

Rules and Regulations
Constitution of the JIPMER Faculty Association

The Preamble

We, the faculty of Jawaharlal Institute of Postgraduate Medical Education & Research, have established the JIPMER Faculty Association in order to drive progress and positive change at all fronts in this institute of national importance. It exists to uphold and further the interests of the faculty, with the aim of providing the highest quality of work environment and career experience. It is envisaged that it will also recommend the standards for the faculty of JIPMER which shall be indicative of the highest form of self-discipline among the faculty.

The constitution

Article I

Name

The name of the association shall be JIPMER Faculty Association. (will also be alluded as 'JFA')

Article II

Purpose

- 1) The JFA will be the principal and official body representing the faculty of JIPMER that will interact and negotiate with the administration of the institute and other entities so as to accrue benefits and privileges and further the general welfare of its members
- 2) The JFA will serve as a forum to foster new ideas. It will facilitate and expedite all processes that the faculty consider important for the welfare of the faculty and the institute.
- 3) It will encourage communication between faculty members, facilitate mutual cooperation and promote camaraderie among the faculty members.
- 4) The JFA will engage in activities that promote the welfare of fellow human beings in times of distress, in India or countries abroad, without racial or cultural discrimination.

Article III

Membership

- A. There will be three types of memberships: Regular, associate and honorary
- B. All faculty members holding permanent, probationary, ad hoc or contract posts in JIPMER are eligible for regular membership as long as they are in service.
- C. All medical officers, working in JIPMER are also eligible to be regular members of the JFA.
- D. An applicant will need to have paid membership fees before being given membership.
- E. Any regular member who resigns or is expelled from the Association shall waive all the rights and privileges stipulated in this Constitution, by-laws and amendments including the right to representation with the administration through this Association. No fees already paid will be refunded.
- F. A regular member who has resigned can request for membership again after a period of one year and this will be accepted by a majority vote within the executive committee. The member will need to pay a life membership fee once again.
- G. Honorary membership may be offered to any person of high standing who has contributed in an invaluable manner to the welfare of the faculty. This will be decided by a majority vote in a general body meeting based on nominations received from regular members. There will be no fees for an honorary membership.
- H. All regular members who retire from the institute will be offered an associate membership provided they have paid a life membership fee.
- I. A member (or his or her legal heir if the member is deceased) who has paid a life membership fee will be eligible for assistance from the Association regarding pension/gratuity/ medical benefits etc for as long as the problems are present.
- J. A member, whose dues are delinquent by the time of the annual General body meeting, shall not be entitled to vote or hold elective office or be appointed to any position.

Article IV

Rights, Privileges and Benefits of Members

Section A. A regular member of the Association shall have the following rights and privileges as herein granted:

1) To exercise the right to vote on all matters relating to the affairs of the Association and be involved in its activities such as: (1) general assemblies, (2) deliberations, (3) meetings, and (4) decision-making.

2) To be eligible to any appointive or elective office of the Association provided the member meets the minimum requirements for candidacy as stated. (*vide infra*).

3) To freely express opinions, ideas and raise objections pertaining to matters within the jurisdiction of the Association

4) To refer problems/issues related to his work to any office member of the association or any committee established for that purpose for speedy action and/or settlement.

5) To be informed of all the actions, policies, programs and projects and as the need arises, to have an access to all records and documents as well as agreements entered into by the Association.

Section B. A regular member of the Association shall enjoy the following benefits:

1) The Association shall look into the needs, interests and matters related to the well-being and working conditions of its members.

2) Each regular member shall enjoy all the benefits stated in this Constitution, its bylaws and amendments as well as all the monetary and nonmonetary benefits negotiated by the Association with the administration.

3) The Association shall stand to help and protect any member after due consultation and deliberation of the issue with the department representatives and executive body members.

Section C: All honorary and associate members shall enjoy all the rights and privileges of regular members including participating in the deliberation or discussion but will not have the right to vote in decision making or right to hold an office of the Association.

Article V

Duties and Responsibilities of Regular Members

Every member of the Association shall have the following duties and responsibilities:

- 1) To uphold and abide by all the provisions of this Constitution, bylaws and amendments
- 2) To abide by all reasonable policies and all rules which the Association shall need to adopt.
- 3) To participate and support all activities, programs or any project of the Association.
- 4) To pay all the mandated fees and dues, and other contributions approved by the members/committees of the Association to meet the financial needs of the Association.
- 5) To attend the regular assemblies, emergency meetings, and activities of the Association, and departmental meetings called for by their representatives and voice opinions.
- 6) To follow proper decorum during meetings.
- 7) To engage in online discussion forums recommended or maintained by the Association
- 8) To inform in writing the department representatives regarding his/her problems, needs, and concerns for which he/she needs the assistance of the Faculty Association.
- 9) It shall be the duty of all new regular members of the Association to keep abreast with the latest undertakings of the Association and clearly understand their rights and obligations under this Constitution. Hence, they shall be provided a copy of this constitution during the orientation meeting or through an internet based interface.

Article VI

Structure and Composition of the Association

The JIPMER Faculty Association shall be composed of: Executive committee, Working committees and General faculty assembly

Section A Executive committee

The Executive Committee shall be composed of the president, 2 vice presidents, General secretary, two joint secretaries, treasurer, and nine advisory council members, all elected at large. The immediate past president and general secretary will also be members of the Executive committee.

Section B Functions of the Executive committee:

- 1) It shall implement the Constitution, bylaws of the Association, other guidelines and policies approved from time to time by the association.
- 2) It shall strengthen and maintain proper communication with the administration and with the members of the Association.
- 3) Decisions will be taken at meetings with a voice vote or show of hands and through an online electronic mechanism if such decisions have to be taken on a more urgent basis before a meeting can be convened.
- 4) A secret ballot may be used if an executive member requests such a voting process and president approves the same.

Section D The following are the duties and responsibilities of the members of the Executive committee:

A. President

1. The president shall be in charge of overseeing the operations, needs and concerns of the Association and of directing its activities.
2. He/She shall call for and preside over the meetings of the Association, and executive committee
3. He/She shall represent the Association meetings and dialogues with the administration.
4. He/She shall be the Head of the Faculty Negotiation Panel which has the task to present to and work out with the administration whatsoever benefits, privileges and clarifications the members may wish to obtain
5. He/She shall at all times enforce the provisions of this Constitution and other rules and regulations which may be promulgated by the Association from time to time.
6. The president may appoint any member of the faculty to represent the Association in any institutional committee/Council/Board
7. He/She shall present to the General Faculty Assembly the activities/projects and targets achieved during the term
8. He/She shall submit an annual report and distribute the same to all the members of the Association.
9. He/She shall exercise other powers and functions accorded to him/her by a majority vote of all the members of the faculty

B. Vice presidents

1. He/She shall assume the duties and responsibilities of the president in case of the latter's absence, permanent incapacity, death, or resignation.

2. He/She shall perform such other functions as may be delegated by the president

C. Secretary

1. He/She shall take the minutes of meetings of the Association and certify the same.
2. He/She shall take charge of the safekeeping of all records/documents of the Association.
3. He/She shall prepare, sign and file communications pertaining to the Association.
4. He/She shall perform other functions as may be delegated by the president.

D. Joint Secretaries

1. He/She will aid the secretary in taking the minutes of meetings of the Association
2. He/She will aid the secretary in performing all his functions
3. He/She will act as acting secretary in the absence of the General secretary
4. He/She shall perform other functions as may be delegated by the president.

D. Treasurer

1. He/She shall act as the custodian of all funds, supplies, and properties of the Association and shall be accountable for these.
2. He/She shall collect all fees and dues pertaining to the Association and all income derived from projects/activities in the name of the Faculty Association.
3. He/She shall submit a financial report at every final regular annual General Faculty Assembly of the financial standing of the Association and distribute the same to all the members.
4. He/She shall prepare a list of members who have pending dues before the annual General Faculty Assembly.
5. He/She shall perform other functions as may be delegated by the president.
6. He/She shall ensure that the funds of the association are audited
7. He/She shall recommend measures to the Executive committee that would improve the financial status of the association
8. He shall perform other functions as may be delegated by the president.

E. Other advisory members of the Executive committee

1. Shall actively involve in all deliberations of the executive body and render advice and recommendations for efficient functioning of the executive committee
2. Shall perform other functions as may be delegated by the president.

F. Past President

1. The past president of the Association should inform the executive committee of the potential ramifications of every action that the executive committee is about to take based on the experience he/she had in leading the association for the past year.

2. He/She should ensure that the decisions taken by the executive committee builds on the previous groundwork that has been done though this may or may not have been documented before.

G. Past general secretary

1. He/She should inform the executive committee the salient points in the minutes or documents that were generated during the previous term that may have implication to the current functioning of the association
2. He/She should transfer all records/documents that were generated during the previous term to the secretary.

Section E The following are the qualifications of Executive committee officers

1. Must be a faculty member or a medical officer.
2. Must not be holding any high administrative position. (president/director of the institute, medical superintendent, dean)

Section F Rules of Election

1. The election of the members of the executive committee shall be conducted during the month of April every year under the supervision of the election officer. This may coincide with the last general body meeting.
2. Officers of the executive committee members may be self nominated or be nominated by another regular member by email or by post or in the well of the election meeting itself. Nominations for the posts will be received by email till the date of election.
3. The president will appoint an independent election officer from the among the faculty members to declare and oversee the election process. The election officer should not be holding an office in the association.
4. If there are no two contenders to a post and, the person will be considered elected uncontested for the post.
5. If there are two or more contenders for a post, then a secret ballot will be used. The person who gets maximum number of valid votes will be elected.
6. In case of a tie, the winner will be declared by toss of a fair coin.
7. The association may also conduct the voting process through a secret postal ballot or

through an online secret electronic mechanism.

8. In case the election is conducted through a postal secret ballot or through an electronic online secret ballot mechanism, the candidates standing for election will be announced at least one week prior to the day of the election. The exact date of the election and the fact that election is through a postal secret ballot or online secret ballot mechanism will be announced two weeks prior to the date of election.
9. All members will be intimated through email and/or by a communication sent to the official address of the member, both the day of the election as well as the names of the candidates.
10. If no preferred means of communication was indicated by the member, then all communication from JFA will be through electronic mail.
11. The election results will be declared by 20th of april by emails to all members.
12. One post of Vice-president, one post of Joint Secretary and one advisory council member's post will be selected by a method of sortition from groups of regular members who are willing for such a process of random selection. One member each will be selected by a draw of lots. Members who want to get selected by sortition should not be standing for election for any post. Sortition will be carried out at the same time as the election process.

Section G Working committees (problem solving groups)

1. Special working committees or 'problem solving groups' may be constituted from full time faculty members for the focussed purpose of resolving a particular issue as and when required.
2. The executive committee will appoint these special committees and its team leader. Such committees will report back to the executive committee regarding whatever progress made and will cease to exist once the issue is deemed resolved by the executive committee.
3. These working committees will be dissolved or reconstituted if executive committee finds that team is not progressing with its mission objectives in a time sensitive manner.

Section H Departmental Representatives

- A. Department Representatives refers to the full-time faculty members who are duly elected as representatives of their departments/offices or appointed by the executive committee. There may be more than one departmental representative especially in the case of large departments.

B. The functions of the departmental representatives are as follows:

1. The departmental representative will take the responsibility of coordinating and communicating the actions of the JFA to members of respective departments.
2. To preside over all meetings of members of departments/offices and submit minutes of the meetings to the Executive committee
3. To coordinate/consult the head of the department for clarification on grievance of faculty concerned after pertinent documented information have been gathered
4. To decide on behalf of the departments/offices they represent in case of emergency.
5. To support all the programs of the Executive committee including aiding in collection of dues and fees
6. To exercise other functions as provided for in this Constitution and by-laws.

C. Removal of a departmental representative:

1. A departmental representative can be removed and replaced by another person if a majority of the faculty signs and sends a petition to the executive committee
2. If the departmental representative was nominated by the executive committee, then he/she can be removed by the action of executive itself.
3. A departmental representative will also be replaced if he resigns from the post.

Section I The General Faculty Body

A) The General Faculty Body is composed of all regular members of the Association who have no outstanding dues. The body shall convene at least twice per year or as often as the need arises. The assembly will be presided by the president or vice president. Members other than regular members may be invited on special occasions with the permission of the president but will not have voting rights.

B) In the absence of the president or vice president, a past president or a senior member elected on the spot by the general faculty body can preside over the meeting of General Faculty Body

C) The purposes for convening the assembly are as follows:

1. To report to the members the activities, accomplishments, issues and information related to the JFA
2. To consult with the members the issues and to decide on major actions to be undertaken by the Association.
3. To inform and update the body and explain any urgent actions/decisions that were undertaken by the Executive Committee
4. To attend to, discuss, and deliberate any other matters that are of interest to the members of the Association.

C)A Special General Assembly may be called for by a petition signed by 20% all the members of the faculty for a specific agenda. This petition may be in the form of electronic mail (email) or through a voting through an internet based mechanism approved by the Executive committee. The president will then convene such a meeting within one week of receipt of such a petition.

Article VII

Meetings and Quorum

1. The Faculty General Body Assembly shall be convened at least twice a year: preferably in the month of September and January.
2. The Executive Committee shall meet at least quarterly and may call for emergency meetings of its members as the need arises.
3. The Faculty Assembly of departments/offices shall meet once in two months and/or as the need arises as decided by departmental representatives
4. The Working Committees (problem solving groups) shall meet at least once a month at their convenience or upon the request of the Executive Committee
5. All physical meetings for both the Faculty General Body Assembly and the Executive body will require a time bound agenda to be mailed to the members sufficiently in advance
6. The agenda for a Faculty General Body Assembly will be mailed by the president or the General Secretary to all members at least one week in advance
7. Members can petition the JFA regarding the issues to be included in the agenda.
8. The executive body will determine the agenda for the General Body meeting.
9. Any issue not included in the agenda can be discussed in General Body Assembly with the approval of the presiding authority.
10. The required quorum of a faculty General Body assembly is a majority (50% of all members +1 member) of the total strength of the members.
11. The quorum for a Executive body meeting will be a majority of (50% of all members holding office plus one member)
12. If the required quorum of a majority of the faculty members is not present, the meeting may be reconvened after a duration of fifteen minutes after a diligent attempt to achieve the quorum. The quorum for a reconvened meeting is 20% of the strength of the members. The quorum for a reconvened Executive Committee meeting is 30% of its total members.
13. A majority of at least one vote is required for a proposition to be passed in both General body assembly as well as in the Executive Committee meetings.
14. A proposition can ordinarily be passed by a show of hands unless a secret ballot is requested by a member and allowed by the president

Article VIII

Income and Funds of the Association

The funds of the Association shall constitute the following:

1) Membership fee

- A. Yearly membership dues of INR 200
- B. Lifetime membership fee of INR 1200
- C. The membership fee may be revised during the General body meeting by a simple majority

2) Trust fund

3) Funds coming from sponsored projects, gifts and/or donations

4) Use of Funds

1. A officer of the association may pay out of, or be reimbursed from the fund of JFA reasonable expenses properly incurred by him or her when acting on behalf of the Association.
2. None of the income or property of JFA may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Association.
3. A bank account will be maintained under the name of the JIPMER faculty association
4. Funds shall be withdrawn only by an authorized cheque signed by two of three designated official members, one of whom is designated treasurer. The other other two will be the president or secretary.
5. The JIPMER faculty association will be a non-profit organisation.
6. 90% of the total funds will be kept invested in low risk government issued bonds and/or as fixed deposits in nationalised bank(s) in India.
7. The treasurer should ensure that reasonable expenses of the JFA should not exceed 5% of the corpus fund annually.
8. Funds should not be kept or routed through personal bank accounts.
9. All funds to be released shall have the prior approval of the Executive Committee. Should there be an immediate need for such funds, but the executive committee fails to meet it, the president of the Association can approve the release of the said funds. However, he/She shall furnish all members of the executive with a copy of the release papers together with pertinent documents as soon as possible.

Article IX

Discipline of Members and Officers

Section A Discipline of Members

1. Any member who deliberately violates the provisions of this Constitution and by-Laws shall be accountable to disciplinary proceedings
2. The Executive committee shall have the authority to subject to disciplinary action any member who did not observe and follow proper decorum in all meetings and in other courses of action where any member is responsible.
3. Disciplinary action will be initiated after sending a show cause notice to the member and allowing reasonable opportunity to justify his/her conduct.

Section B Discipline of Officers

1. No officer shall commit himself/herself to any action that may adversely affect the Association.
2. Suspension or removal from position shall be effected for the following reasons:
 - A. Any wilful and gross violation of this Constitution and byLaws.
 - B. Gross negligence of duty.
 - C. Any form of misconduct which maliciously or intentionally undermines the integrity of the Association or the institution or both.
3. An affirmative no-confidence vote of at least 2/3 of the total members of the Association shall be required to relieve/or suspend any officer. This voting may be done using an online electronic secret ballot or by a physical secret ballot.
4. The length of suspension or other disciplinary measures shall be determined by the executive committee and shall be approved by the members in same session as affirmative no-confidence voting. The same number of votes provided in the preceding section shall apply.

Article X

Term of Office

1. All duly elected members of the Executive committee shall serve a term of one year.
2. No officer can serve the same position for more than two consecutive terms.
3. If an officer resigns, takes a long leave of absence, becomes permanently incapacitated, or dies, the executive committee shall convene and nominate a replacement from among the members of the general faculty to fill in the vacant position.
4. An elected member ceases to be an office bearer once his/her resignation from that post is accepted by the president. The president will need to take a decision, accepting or rejecting the resignation within a period of one week.
5. The newly-appointed officer shall serve only for the unfinished term of the officer he/she shall succeed. The successor to the vacant position described above shall be deemed to have served one complete term of office if he has served in such position for six months or more
6. The department representatives shall be coterminous with the executive committee.
7. The turnover of duties and responsibilities of the outgoing officers to the incoming Executive committee Officers shall be held within one week after their election.
8. The newly-elected officers of the Executive Committee shall commence their term of office on the first working day following their day of election.

Article XI

Amendments

1. Any amendment to or revision of this Constitution may be proposed by:

A) the Executive committee

B) The members upon petition of at least twenty percent (20%) of the total membership two weeks before the annual General body meeting.

2. The executive committee will consider such proposals and the president shall present it to the general faculty body for approval or otherwise.
3. Any amendment/revision of this constitution shall be valid when ratified by a two third majority of all members of the Association present and eligible to vote. This could also be done through secret ballot/voice vote or through an secret online voting process.

Article XII

Dissolution clause:

1. The association can be dissolved if $\frac{3}{4}$ th of the members vote for the same in a meeting where majority (50% +1) of the members are present.
2. In this eventuality, funds and assets of the association will be transferred to a charitable organisation after paying off any outstanding debts.

Article XIII

Effectivity Clause

This Constitution shall take effect immediately upon ratification by a majority vote (50% + 1) of all its members in a general faculty body meeting called for the purpose. All legal disputes related to Jipmer Faculty Association shall be settled in and considered within the jurisdiction of courts at Puducherry.

The constitution Jipmer Faculty Association was compiled by Dr.MS Gopalakrishnan, Asst Professor Neurosurgery on 15th Aug 2013. Valuable contributions were received from Dr.Dorairajan L.N, Professor of Urology, Dr.Shyama Prem S, Asst. Professor, Radiotherapy, Dr.Venkatesh M.S, Asst. Professor, Neurosurgery,Dr. Murali Poduval, Additional Professor, Orthopedics and Dr.Santosh Satheesh,Associate Professor, Cardiology, Dr.Shivanand Kattimani,Assistant Professor, Psychiatry, Dr.Arvind Ramkumar, Assistant Professor, Surgical Oncology, ,Dr.Ravi Philip Rajkumar,Assistant Professor, Psychiatry, Dr.Habeeb, Prof. of Obstetrics and Gynecology. Further significant contributions to this document will be acknowledged here.