

RULES & REGULATIONS OF OPTOMETRISTS ASSOCIATION, GUJARAT

1. Name of the Association:

The name of the Association shall be:

"OPTOMETRISTS ASSOCIATION, GUJARAT".

2. Type of members:

- (i) Optometrists: - All qualified Optometrists (4-year degree course / programme) from any recognized institute or University in India or elsewhere shall be the members of the Association.
- (ii) Industry Members: - Industry Members are those members who are having Eye Care hospitals, contact lens clinic, Contact lens Manufacturers, Opticians with or without their own Brands.
- (iii) Admission of the Industry Members shall be the sole discretion of the Managing Committee.
- (iv) Domiciled in Gujarat and/or practicing in Gujarat for a period of more than or equal to 6 months.

3. Membership:

- (i) Membership shall only be open to optometrists qualified from any recognized institute in India or elsewhere subject to what is mentioned in clause 2(a) of this document.
- (ii) Subscription: Annual Membership Subscription shall be Rs. 2,000/- (Rupees Two Thousand) for Industry Members and Rs. 500/- (Rupees Five Hundred) for other than Industry Members. Managing Committee is at its sole discretion to determine the changes in the amount and type of subscription time to time.
- (iii) If the membership is revoked due to non-subscription of the Annual Subscription, then in that case The Member shall have to pay Further Admission Fee and Pending Annual Subscription.

4. Register of Members:

A register of members shall be maintained in which the names, addresses, Email ID, Mobile Number, PAN, AADHAR and other relevant particulars of every member of the Association.

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5. **Membership Subscription:**

The annual subscription shall become due on 1st April of every year and must be paid before 30th May, failing which their membership shall be automatically terminated / Revoked.

If Member wants to restore its membership, then the same shall be subject to the Late Fees to be charged at Rs. 10 per day of the continued default and on payment of the Membership Fees as well as the Subscription with late fees, the membership will be restored. Notwithstanding anything contained here in this clause, the managing committee shall have right to amend this clause without any members approval and resolution to this effect shall be intimated to the members.

6. **Rights and Privileges of members:**

All members shall have the right to vote in general meetings of the Association and/or propose a candidate(s) for admission to the association. In case of his candidature for becoming the part of Governing Board/Managing Committee then his association with the association must be for at least 3 years.

7. **Rights and Privileges of Associate members:**

All associate members shall neither have any right to vote in any meeting of the Association nor to propose candidates for admission to the association.

8. **Termination of members / Associate Members:**

Membership / associate membership is liable to be terminated if a member / associate member

- (i) Works against the aims and objectives of the Association.
- (ii) He is of unsound mind and stands so declared by a competent court;
- (iii) Is expelled by the governing board for non-payment of fees continuously for three months from due date.
- (iv) He is an undischarged insolvent;
- (v) He has applied to be adjudicated as an insolvent and his application is pending;
- (vi) He has been convicted by a court of any offence, whether involving moral turpitude or otherwise, and sentenced in

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respect thereof to imprisonment for not less than six months and a period of five years has not elapsed from the date of expiry of the sentence:

- (vii) if any person who has been sentenced for imprisonment for a period more than 3 years shall be ineligible to become the member of the association.
- (viii) The decision of the Governing Board shall be final as regards the termination of membership. However, before such action is taken against any member a show cause notice shall be required to be served or left at the address entered in the register of members and reasonable opportunity of being heard shall be given (reason of termination shall be communicated to person concerned in writing).

9. Re-admission of Members / Industry members:

Re-admission of members terminated under Rule 8 above shall not be permissible as it is a disciplinary action and in other case, if the same is for the want of non-payment, then same shall be permitted subject to payment of arrears and Membership Fees.

10. Governing Board/Managing Committee:

The Association shall be managed by the Managing Committee hereinafter referred to as "Governing Board" consisting of not less than seven but not more than Eleven members.

The first Governing Board (Nominated) shall function up to first general body meeting when elections will be held.

The election to Governing Board shall be held every FOUR years. The Modus operandie and protocol of the election shall be finalized by the Managing Committee.

11. Casual vacancies in Governing Board:

Any casual vacancy in the Governing Board (Managing Committee) may be filled up by the Association upon recommendation by the Governing Board on unanimous basis.

The person so appointed by the Governing Board as a part of Filling Casual Vacancies shall retire at the next annual general body meeting held after his/her appointment and shall be subject to reappointment by Special Resolution (SR) passed at the ensuing general meeting and can be appointed as a member of the Governing Board and

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here Special Resolution (SR) shall mean a voting of 3/4th members present in the meeting.

The Governing Board may at its discretion, may decide not to fill any casual vacancy. In such an event the vacancy shall be filled only at the next annual general body meeting of the Association. First Governing Body as Under:

s.n.	Name of Members	Designation
1	Usman Abdulsattar Memon	President
2	Nirav Nareshbhai Mehta	Vice President
3	Ankitkumar Sanjaykumar Varshney	Secretary
4	Bharat Kumar Bhayal	Joint Secretary
5	Atanu Samanta	Treasurer
6	Hardikkumar Vijaykumar Patel	Joint Treasurer
7	Helly Krushang Thakkar	Board member
8	Kaksha Paras Desai	Board Member
9	Keyur Narendra Kumar Sharma	Member
10	Siddharth Sunilkumar Khandelwal	Member
11	Rushit Tushar Patel	Member

12. Powers of Governing Board:

The general management and administration of the Association shall be in the hands of the Governing Board, which shall have all the powers and control in the matter of administration of the Association and its Units. Without prejudice to the generality of the foregoing provisions, the Governing Board shall have the following rights and powers:

- (1) To acquire by gift, purchase, exchange or lease any movable or immovable property together with all rights appertaining thereto.
- (2) To construct and maintain buildings, including rights to alter or improve them and to equip them suitably as per govt. rules.
- (3) To undertake and accept the management of any endowment of Association fund or donation with objects similar to the objects of the Association and to administer endowments

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having all or any of their objects similar to that of the Association.

- (4) To invest the funds of the Association in any stock and securities or any bank or Financial Institution.
- (5) To incur all the necessary expenditure, to enter into business, to trade, industry, transaction or contract, and generally deal with all or any description of properties, good and services and to utilize the money or to open an account in any nationalized bank or banks in the same Association. The treasurer, Secretary or President shall operate and look after the account jointly.
- (6) To co-operate with the other Association / institutions having objects similar to those of the Association in such a manner as may be the rules made on that behalf.
- (7) To accept the management of any Association / Trust, Fund or endowment or in which the Association is interested.
- (8) To acquire, purchase or take on lease or on rent lands, buildings, or other immovable or movable property which the Association from to time may deem it necessary to acquire, purchase or take on lease or on rent.
- (9) To sell, improve, manage, develop, exchange, loan, sublet, mortgage, and charge, hypothecate, dispose-off, turn to account or otherwise deal with all or any part of the property of the Association.
- (10) To manage the properties of the Association.
- (11) To raise Financial Assistance from Banks, Offices, Industrialists/Industry Members, and philanthropists and to utilize such funds thereafter for the purpose of acquiring/constructing building of the association
- (12) To raise funds for the Association by gifts, donations and to receive funds, and/or other movable property for and on behalf of the Association and To invest any fund of the Association in such a manner as may from time be determined by the Governing Board.
- (13) To enter into an agreement for and on behalf of the Association.
- (14) To enter and defend all legal proceedings for and on behalf of the Association.
- (15) To institute a provident fund for the benefit of the employees of the Association and manage such provident fund.

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- (16) To appoint, fix the remuneration or suspend or dismiss the employees.
- (17) To grant receipts, to sign and execute instruments and to endorse or discount cheques or other negotiable instruments through its accredited agents.
- (18) To make, sign and execute all such documents and instruments as may be necessary for proper carrying on the management of the property or affairs of the Association.
- (19) To invest the funds of the Association and to vary the investments as and when it may be necessary or proper.
- (20) To grant fellowship, scholarship or other monetary assistance on such terms and conditions as it may prescribe to such persons as it may select.
- (21) To manage, sell, transfer or dispose any property, moveable or immovable of the Association.
- (22) The Governing Board of the Association may take, enroll, elect or nominate any person including a corporate body as its member in accordance with the provisions laid down on that behalf who has constituted or donated or rendered any service to the Association or who on account of his education or position to render valuable help and advice to the Association and whose connection with the Association is considered beneficial or desirable.
- (23) To perform all such acts and do all such things as may be necessary for the proper management of the properties and the affairs of the Association.
- (24) To appoint from time to time, sub-committee including, on need basis, person other than members of the Governing Board and to assign and/ or delegate thereunto such powers, duties and functions as it may deem fit.
- (25) The Governing Board may dispose-off urgent matters by circulation of papers at the initiative of the General Secretary or the President of Association.
- (26) To appoint a representative or representatives where the Association is interested or has acquired any interest and to open Current, Savings, Overdraft or Fixed / Flexi Deposit. Accounts with any schedule commercial Banks, Bankers and to operate the same.
- (27) To borrow money in India or elsewhere for the purposes of the

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Association's Charitable activity and/or to give security for money so borrowed by pledging assets of the Association or otherwise.

- (28) To pay out of the funds of the Association, all cost, charges and expenses for or incidental to the formation, registration and advertising of or raising money for the Association in form of Donation, CSR Funds etc.
- (29) To donate or gift, in cash or kind, for any national charitable, benevolent, public or useful purpose or to any institution, club, society, research association, fund, university, college or any other person or body.
- (30) To accept donations, gifts, with or without such conditions, restrictions, obligations, stipulations, and liabilities as are not derogatory to the provisions of the law.
- (31) To undertake and execute any trusts, the undertaking whereof may deem desirable and either gratuitously or otherwise.
- (32) To institute, on appropriate terms and conditions, scheme for providing insurance cover to the liability assumed by members in connection with their profession of optometry.

11. **Office Bearers:**

The members of the Governing Board shall be elected by secret ballot or by raising hands at its Annual General Body Meeting and then, within one month, the elected members will elect office bearers as mentioned below:

Minimum three out-going office bearers shall put their signatures on the newly elected Governing Board list which shall be filed with the Office of Charity Commissioner / Registrar of Societies, Ahmedabad.

- | | | | |
|----|-----------------|---|-----------|
| a) | President | = | 1 |
| b) | Vice President | = | 1 |
| c) | Secretary | = | 1 |
| d) | Joint Secretary | = | 1 |
| e) | Treasurer | = | 1 |
| f) | Joint treasurer | = | 1 |
| g) | Members | = | 5 Members |

(Who will be nominated by the Board i.e. no election for members).

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The above office bearers shall hold office for FOUR years.

The Managing Committee can co-opt the member who need not be a member of the Association but may be a member of another reputed institution or body and well-known person in the society.

12. **President:**

That President shall preside at the meetings of the Governing Board and the General Body meetings. He/ She with the General Secretary shall sign minutes of the meetings presided by him / her. Sign lease and other contracts in accordance with the vote of the Governing Board.

13. **Vice-President: -**

The Vice-President shall engage himself in the role of improvisation and academics of the profession of Optometry. He shall work as a chief editor for any magazine or book let published by the association.

14. **The Secretary: -**

as the executive officer of the Governing Board and the administrative head of the staff shall carryout, the day-to-day administration of the Association. He / She shall work under the guidance of the President.

The duties of the Secretary will be: -

- a) To execute full control and supervision over the management administration and financial matters of the Association.
- b) Generally, to conduct business of the Association and to perform all duties entrusted to him/her and to exercise such other powers as may be delegated to him/her by the Governing Board and the President.
- c) To take decisions on behalf of the Association as are of urgent and emergent nature concerning affairs of the Association and such decisions will be placed before the Governing Board.
- d) To assist the Governing Board in the formation of policies, objectives and planning and its implementation.

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- e) To exercise administrative control in respect of all the members of the staff of the Association. including granting of lease, giving increment and other matters relating to the services conditions of the employees and to delegate powers to other officers of the Association in this regard.
- f) To supervise general working and day to day affairs of the Association.
- g) To deal with organizational work.
- h) To maintain a register of the members of the Association and other records. The fixed deposit receipts and other such important documents of the Association shall be kept in his/her custody.
- i) To issue notices of meetings.
- j) To summon meetings of various committees / sub-committees, the Governing Board and the General Body in consultation with the President.
- k) To keep minutes of the proceedings of all the meetings of the General Board and Governing Body of Association.
- l) To incur contingent expenditure subject to the sanction of the Governing Board.
- m) To execute the policies, work programme of the Association and to take such action as may be necessary to give effect to the resolution of the General Body. Governing Body or any other Committees/ Sub-Committees.
- n) To represent the Association and to participate in all forums, wherever and whenever it may be necessary.
- o) To carry on all correspondence on behalf of the Association and to carry out all administrative duties relating to the associations.

The Joint Secretary shall look after the overall discipline aspect of the Members of the association.

15. **Treasurer:**

The treasurer shall have charge of the funds of the Association and shall secure the deposit of the funds in the name of the Association in a bank designated by the Governing Board. He / She shall present to the Governing Board at each regular meeting a statement of receipts and

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expenditure of the year. He / She shall pay the bills of the Association upon certification of the account by the President. He / She shall work under the supervision of the President.

At the close of the accounting year, the treasurer shall see that the books of accounts are examined and approved by the auditor, and certified financial statement is presented at the annual general body meeting.

Joint Treasurer shall involve himself in the process of purchasing material. He shall issue tender and/or Request for Quotation for the purchase of the material for and on behalf of the association.

Managing Committee shall ensure that all the incomes, earning, moveable, immovable properties of the Association shall be solely utilized and applied towards the promotions of its aims and objectives only as set for in the memorandum of Associations and no profits/Excess of Income over Expenditure on thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits or in any manner whatsoever to the present or past members of the Association or to any person claiming through any one or more of the present and past members. No member of the Association shall have any person claim on any moveable or immovable properties and shall make profits, whatsoever by virtue of this membership and further it is agreed that Managing Committee is possession of the property of the association in good trust and in utmost good faith.

16. Meeting of Governing Board:

The Governing Board shall meet at least once every three months on such date, time and place as the Secretary may determine and between two meetings there must not be gap of more than 120 days.

In addition, any four members of the Governing Board or the President may summon a special meeting of the Governing Board.

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17. **Notices:**

Notice of at least seven days shall be given in writing for every meeting of the Governing Board stating as far as practicable, the business to be transacted at the meeting.

18. **Business of the governing board:**

The business of the Governing Board shall ordinarily be transacted at a meeting of the Governing Board.

However, in appropriate cases, the President may circulate papers amongst the members of the Governing Board for decision on any question. In such instances, the following rules shall apply:

19. **Quorum for Governing Board Meeting:**

1/3rd members of the Governing Board or 3 Members present in the meeting whichever is higher shall form a quorum at a meeting of Governing Board.

20. **Decision by majority:**

All questions placed before the Governing Board for decision shall be determined by a simple majority of votes. In case of equality of votes, the President / Chairman shall cast the deciding vote.

21. **Removal of Members:**

A member of the Governing Board may be removed from office by a resolution to that effect passed at the special meeting of the members of the Association or at an annual meeting by 2/3rd members present. Members of the Governing Board shall also be deemed to have vacated the office if:

a) he/ she absents from the three consecutive meetings of the Governing Board without any intimation to the Secretary at the official address of the Association

Or

b) he/ she resigns and his/her resignation is accepted

Or

c) he/ she is incapable of discharging his/her official responsibility

Or

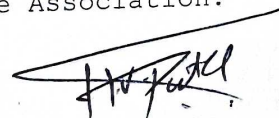
d) he/ she ceases to be a member of the Association.

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22. **Members vacating Office:**

A member of the Governing Board vacating office shall give charge and do all things necessary for transferring or otherwise dealing with the property of the Association as may be directed by the Governing Board.

23. **Property and Finance:**

- a) Title to the real property of the Association shall be vested in the Governing Board which shall have the powers to sell, lease, mortgage or otherwise deal with the same. The Governing Board shall hold all funds of the Association using the income therefrom for the purpose of which they are held.
- b) All bank accounts, deposits and other investments shall be opened kept and made in the name of the Association and its units.
- c) All cheques, bills of exchange and other similar documents shall be drawn in the name of and on behalf of the Association by any two of the President or Secretary and Treasurer. All Expenditures of the Association must be approved by the Managing Committee in their next meeting.

24. **Annual General Meeting:**

The annual General Body meeting of the Association shall be held every year on a date, time and place to be decided by the Governing Board. This meeting shall be held within six months of the close of the financial year. The meeting's agenda shall generally consist of the following:

- a) Report of the Managing Committee on the working and management of the Association.
- b) Statement of accounts together with Audit Report.
- c) Election of the members of the Governing Board.
- d) Appointment of the Auditors.
- e) Any other business included in the agenda with the permission of the Managing Committee.

25. **Notice of Annual General Meeting:**

Minimum of Twenty-One days' notice shall always be given to the members of the Association of the annual body meeting mentioning the date, place and time of the meeting. Certified financial statement for the previous

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fiscal year and the agenda of the meeting shall accompany the notice. This period, as mentioned hereto can be waived if 95% members of the Association have waived the said requirement and that to say meeting can be held at the shorter notice.

26. **Special Meeting:**

A special meeting of the members of the Association may be convened at any time by the Governing Board, or upon written request by 2/3rd of the total members after giving seven days' notice. The notice shall state the purpose for which the meeting is proposed to be held.

27. **Quorum:**

The quorum for any of the meeting of the members of the Association shall be 5 Members personally present in the Meeting. If the quorum is not completed, the meeting will stand adjourned. If at the adjourned meeting, a quorum is again not present within half an hour of the time appointed, the members present, whatever their number, shall form a quorum and may transact the business for which the meeting was convened and the same shall be treated as duly convened.

28. **Chairman of Meeting:**

The president of the Governing Board shall be the Chairman of all meetings of the Association. In his/ her absence, or if he/ she is for any reason unwilling to preside to such meetings, the Vice-President shall take the chair. If the Vice-President is also absent, or in any case unwilling to preside, the members present shall choose one from amongst themselves to be the Chairman of the Meeting.

29. **Decision by Majority:**

All questions before the annual general body meeting or a special meeting shall be determined by a simple majority of votes. The chairman of the meetings will cast the deciding vote.

30. **Conclusive Proof of Meeting:**

The minutes of the meetings, signed by the Chairman of the next meeting shall be conclusive evidence of the business transacted. The minutes so signed shall also evidence the fact that the meeting was duly convened and held, unless the contrary is proved. The Members shall have right to

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inspect such minutes of the meeting with a fees as may be decided by the managing Committee and if the members wants the Copy of the Same then shall have to pay Rs. 25/- Per page.

31.

Service of Notice of Meetings:

A notice of any meeting of the members of the Association shall be served either personally or by sending it through post addressed to members at their addresses in the register of members or registered email ID.

32.

Notice of Members outside India:

Any member who has registered address in India shall also be entitled to any such notice, and all proceedings and notice in this regard shall be sent to registered email id of the members. It is desirable to these members to promptly notify the email ID for the accurate communication.

33.

No Allowance for Members Attending Meetings:

No member shall be entitled to any fee or travelling expenses or other allowances for attending any general meeting whether annual or special.

However, member of the Governing Board shall be entitled to travelling expenses for attending any meeting of the Governing Board. The Governing Body may unanimously decide to pay an allowance and honorarium or facilities or accommodation to any member of the Committee or its Office bearers.

34.

Report circulated to members:

At the end of each financial year, the Governing Board shall prepare a report on the working of the Association up to the end of the financial year and circulate it amongst the subscribers/members along with the statement of accounts duly audited.

35.

Auditor:

At the annual General Body Meeting the members shall appoint an Auditor of the Association who is a Chartered Accountant and fix his remuneration. No person who holds an office in the Governing Board shall be appointed as an Auditor. The Auditor shall hold an office from the date of the annual general meeting at which he has been appointed

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to the immediate meeting. He shall, however, be eligible for reappointment unless the members decide otherwise.

36.

Auditor of Accounts:

Within three months of the closing of the year, the Governing Board shall deliver to the Auditors, the accounts to be produced before the annual general meeting. The Auditor shall audit the accounts, verify assets of the Association and prepare a written report of the results of such audit. The report of the Auditors shall form part of the statement of accounts to be circulated to the members. The Auditor must be the independent person and shall not be the relative of any of the Managing Committee member.

37.

Amendments:

Amendments to this constitution may be proposed by the Governing Board or by one fifth of the voting members provided such amendments do not retrieve the main purpose for which the Association was established.

Amendments to this constitution must be approved by the Governing Board and endorsed by the General Body of the Association at its annual meeting or a special meeting called for this purpose. The proposed amendments must be circulated to the members of the Association three weeks before the date of the meeting convened for the purpose.

38.

General:

An affirmative vote by three-quarters of the voting members present shall be required for their adoption.

- a) Every loss done to the property of the Association shall be made good by the member(s) concerned and the decision of the Governing Board shall be final in this matter.
- b) Members of the Association shall have first preference to participate in every activity organized by the Association.
- c) All posts will be deemed to be vacant at the time of the elections of the Association.
- d) The Association shall be deemed as dissolved if a resolution regarding the dissolution is adopted by 4/5th of the total members presents in the general assembly adopting such resolution.

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e) When the Association stands dissolved in accordance with the above, the assets and properties of the Association will be transferred to any existing Association or a newly formed Association having objectives same as this Association. The decision for such transfer of property will be made by a simple majority of members present in the general meeting adopting such resolution.

f) The General Body of the Association shall be the sovereign body and its decision will neither be negotiable nor challengeable in any legal proceedings or any court of law.

39. **Annual list of Governing Board and Members:**

Once in every year a list of the Office bearers and members of the Association shall be filed with the Registrar of the Societies in Ahmedabad, as required under Section 4 of the Societies Registration Act, 1860.

40. **Legal Proceedings:**

The Association may sue or be sued in the name of the President or the Secretary as per provisions lay down under section 6 of the Societies Registration Act, 1860 as applicable to the state of Gujarat. The Association will pay all costs and expenses incurred by the person in whose name such suit or legal proceedings shall be instituted or defend and will indemnify against all liabilities, whatsoever for costs or otherwise.

41. **Amendments:**

Any amendment in the Memorandum of the Association or its Rules and Regulation will be carried out in accordance with the procedure laid down under section 12 and 12A of Societies Registration Act, 1860.

42. **Dissolution of the Association:**

If the Association needs to be dissolved, it shall be dissolved as per the provisions laid down under the Societies Registration Act, 1860 as per applicable to state of Gujarat.

43. **Application of the Act:**

All provisions under all Sections of the Societies Registration Act, 1860 as applicable to state of Gujarat shall apply to the Association.

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44. Certified that this is the true copy of Rules and Regulations of Gujarat Optometric Association.

PRESIDENT



SECRETARY

TREASURER

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