoms and of social, psychological and spiritual problems is paramount.
- b. Palliative care is multi disciplinary in the approach and encompasses the patient, family and community in its scope. In a sense, palliative care is to offer the most basic concept of care, that of providing for the needs of the patients wherever he or she is cared for, either at home or in the hospital.
- c. Palliative care affirms life and regards dying as a normal process, neither hastens nor postpones death. It is to preserve the best possible Quality of Life until death.
- d. The Association has the following objectives:
 1. To bring together who study and practice the discipline connected with the care of the terminally ill, their relatives and care givers.
 2. To promote the knowledge, advancement and diffusion of palliative care at scientific, clinical and social level.
 3. To promote implementation of the enormous knowledge existing in palliative care, to train those who, at any level, are involved with the care of the terminally ill, and to promote research
 4. To address the ethical problems associated with palliative care.

5. To establish an international network for the exchange of information and expertise.
6. To promote or sponsor publications or periodicals concerning palliative care.
7. The association is a non-profit corporation.

The Executive Committee of the Indian Association of Palliative Care

(Names and addresses designation and occupation of trustees) are as follows.

Sr No	Full Name & Address	Occupation	Designation
1	Dr Keshav Pandey Dept of Anaesthesia Institute of Medical Sciences BHU Campus Varanasi, Uttar Pradesh: 221005	Doctor	President
2	Dr Mohan T Bhatia 31, Hindu Colony, Opp Sports Club Navarangpura, Ahmedabad: 380009	Doctor	Hon Secretary
3	Ms Dhiraj D Patel A/10, Rameshwar Flats, Paldi Ahmedabad: 380007	Staff Nurse	Hon Treasurer
4	Ms K K Joshi S/1, Dwarkadas Thakor Cancer Hospice Complex, Near Pravinnagar, Vasna Ahmedabad: 380007	Sr In-Charge	Jt Secretary

The above Executive Committee shall remain in office till the date of the next election.

We, the several undersigned persons whose names and addresses are hereunder subscribed and are desirous of being formed in to an Association in pursuance of this Memorandum of Association.

Name	Signature	Address
Dr (Ms) Kapadia		B2, Suresh Apartt, Navarangpura, Ahamedabad- 380009
Dr J T Jhala		Jayvir, Darshan Society, Navarangpura, Ahamedabad- 380009
Dr H A Baboo		22, Govind Park Society, Navarangpura, Ahamedabad- 380013

Dr R I Dave	16, Mahadey Nagar Soc, Stadium Rd, Ahamedabad- 380014
Dr K M Patel	1 Ranjan Soc, No.2, Navarangpura, Ahamedabad- 380013
Dr (Ms) S V Shah	5, Laxminarayan Soc, No.2, Navarangpura, Ahamedabad- 380013
Dr (Ms) C.R. Dave	16 Mahadev Nagar Soc, Stadium Road, Ahamedabad- 380014
Dr D D Patel	90/B, Swastik Soc, Navarangpura, Ahamedabad-380009
Dr L B Choksi	Valmik Opp, Doctor's House, Ahamedabad-380006
Dr Bharat Parikh	F-3, Nityanad Apt, 8, Vitalisindi, Ahamedabad-8
Dr (Ms) Asha Anand	A9/41 Drive in Park Soc, Ahamedabad- 380052
Dr (Ms) K S Dave	1 Amaralok Flats, Kankariya, Ahamedabad- 380008
Dr P M Shah	2, Bina Apart, Navarangpura, Ahamedabad-380009
Dr M T Bhatia	31, Hindu colony, Navarangpura, Ahamedabad- 380009

THE RULES AND REGULATIONS

INDIAN ASSOCIATION OF PALLIATIVE CARE

I Name: The name of association is the Indian Association of Palliative Care
In this article it is referred to as “Association”

II Purpose: The association is established solely for the purposes stated in the Memorandum of Association

III Interpretation: The ruling of the President will be final and binding in the Interpretation of all the rules and regulations of the Association.

IV MANAGEMENT¹:

The management of the affairs of the association is entrusted in accordance with bylaws of the association to the Executive Committee of which the members are with voting powers:

(a) Elected Members:

1. The President of the Association: 3 years’ term
2. The Honorary Secretary: 3 years’ term
3. The Editor of the Journal: 3 years’ term
4. Two members each from the five regions of India i.e. North, South, East, West and North East: 2 years per term and will be allowed maximum two terms.

(b) Ex Officio Members:

1. The immediate past President
2. The immediate past Honorary Secretary

(c) Nominated Members:

1. Honorary Treasurer: From the place of Honorary Secretary and will hold office for one term of 3 years only. He/She will not be reappointed for the second term.
2. Representative from Ahmadabad: Will be Authorised Representative of the Association and will carry out association related works with the Charity Commissioner, Ahmadabad and Income Tax authorities or any other office as per law.

(d) Co-opted and Invited Members (Non-voting Members):

1. The President-elect and Honorary Secretary-elect may attend Executive Committee meetings during the year prior to their assuming office
2. Not more than three members to provide specialist expertise if required
3. Representative of nurses and volunteers; one each, if these groups are not represented in the Executive Committee
4. Representatives of other relevant Government or Non Government Organizations if required

IV A: ACADEMY OF PALLIATIVE MEDICINE²:

To promote academic and research works related with Palliative Care, The Academy of Palliative Medicine (APM) will be established and it will work as an academic wing of Indian Association of Palliative Care (IAPC). It will also serve as a national forum to enhance the reach of palliative medicine education in India. This APM will be organised as an academically independent body for its internal affairs but shall in no way act in a manner prejudicial to the aims and objectives of IAPC as per its bylaws. The selection and tenure of the members of the Governing Council of APM will be determined by the Executive Committee of IAPC.

V MEMBERSHIP¹:

The association will have the following categories of membership:

- (a) **Life Member:** Any individual who is actively involved in all or any aspect of Palliative Care and who adheres to the objectives and values of the association
- (b) **Organisational Members:** Any organisation, corporate or incorporated that has demonstrated a commitment to the practice or education or administration of Palliative Care and adheres to the objectives and values of the association
- (c) **Honorary Members:** Any individual or organisation which has made a significant contribution to Palliative Care and adheres to the objectives and values of the association may be invited by the Executive Committee to be an Honorary Member of the association
- (d) **Overseas Member:** Any individual or organisation who is located in a foreign country and is actively involved in all or any aspect of Palliative Care and who adheres to the objectives and values of the association

VI MEMBERSHIP FEES¹:

The Executive Committee will decide Membership Fees from time to time as per the provisions in the Bylaws.

VII CESSATION OF MEMBERSHIP:

Membership of the association will cease:

- (a)** By voluntary resignation as from a specified date.
- (b)** Deleted.¹
- (c)** If the executive council decides by a two- thirds majority to delete the name of the member from the membership for any proved unprofessional behavior or conduct, and is confirmed by the General Body at its next meeting. Before any disciplinary action of such a nature is taken, the offending member will be served with a notice in writing to appear before the next meeting of the Executive Committee and will be given an opportunity to explain his conduct.

VIII ELECTIONS:

- ¹ The President shall be elected at an Annual Meeting of the General Body. He/She shall remain in office for 3 years until the end of the succeeding Annual General Body Meeting at which he/she will install his/her successors.¹
2. The Honorary Secretary, the Honorary Treasurer and other members of the Executive Council shall be elected at an annual meeting of the General Body. They shall hold office for three years at the end of which period they will be eligible for re election.
3. Hon. Secretary shall notify in the news letter or other wise the number of vacancies in the Executive Committee to be filled to the forthcoming election to be held at the time of annual general body meeting.
4. Every nomination together with the written consent of the candidates to contest the election, duly proposed and seconded by two life members, shall be sent to the Hon. Secretary under registered cover so as to reach him not later than 30 days before the date fixed for annual general body meeting each year. The Hon. Secretary shall place

the nomination received by him before the Executive Committee at their annual meeting for scrutiny.

5. All nominations found in order by the Executive Committee shall be placed before the general body for election.
6. In the absence of any valid nominations as stated above, the general body shall proceed to hold the election of the office bearers from amongst those members present and eligible.
7. The nominations can be withdrawn by the candidate before the commencement of election by a written request.
8. The election shall be by secret ballot with single nontransferable vote per vacancy. The Hon. Secretary shall distribute to each eligible voter a ballot paper showing names of all valid nomination. All the ballot papers will be collected and scrutinized by the scrutiny officers nominated by the President. Signing or initialing the ballot paper by the voter will make the paper invalid. The result of the elections shall be announced by the Hon. Secretary before the conclusion of the annual general body meeting.
9. No person can hold an office unless he is a life member for not less than ten years for the post of President, and has attended not less than three conferences in preceding five years.
10. In the event of the vacancy occurring amongst the office bearers, viz., the President, Hon. Secretary and Hon. Treasurer and other Executive Committee members during the course of any year, the existing member of Executive Committee shall elect the office bearer or office bearers in the vacancy or vacancies and persons so elected shall hold office for the remaining period for which his predecessor would have held the office. Vacancies so filled shall not exceed three during the year.
11. Office bearers shall cease to hold office:
 - a) When the period of their election tenure is over.
 - b) If by a resolution the general body decides by a two third majority of the members present that such office bearer or bearers be removed from office.

12. Elections can be held “online” in certain situations that can be determined by the Executive Committee of IAPC. ²

IX MEETINGS:

1. The Executive Committee shall meet at least once a year, preferably before the commencement of annual conference. 1/3rd of the total number of members of Executive Council shall form a quorum.
2. The Hon. Secretary shall circulate the agenda for the meeting at least three weeks before the holding of the meeting.
3. If it is found inconvenient or impracticable to hold a meeting of the Executive Council and if the Hon. Secretary and or the President deem it desirable that the opinion of the Executive Committee be obtained, they shall do so by post and act in accordance with the view of the majority.
4. The Hon. Secretary shall arrange to hold an annual meeting of the General body every year at the time of annual conference of the Association. The quorum for the general body shall be 25 or 1/4th of the members of the society whichever is smaller.
5. Any member desiring to move a resolution at the annual general meeting shall give notice of the same in writing to the Hon Secretary at least forty-five days before the date fixed for the meeting.
6. The Hon Secretary shall circulate the agenda along with proposed resolutions at least three weeks before the holding of the meeting of the general body. Amendments to the resolutions will be received until 48 hours before the general body meeting.
7. The President when present shall preside at the meetings of Executive Council, general body and at the Annual conference.
8. In the absence of the President, the senior most past president shall preside over the meeting. If necessary, the meeting may elect its own Chairman and for the purpose of the meeting he shall have all the powers of the President.
9. The President or Chairman in the event of a tie will have a casting vote.

10. The voting may be by show of hands or by ballot whichever is thought desirable by the President except for elections to the elective posts.
11. The ruling of the President or Chairman shall be final, provided it is within the rules and regulations of the Association.
12. The President may whenever he thinks necessary and shall upon a requisition signed by at least fifteen life members of the Association convene a "Special General Body Meeting" at such place he may decide. Such requisition must clearly state the objects of the special meeting proposed to be called and shall be addressed to the Hon. Secretary. Such special general body meeting shall be held within sixty days from the date of receipt of such requisition.

X DUTIES & POWERS OF THE OFFICE BEARERS OF THE SOCIETY:

President shall preside at and conduct meetings of the Association and its Executive Committee and shall have a casting role.

President: Shall supervise the general activities of the association

- (a) President shall exert himself to improve the finances of the Association.
- (b) President may appoint sub committees if and when necessary with terms of references as decided by the Association or the Executive Committee.
- (c) He shall have the right to call Executive Committee and general body meeting in the times of emergency.

Hon. Secretary: Shall call meeting of the Executive Committee whenever necessary (minimum once a year) or on a written requisition of not less than 4 members of the Executive Committee or not less than 30% of the required life members to hold an extra ordinary meeting of the general body.

- (a) Shall prepare agenda for and keep a record of the minutes of the meetings of Executive Committees and the general body.
- (b) Shall see that decisions carried out by the Executive Committee and carried out by the persons concerned.
- (c) Shall carry on all correspondence on behalf of the Association
- (d) Shall prepare and present an annual report to the Association

- (e) Shall organize activities for the fulfillment of the aims and objectives of the Association
- (f) May call for from any office bearer, any paper pertaining to the work of the Association, for inspection and necessary action.
- (g) Will take steps to improve the funds of the Association
- (h) Shall issue notices for the meeting (postal information will be enough).

Treasurer: Will arrange collection of funds necessary for maintenance of the Association and its activities and keep them in deposit with a bank approved by the Association.

- (a) Shall issue receipts for all value received for the Association
- (b) Shall accept donation and issue receipts for the Association
- (c) Shall keep bills or vouchers and also payees' receipt whenever possible for the payments made by him and maintain a regular record of Association's accounts.
- (d) Shall operate accounts of the Association jointly with the Hon Secretary of the Association.
- (e) Shall prepare and make available to the Hon Secretary the annual statements of income and expenditure for the annual report.
- (f) Will be authorized to make expenses available to members for scientific, academic and administrative activities of the Association.

Executive Committee Members: To regularly attend meetings of the Executive Committee and take active interest in its various activities.

- (a) To render and cause to be rendered financial and other help to the Association to the best of their capacity.
- (b) Shall cease to be a member of the Executive Committee if he or she does not attend three consecutive meeting of the Executive Committee.

XI CHANGE IN RULES:

Amendments of the rules and regulations can be proposed by the Executive Committee or the general body. The proposed alteration will be circulated by the Hon. Secretary by post to all the life members of the society for the approval. If at the end of one-month period from the date of circulation, objection to it as received by the hon. Secretary are less than 50% of the registered members of the association, the amendments will be deemed to be effective till final approval by the next annual general body meeting of the Association.

XII INDEMNITY: ¹

All the office bearers are indemnified from all acts taken in good faith for the smooth functioning of IAPC.

XIII DISOLUTION: ¹

In case of unavoidable circumstances if there be a need to dissolve the Association for whatever reasons then all the proceeds of the organization shall be donated to some other organization which subscribes to the objectives of the Association or Govt. of India.

NOTES:

1. **Superscript 1:** Denotes all the Amendments carried out in the Bylaws by Resolution No. 01/2018.
2. **Superscript 2:** Denotes all the Amendments carried out in the Bylaws by Resolution No. 01/2024.