



தமிழ்நாடு தமில்நாடு TAMILNADU

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21-11-18 Network and Alliance
of transplant coordinators

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Network and Alliance of Transplant
Coordinators



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MEMORANDUM OF ASSOCIATION

1. **Name:** The name of the Association is **Network and Alliance of Transplant Coordinators** and shall hereinafter be referred to as **NATCO**.

2. **Registered Office & Working Area:**

2.1 Registered Office: The Registered office of the Association shall be at Toshniwal Building, III Floor, 267, Kilpauk Garden Road, Chennai 600 010. Tamil Nadu, India.

2.2 Working Area: NATCO is an NGO of pan India character and shall spread its activities all over India and also other countries of the world, as the General Body of NATCO decides from time to time.

2.3 On the recommendation of the Executive Committee, General Body can shift the office to other states or union territories of India.

3. **Main objective:** The main objectives of the NATCO shall be

3.1 To create awareness about organ donation and motivating the cross section of our population to make an organ donation through the trained transplant coordinators that are members of NATCO.

3.2 To conduct educational/training programmes, workshops/conferences in different parts of India. To organize guest lectures by eminent national and international faculty, so as to showcase best practices in organ donation and transplantation.

3.3 To support scientific studies/research undertaken by transplant coordinators who are members of NATCO.

4. **Other objectives:** The other objectives of the NATCO shall be

4.1 To aid in improving the quality of donor organs through advanced training and workshops.

4.2 To gather information of activities of all organ donation organizations in India and share it with relevant forums/organizations.



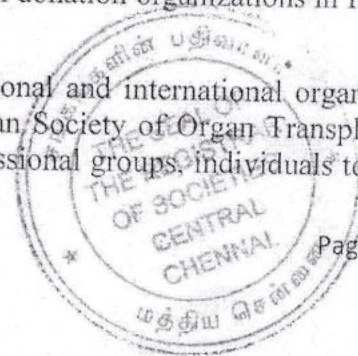
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- 4.3 To promote and coordinate with various national and international organizations like Indian Medical Association (IMA), Indian Society of Organ Transplantation (ISOT), service organizations and other professional groups, individuals to further the message of organ donation.
- 4.4 To propose suitable amendments to the Transplantation of Human Organs Act, 1994.
- 4.5 To share education and publicity materials, wherever there is a need.
- 4.6 To promote interaction with national and international organizations those are engaged in transplant coordination.
- 4.7 To honour, award and institute fellowships to recognize and promote good talent.
- 4.8 To start and develop a not-for-profit organisation which is non-religious and will provide equal opportunities to its members irrespective of caste, creed, race, religion, and culture. Without limiting the generalities aforesaid objectives, carry on such other objectives that may generally and specifically promote and propagate organ donation and transplantation.
- 4.9 To carry on other objectives of charitable nature, as may be laid out by the provisions of the section 2(15) of the income tax act, 1961.
- 4.10 To carry out and perform all such acts as may be necessary for the attainment of the aforesaid objectives



BYE-LAWS OF ASSOCIATION

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8 PAGE CORRECTION - net 4

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- 4.9 To carry on other objectives of charitable nature, as may be laid out by the provisions of the section 2(15) of the income tax act, 1961.
- 4.10 To carry out and perform all such acts as may be necessary for the attainment of the aforesaid objectives.

5 Management:

- 5.1 The General Body of NATCO is the supreme body in managing all activities of the association as per provisions laid in the Memorandum of Association.
- 5.2 Executive Committee shall discharge their duties and exercise all powers of the association as per the directives given by the general body from time to time.
- 5.3 General control and day-to-day management of the association shall vest with the Executive Committee.

6 Membership:

- 6.1 **Membership Category :** There will be following category of members:

- 6.1.1 Individual Members (Life).
- 6.1.2 Institutional Member (Life/Annual).
- 6.1.3 Corporate Members (Annual).
- 6.1.4 Honorary members.
- 6.1.5 Overseas members.

Individual member, corporate member and institutional members have one vote each. The honorary and overseas members do not have any right of voting.



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6.2 Process of Membership:

- 6.2.1 An application for joining NATCO shall be made in writing on a form prescribed by the Association.
- 6.2.2 No application for membership shall be considered unless proposed by a Life Member of the association.
- 6.2.3 Annual membership shall continue so long as they pay their annual subscription as determined or till they are dropped/removed by the General Body.

6.3 Subscription for Membership:

The subscription for joining the Association as member shall be as follows:

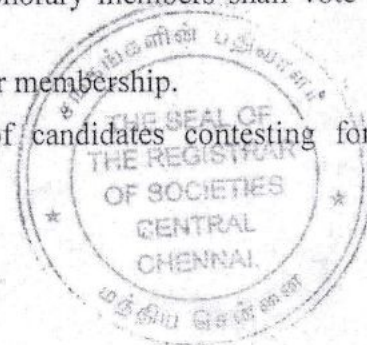
- 6.3.1 Individual Member as Life Member: Rs.2,500/-
- 6.3.2 Institutional Member : Rs. 5,000/-
- 6.3.3 Corporate Member : Rs. 10,000/- (Annual Member)
- 6.3.4 Overseas Member : US Dollar (\$) 50/- or its equivalent (Life Member)
- 6.3.5 years member : Rs.1,500/-
- 6.3.6 Honorary Member: None.

The membership fee for all categories of members shall be subject to revision by the General Body from time-to-time on the recommendation of Executive Committee.

7 Members Rights & Privileges:

Subject to provisions of the bye-laws, members shall enjoy the following rights and privileges:

- 7.1 All members are obliged to act in the interests of NATCO and use their best endeavours to promote the objectives of NATCO and their associated facilities and services as set out in the objectives of NATCO.
- 7.2 Members shall promote the aims and objectives of the association by their active participation and shall comply with the objectives of NATCO.
- 7.3 To be present at all annual general body meetings.
- 7.4 All members other than overseas and honorary members shall vote at the general body meeting and special meetings.
- 7.5 To propose and recommend candidates for membership.
- 7.6 To propose and second nominations of candidates contesting for elections of NATCO executive committee.



7.7 Overseas members and honorary members shall have no rights or privileges as other members of NATCO are not entitled to vote or contest for any position in Executive Committee.

7.8 To introduce visitors at the general body meeting or other meetings of NATCO.

8 Cessation of Membership:

General Body shall have power to expel/terminate a member or members from membership of NATCO.

8.1 Any member shall cease to be a member of NATCO on tendering the resignation in writing.

8.2 Every individual elected as a member of NATCO shall cease to be a member in case of death.

8.3 Institutional and corporate members shall cease to be a member in the event of it losing its corporate or institutional status or character and/or if in arrears for more than two consecutive years.

8.4 **Expulsion:** The Executive Committee can recommend expulsion of any member but has to be ratified by two thirds majority vote present at the general body meeting of NATCO for the following reasons:

8.4.1 Conduct unbecoming of a member.

8.4.2 Malfeasance by a member.

8.4.3 If the member is found to be promoting terrorism, pornography, gambling or any other activity that is deemed to be against the larger interest of the society.

8.4.4 Any member who defies articles or memorandum shall be liable for expulsion.

8.4.5 Decision of expulsion of an offending member shall be given a chance by the Executive Committee (EC) to explain his/her conduct in writing. The decision of EC will then be sent to the General Body for ratification at annual general body meeting. Such a member shall not be eligible for re-election.

8.5 **Re-admission:** In case of any member of NATCO is expelled by General Body for the reason of nonpayment of subscription, he/she can be readmitted provided the member concerned pays all dues, subject to the permission of Executive Committee.

9. Executive Committee:

The Executive Committee shall consist of members as indicated below:

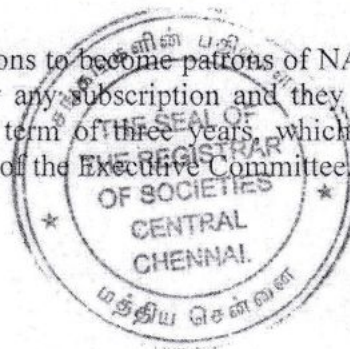
- i. President
- ii. Vice President
- iii. Secretary
- iv. Joint Secretary
- v. Treasurer
- vi. Executive Committee Members (10 Nos.)



- 9.1 The nominated members will not have any voting rights.
- 9.2 Executive committee shall meet as frequently as necessary or when required but shall have at least one meeting in a year.
- 9.3 A quorum of the meeting of the executive committee shall be one-third of Executive Committee strength.
- 9.4 Tenure of Executive Committee shall be for two years.

9.5 Duties of the Executive Committee:

- 9.5.1 Conduct affairs of the association on a day-to-day basis and meet as often as necessary.
- 9.5.2 The Executive Committee shall carry out the mandate of general body and discharge duties as per objectives of NATCO.
- 9.5.3 To plan programmes as per objectives of NATCO.
- 9.5.4 The Executive Committee shall sanction the required resources to run the activities of NATCO.
- 9.5.5 Executive Committee shall be responsible for management of finance of NATCO. The Executive Committee shall maintain all books of accounts, records, files and documents necessary for functioning of NATCO.
- 9.5.6 The Executive Committee shall prepare half yearly statements of accounts and approve such accounts at its meetings and shall thereafter such accounts are to be audited by a qualified Chartered Accountant.
- 9.5.7 The Executive Committee shall prepare the annual report and budget for discussion and ratification by the General Body.
- 9.5.8 The Executive Committee shall also appoint sub-committee to carry out specified activities of NATCO and shall delegate such powers to the sub-committee as it deems expedient.
- 9.5.9 All decisions of the Executive Committee shall be carried out by majority vote of the members present but not less than two-thirds.
- 9.5.10 A clear notice in writing at least 10 days prior shall be given to committee members with a detailed agenda of the meeting and requisite explanatory notes on other matters delegated by General Body.
- 9.5.11 Minutes of the meeting shall be circulated to the members of the Executive Committee.
- 9.5.12 To invite eminent persons to become patrons of NATCO. Patrons will not be required to pay any subscription and they would continue as Patrons initially for a term of three years, which shall be extended subject to the approval of the Executive Committee.



10. Responsibilities of the Executive Committee

10.1 President:

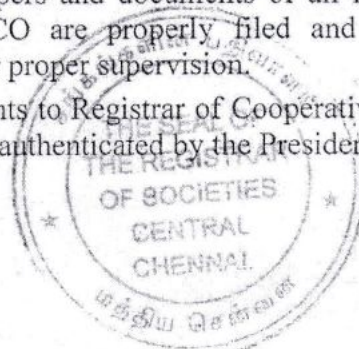
- 10.1.1 The President shall control, direct and administer all the activities of NATCO and shall give necessary directions and advise to the Vice President, Secretary, and Treasurer.
- 10.1.2 The President shall be one of the co-signatories and can jointly operate any or all bank accounts of NATCO. Treasurer must be one of the three signatories.
- 10.1.3 The President shall preside all annual general body, extraordinary general body, special general body and executive committee meetings.
- 10.1.4 In the absence of the President, the Vice President shall officiate.

10.2 Vice President:

- 10.2.1 The Vice President will conduct overall supervision of activities of NATCO relating to general administration, finance and academics respectively as decided by the Executive Committee.
- 10.2.2 In the event of the President being unable to perform the duties of the office for whatsoever reason, the Vice President shall assume the duties of the President.

10.3 Secretary:

- 10.3.1 The Secretary will be responsible for the administrative functioning of NATCO under the directions of the President of NATCO and shall be responsible for the administrative affairs.
- 10.3.2 The Secretary will work in conjunction with the Treasurer to keep and maintain the accounts and prepare the annual budget.
- 10.3.3 To call all meetings of NATCO.
- 10.3.4 To act on the recommendations of the Executive Committee.
- 10.3.5 To conduct correspondence either in his individual capacity as Secretary or by delegating authority to sign letters, papers, legal documents, affidavits emanating from NATCO.
- 10.3.6 To arrange for recording in the Minutes Book all the proceedings of the meetings. Minutes of the meetings shall be duly recorded and sent to all the executive committee members.
- 10.3.7 To ensure that all letters, papers and documents of all kinds connected with the business of NATCO are properly filed and preserved and periodically weeded out under proper supervision.
- 10.3.8 To send the required documents to Registrar of Cooperative Societies and Income Tax Department duly authenticated by the President.



- 10.3.9 To draft and publish the Annual Report of NATCO after authentication by the President.
- 10.3.10 The Secretary shall represent NATCO in all legal matters and shall sign all pleadings, petitions, plaints, written statements and other documents connected with such legal matters and proceedings.
- 10.3.11 The Secretary shall be one of the co-signatories of the bank accounts of NATCO of the three signatories along with the Treasurer and President.

10.4. Joint Secretary

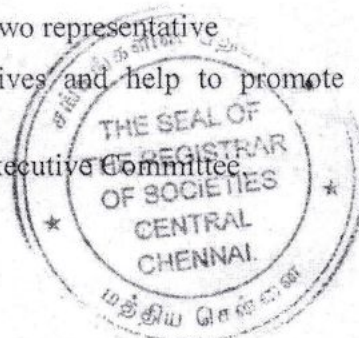
- 10.4.1 In the event of the Secretary President being unable to perform the duties of the office for whatsoever reason, the Joint Secretary shall assume the duties of the Secretary

10.5. Treasurer:

- 10.5.1 Treasurer shall receive and hold all money paid for the use of NATCO. He/She shall disburse all sums due and shall keep a complete account of all such receipts and payments.
- 10.5.2 To operate the NATCO's bank account/accounts in conjunction with the President and Secretary. Treasurer shall be one of the three signatories.
- 10.5.3 At the expiry of every financial year, the Treasurer shall get prepared a list of names of those members who may be in arrears for subscription and shall submit it to Executive Committee.
- 10.5.4 He/She should also prepare eligible voter's list and it hand over to the Executive Committee/Election Commission.

10.6. Executive Committee Members:

- 10.6.1 To organize programs on organ donation as per objectives of NATCO.
- 10.6.2 The Executive Committee shall be constituted with members from different states and union territories to address state specific issues and take active part on policy matters regionally and nationally with the respective state governments and central government.
- 10.6.3 Each zone shall be represented by two representative
- 10.6.4 Coordinate with state representatives and help to promote activities of NATCO.
- 10.6.5 Annual Report should be sent to Executive Committee

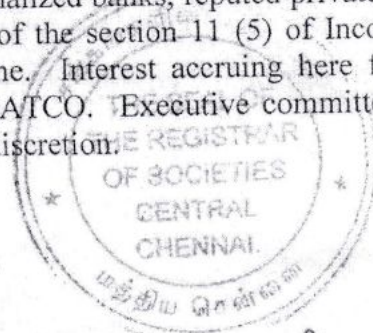


11 Tenure of the Executive Committee:

- 11.1 The term of the Secretary, Treasurer and chairpersons and representatives will be for 2 years and they shall retire at the annual general body meeting at the termination of the term.
- 11.2 The term of Vice President is 2 years. Vice President takes over as President without election after 2 years of his/her tenure.
- 11.3 In case the annual general body meeting is delayed for any eventuality whatsoever, the Annual General Body meeting shall be convened at the earliest opportunity but not later than three months from the expiry of the tenure.

12 Finance, Income & Property of NATCO

- 12.1 Under no pretense whatsoever shall any such property, income, revenue and effects of NATCO be delivered to any party except in case of salaried officer or employee of NATCO.
- 12.2 **Utilization Clause:** Funds raised shall be solely utilized towards the objectives and that the funds for assets will not be utilized for the payment to the author of NATCO/members by the way of profit, interest or dividend. All finances, income and assets of NATCO, however, derived shall be applied solely for the promotion of its objectives and for the maintenance of its offices, departments, workshops, training, and other administrative purposes, in the exercise of which NATCO has the right to receive, hold, disburse and channel designated funds or any balance thereof informing the donor or other bodies.
- 12.3 NATCO shall pay in good faith reasonable and proper honorarium to any member of NATCO for any services rendered to NATCO. The funds of NATCO shall be spent only for attaining of its objectives and no portion thereof shall be paid or transferred to any of its members through any means. This shall, however, not apply to salary, remuneration or fee paid to a member for professional services rendered outside the scope of this function and duties or for reimbursement of expenses incurred by such member for the purpose of NATCO.
- 12.4 Financial year of NATCO shall be from 1st April to 31st March, which may be changed as and when decided by the general body at AGM.
- 12.5 The revenue of the association shall be from the general funds of NATCO.
- 12.6 All income received by NATCO after setting aside funds for day-to-day expenditure shall regularly be invested as soon as possible as short term deposits in fixed deposit with one or more nationalized banks, reputed private sector banks or any other modes as per provisions of the section 11 (5) of Income Tax Act, 1961 or as amended from time to time. Interest accruing here from shall be available for general expenditure of NATCO. Executive committee shall be at liberty to vary the investments at their discretion.

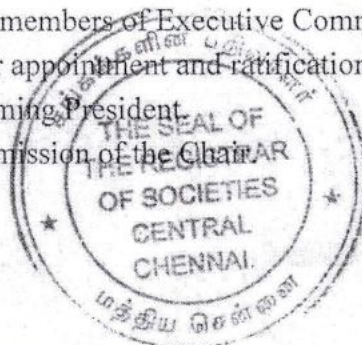


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- 12.7 The President, Secretary and Treasurer shall be entitled from time to time to open and maintain a Banking Account or Accounts in the name of the Society at such Scheduled Bank or Banks as they may from time to time decide and may at any time pay or cause to be paid any moneys forming part of the Society Fund or the income thereof to the credit of any such Account or Accounts which may be opened either by way of Fixed Deposit or Current Account or Savings Account or any other Account and shall be operated Jointly any two of the three signatories i.e President, Secretary and Treasurer
- 12.8 Returns of income for all the assessment years commencing from the date of creation of NATCO will be filed as per the provision of section 139(4) of the IT Act 1961.
- 12.9 NATCO will utilize 85% of the funds raised as per 85% as required under Section 11 of Income Tax, 1961. If the funds utilized are less than 85% Form 10 will be submitted in the stipulated time.

13 General Body Meeting:

- 13.1 The notice for annual general body meeting with agenda must be sent at least one month before scheduled date of AGM.
- 13.2 The Annual general body meeting of the members shall be held not later than the last day of the month of September every year. But, if not held due to unavoidable reasons, the executive committee shall have the power to hold the AGM in any other month during the year but not later than 3 months and the reasons for the postponement shall be announced at the AGM.
- 13.3 Copy of audited statement of accounts shall be sent to all members at least two weeks before the AGM.
- 13.4 Quorum of AGM – 15 members.
- 13.5 The business at the AGM shall include:
- 13.5.1 Confirmation of the minutes of the last AGM and action taken.
 - 13.5.2 Adoption of annual report of the executive committee presented by the Secretary.
 - 13.5.3 Passing of the audited statement of accounts of the preceding financial year (FY) presented by the Treasurer.
 - 13.5.4 Ratification of names of new members.
 - 13.5.5 Consideration of any other business or resolution should be received by Secretary at least two weeks before AGM.
 - 13.5.6 Election of office bearers and members of Executive Committee.
 - 13.5.7 Chartered Accountant/Auditor appointment and ratification.
 - 13.5.8 Address of outgoing and incoming President.
 - 13.5.9 Any other matter with the permission of the Chair.

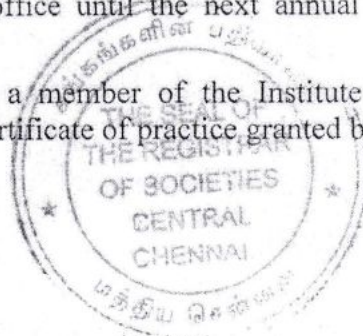


14 Special General Body meetings:

- 14.1 At special general body meeting, only the special matters of which notice has been given or such questions as necessarily arise thereof shall be considered. At least 15 days' notice should normally be given.
- 14.2 Special general meetings of members may be held for the purpose of :
- 14.2.1 Considering additions, amendments and any changes of the memorandum and bye-laws.
 - 14.2.2 Considering any resolution and duly passed by the Executive Committee other than those in respect of amendment or revision of memorandum and bye-laws.
 - 14.2.3 Considering the specific matters to be moved at such special general body meeting pursuant to any requisition signed by not less than 50 members and submitted to the Secretary.
 - 14.2.4 For any specific purpose relating to the direction and management of affairs.
 - 14.2.5 Quorum of SGM - 20 members.
- 14.3 A special general body meeting of the members may be called at any time by the Executive Committee at such place it may decide for the purpose.
- 14.3.1 The Executive Committee shall be bound to call a special general body meeting whenever a requisition signed by at least 25 members is made and delivered to the Secretary, specifying the matter to be moved at such special general body meeting to be issued within 60 days of the receipt of the requisition by the Secretary.
 - 14.3.2 Amendments of memorandum and bye-laws shall be communicated to the members as soon as it is reasonably practicable after the same shall have been passed in accordance with the provisions of the Articles and the Rules and Regulations.

15 Accounts/Audit Clause:

- 15.1 The NATCO shall maintain regular accounts of all its transactions showing clearly the receipts and payments and income and expenditure. All the expenses of the NATCO shall be properly vouched
- 15.2 The books of accounts of the NATCO shall be closed on **31st day of March** every year
- 15.3 The accounts of the NATCO shall be audited by a qualified Chartered Accountant
- 15.4 The annual accounts of the NATCO shall be approved by the **Executive Committee** every year
- 15.5 At the annual general body meeting, one or more properly qualified auditor or auditors shall be appointed to hold office until the next annual general body meeting.
- 15.6 Every such auditor/auditors shall be a member of the Institute of Chartered Accountant of India and shall hold a certificate of practice granted by the institute.



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16 Common Seal:

There shall be a common seal/or emblem of NATCO. The seal shall be in the custody of the Secretary and be affixed on such documents as in law as may be required.

17 Elections of NATCO:

17.1. The election will be held at the annual general body meeting. Members having any arrears shall not have a voting right for contesting any election. The President will not be re-elected for the next term. Vice President can take over as President.

17.2. The Vice President, Secretary, Treasurer and other members of office bearers will be elected by the members of General Body for a period of one term (2 years).

17.3. The outgoing office bearers must handover charge by delivering all relevant papers of the society such as registers, correspondence, stationery, books of accounts and library books etc., to the newly elected Executive Committee. The inventory of all the papers and property shall be signed by the outgoing and newly elected President and Secretary.

17.4. Office bearer shall cease to hold office:

17.4.1. The new incumbent would take office on the election of the new Executive committee and previous bearers would cease to hold office

17.4.2. If by a resolution, the General body decides by 2/3rds majority of the total strength of general body members present that such office bearer be removed from the office, provided a notice of two weeks is given by placing the item on the agenda of the meeting.

17.4.3. By voluntary resignation.

17.5. Eligibility for various officers:

17.5.1. Vice President:

Must have been a member of good standing for a minimum period of 2 years.

Must have held an organizational position either as office bearer or as member of the executive committee for a minimum period of one term.

17.5.2. Secretary:

Must have been a member of good standing of the society for 2 years.

Must have been a member of Executive Committee for at least one term.

17.5.3. Treasurer:

Must have been a member of good standing of the society for two years.

17.5.4. Executive Committee Members

Executive Committee Members shall be of at least two years of good standing of NATCO.

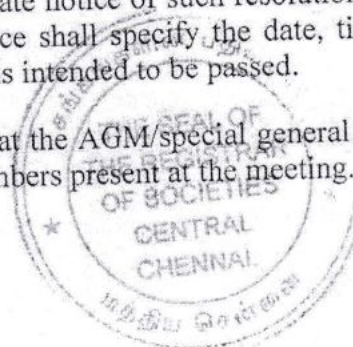


17.6. Election Procedure:

- 17.6.1. Secretary shall invite nominations from amongst members for various posts at least 60 days before the due date of election along with preliminary notice of the annual general body meeting. The nomination paper duly signed by a proposer and a seconder must be received on or before a date specified. Proposer and seconder must be a life member of NATCO with voting rights.
- 17.6.2. Secretary should keep all relevant matters ready for the election.
- 17.6.3. President will constitute an election commission of three members with one of them as Chairman/Returning Officer. Election commission should be formed three months before a due date of election. Decision of the commission shall be final and binding, and cannot be challenged in court of laws. An aggrieved candidate may present to Election Commission within 48 hours of the announcement of the result.
- 17.6.4. In case of a tie recasting of vote of the President of the meeting will decide the result.
- 17.6.5. In case no valid nomination for a particular post is received within the due date, nomination from the floor will be asked for by the Chairman of the election commission, during the annual general body meeting.
- 17.6.6. The Election Commission shall formulate guidelines of election process, scrutinize nomination paper and declare names of valid contestant.
- 17.6.7. Duly filled nomination form has to be accompanied by a CV of nominee, two photographs. Election commission shall have right to reject incomplete nomination paper.

18 Dissolution & Adjustment of affairs:

- 18.1 No motion for dissolution of NATCO shall be entertained unless it is received in writing by the Secretary by registered post and is supported by not less than 2/3rd of the members of the general body and unless requisite notice thereof has been given in writing by registered post at least six weeks before the date meeting at which it is intended to be moved.
- 18.2 The Secretary shall cause immediate notice of such resolution to be given to each member of NATCO and the notice shall specify the date, time and place of the meeting at which such resolution is intended to be passed.
- 18.3 Such a resolution will be carried at the AGM/special general body meeting if it is supported by not less than 25 members present at the meeting.



18 PAGE CORRECTION - 21/2

18.4 On the passing of the resolution for the winding up of NATCO, the Secretary shall take steps to give effect to the same and any surplus funds, income and other moveable and immovable properties remaining after satisfaction of all debts and liabilities shall be made over to some other Society/Trusts having similar objectives or allied to the NATCO and which is registered under Section 12A and 80G of the Income Tax Act, 1961, as determined by a vote of majority of memberships present, within a period of six months from the date of the meeting.

18.5 Each member shall undertake to contribute NATCO in the event of its being wound up while he/she is a member or within one year after he/she ceases to be a member for payment of the debts or liabilities of the NATCO contracted before he/she ceased to be a member and to the costs, charges and the expenses of winding up, and for adjustments of the right of the contributories among themselves such amount as may be required not exceeding Rs. 100/- (Rupees One Hundred only).

19 Irrevocable clause:

The Society (NATCO) is irrevocable

20 Amendments to Memorandum & Bye-laws of NATCO

20.1 The Executive Committee may recommend any amendment, addition, alteration or deletion to memorandum/bye-laws, provided they give at least 30 days prior notice with the details of proposed amendments to the members of NATCO before the general body.

20.2 Any member of society may propose amendment to bye-laws, may send to the Executive Committee in writing duly seconded and signed by twenty-five other members.

20.3 Amended memorandum of NATCO duly ratified by the General Body of NATCO must be sent to the concerned Commissioner of Income Tax and to the concerned registering body.

20.4 At least two third ($2/3^{\text{rd}}$) of the members present at the AGM/special general body meeting should approve the amendment.

21 Suits

The Society (NATCO) shall sue or to be sued in the name of the Secretary of the Society



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