

THE CONSTITUTION OF NEPAL MEDICAL STUDENTS' SOCIETY (1987/03/22)

-Proposal-

With a view to fulfill the need of a representative organization that can give timely guidance to the work of standardizing the academic activities of the medical students studying medical education at the Bachelor's level in Nepal, and gaining necessary knowledge and developing necessary skills for providing human service through health protection and promotion and disease prevention and treatment, this constitution has been finalized.

Part-1

1. Name and Commencement

- 1.1 Name: The name has been kept as "Nepal Medical Students' Society".
- 1.2 Commencement: This constitution will be put into effect as soon as possible.

2. Unless subject matter or context provides an alternate meaning,

- 2.1 'Constitution' refers to the Constitution of Nepal Medical Students' Society.
- 2.2 'Member' refers to the member of Nepal Medical Students' Society.
- 2.3 'Organization' refers to Nepal Medical Students' Society.
- 2.4 'Medical students' refer to students studying MBBS in Nepal.
- 2.5 'Batch' refers to full members being admitted in an academic session in the case of regular students. There will be a separate provision for all other irregular full members.

Part-2

Establishment, Objective and Programmes of the Organization

3. Establishment of the Organization:

- 3.1 This organization will be the academic organization of students studying medical science at the bachelor's level (MBBS) in Nepal.
- 3.2 This is a purely non-profitable students' organization.
- 3.3 There will be a separate stamp for all official work of the organization. The sample of the stamp will be as described in Part-1.

4. National and International Recognition:

- 4.1 This is the only students' organization of students studying at the MBBS level in Nepal.
- 4.2 This is a national organization of students studying at the MBBS level in Nepal and it will be in contact with international organizations with similar objectives.

5. Head Office:

The head office of this organization will be located in Kathmandu.

6. Objectives:

Irrespective of religion, complexion, gender, ethnicity, nationality and other things, this organization will

- 6.1 Work for the protection and promotion of academic welfare of medical students.
- 6.2 Work in the field of public welfare by raising public health awareness and providing health services.
- 6.3 Give suggestions to the concerned authority for bringing about timely improvements in medical education system.
- 6.4 Attempt at the organizational and personal level to raise the quality of medical education.
- 6.5 Maintain good relation with medical students' and other students' organization.
- 6.6 Advise the concerned authority to bring appropriate changes in the existing health care services of the country.

Part-3

Membership

7. Eligibility, type and fees for membership:

- 7.1 Full member: All students studying MBBS course in educational institute in Nepal can be a full member of this organization. For students who could not pass the final exam, if it has not been one year since anyone in the batch to which these students were admitted started his/her internship, then such students can be full members like the passed students. If these students could not start their internship even after one year since anyone in the batch (to which these students were admitted) started their internship, he/she can no longer be a full member from the date of completion of one year of internship. If anyone leaves the MBBS course without completing it, then he/she can no longer be a full member from the last date of admission for his/her next phase. However, this rule will not hamper the provision to interns as mentioned above.
- 7.2 Joint-member: Any doctor who has completed the MBBS course in Nepal can be a co-member of this organization. Those MBBS students of Nepal who could neither start their internship nor become a full member can also become a co-member.
- 7.3 Participatory member: Medical students coming from foreign countries to Nepal for temporary medical training can become a participatory member. A Nepali medical student studying outside Nepal can also become this type of member.
- 7.4 Membership fee: All types of members will be required to pay membership fee on a monthly or yearly basis. The executive body can make appropriate arrangement regarding the issue of membership fee.

- 7.5 Termination of membership: The membership can be terminated under the following circumstances:
- 7.5.1. If the conditions of clause 7.1, 7.2, 7.3 have not been fulfilled
 - 7.5.2. On the demise of the member
 - 7.5.3. If the condition of clause of 7.4 has not been fulfilled
 - 7.5.4. If the Executive Body accepts the resignation given to it in a written format
- 7.6 Provided a member is found acting against the constitution of the organization, the full membership can be terminated on the basis of decision made by a committee authorized by the Executive Body.
- 7.7 If a member whose membership has been terminated as per the provision in clause 7.6 submits a written application to the Executive Body challenging the decision, the Executive Body will call a General Assembly and the membership will be terminated only when there is at least two-third majority of the full members provide a written document that they agree to the decision, else the membership will be continued.
- 7.8 Voting right: The voting right will be bestowed only upon the full members.
- 7.9 The Executive Body can distribute membership certificate if required.

Part-4

8. Executive Body:

There will be an Executive Body to edit the daily and other required activities of the organization.

8.1 Composition: The Executive Body will be composed as follows:

- 1) President
 - 2) Vice-President
 - 3) Secretary
 - 4) Joint Secretary
 - 5) Treasurer
 - 6) Members
- 8.1.1 The President, Vice-President, Secretary and Treasurer will be elected from election on a simple majority basis or consensually.
- 8.1.2 A member will be elected from each batch on a simple majority basis or consensually.
- 8.1.3 The Executive Body will be responsible to choose a joint secretary from among the members selected according to clause 8.1.2 on a consensual manner or by election.
- 8.1.4 Generally there are 7 batches in MBBS programme. Accordingly, the total count of the Executive Body will be $4+7=11$. Nevertheless, should the number of batches increase, the number of member will automatically increase as per the provision in 8.1.2.

- 8.2 Tenure: The tenure of the Executive Body will be 1 year starting from the day they are handed over the executive function.
- 8.3 The President, Vice-President, Secretary and Treasurer should be responsible towards the General Assembly and the Special Assembly. As for the members, they should be responsible towards the batch they are representing and towards the President. However, if an Executive member selected or elected from a particular batch also becomes a coordinator of any sub-committee, he/she should be responsible towards the General or Special Assembly for the activities occurring within the working area of the sub-committee.
- 8.4 Function, duty and rights of the Executive Body and its member: In order to accomplish the objectives and programmes as outlined in the constitution, the officials of the Executive Body will have the following functions, duties and rights:
- 8.4.1 The President will lead for the editing of all the works as outlined in the constitution. In addition, he/she will provide necessary representation for the achievement of any objective of the organization. If the President cannot do so, it will be the responsibility of the Executive Body to choose the representation.
 - 8.4.2 The Vice-President will do all the work except those prohibited by the President in accordance with clause 8.4.1 in the absence of the President.
 - 8.4.3 The President needs to prepare an order of preference for who is to be chosen as the representative, in case both President and Vice-President are absent, within one week from the date their tenure started.
 - 8.4.4 The Secretary will run the daily activities and work management in accordance with suggestions of the President. It will be the duty of the Joint Secretary to assist the Secretary and carry out the role of a Secretary in the Secretary's absence.
 - 8.4.5 Treasurer: The responsibility of looking after the financial matter of the organization will remain with the treasurer. If the treasurer is absent or there are chances of him/her being absent, it will be the work of the Executive Body to make the necessary arrangements. The Treasurer will also be required to act as the coordinator of the financial sub-committee.
 - 8.4.6 It will be the responsibility of the Executive Body to select coordinators of the sub-committees from among the members remaining after selecting the Joint Secretary.
 - 8.4.7 The Executive Body has to finalize and publish its annual programme within one month from the date of the beginning of their tenure.
 - 8.4.8 Remaining within the constraints of this constitution, the Executive Board deserves the right to decide as appropriate or inappropriate for as long as its tenure.
 - 8.4.9 It will be the function of the concerned Coordinator to maintain communication between the sub-committee and the Executive Body and carry out the necessary duties and rights regarding activities of the

corresponding sub-committee. However, such rights should not be used against the decision of the Executive Body.

8.5 The decisions of the Executive Body will be made from the simple majority of attending members of the Executive Body. In case a decision cannot be made in one meeting, it will be the responsibility of the President to give the decision.

9. Sub-Committees:

There will be sub-committees based on the two principles of student welfare and social service. There will be four sub-committees related to student welfare and one sub-committee related to social service.

9.a The four sub-committees related to student welfare will be as follows:

- i. Academic Sub-committee
- ii. Publication Sub-committee
- iii. Foreign Affair Sub-committee
- iv. Financial Sub-committee

9.a.1 Every student welfare sub-committee will have a working committee consisting one coordinator and one other representative selected from each batch.

9.a.2 The additional representative selected from each batch for the student welfare sub-committee will be equally responsible towards the respective coordinator and the class he represents.

9.a.3 Each sub-committee will under the guidance of the Executive Body carry out the programmes mentioned in the annual list of activities.

9.a.4 The financial arrangement of the sub-committees will be according to the budget mentioned in the annual list of activities.

9.b For social service sub-committee, one of the executive members will be selected as the coordinator by the Executive Body and this sub-committee will work in the field of social service and public health. Its other members will include one full member from each batch, one doctor and two social workers.

10.Meeting of the Executive Body

Generally, the meeting of the Executive Body should be held not less than once in two months.

10.1 For each meeting of the Executive Body, the Secretary, as guided by the President, will have to inform the proposals to be discussed, and the date, time and venue of the meeting three days in advance. However, under special circumstances, a special meeting can be called on 24 hour notice.

10.2 In the meeting, the already proposed proposals shall be discussed first, only then can the new proposals be discussed.

- 10.3 If any official of the Executive Body misses three consecutive meetings or five meetings in total even after getting information about the meeting and remains absent without giving a written notice clarifying the reason for his absence, then such official will be freed of his post.
- 10.4 The present officials must compulsorily sign on the minute book of the Executive Body in the meeting.

11. General Assembly

A gathering of all types of members will be regarded as General Assembly but the voting right will be provided to only full members.

- 11.1 The executive Body should summon assembly at least twice and out of the assemblies summoned in this manner, there should be at least one General Assembly and one Common Assembly. The notice summoning Aam Assembly should be published at least seven days in advance. (Aam Assembly means the gathering of full members. Sadaran Assembly means gathering of all types of MBBS members and other invited representatives.) The notice summoning the Sadaran Assembly should be published at least one month in advance.
- 11.2 The General Assembly will have the most supreme decisive power.
- 11.3 The General Assembly will be presided over by the President of the Executive Body.
- 11.4 The General assembly will be run by the Secretary.
- 11.5 If considered necessary, the Executive Body can summon an Assembly on a particular venue, date and time on a 3 day notice.
- 11.6 If at least 25 percent of the full members submit a written application to the Executive Body requesting to summon an Assembly clarifying a reason to do so, the Executive Body will be required to summon an Assembly within seven days. Such Assembly will be called 'On-call' Assembly.
- 11.7 In the General Assembly, the Executive Body will put forward proposal for discussion and making decision.
- 11.8 In case a full member feels the necessity to discuss on a subject not proposed by the Executive Body in an Aam or Sadaran Assembly, he/she can present the proposal in the Assembly after collecting written support from 15 full members present in the Assembly.
- 11.9 Unlike the condition mentioned in clause 11.8, there will be discussion upon only the proposal proposed by the Executive Body in the Special Assembly and only upon the subject, for which the meeting was called, during the 'On-call' Assembly.
- 11.10 All General or Special Assemblies will give its decision to the President on the basis of 'one person one vote' system either through open or secret voting. If more than fifty percent of the full members submit a written application objecting such decision, then the decision will be cancelled from the very date when the application is submitted.
- 11.11 During the General Assembly, no discussion will be done on subjects like disruption of personal character, offensive language or making fun of someone directly or indirectly.

11.12 Any member or person who tries to disturb the progression of the Assembly by making unnecessary noise will be warned first and if the person violates the warning, the President of the Assembly has the right to send away that person.

12. Advisor:

If the President, Vice-President, Secretary and Treasurer of the last Executive Body are still the full members of the organization, they will be the advisors to the current Executive Body.

Part-5

13. Financial arrangement

The financial source of the organization will consist of the following:

- a) Membership fee
- b) Prizes
- c) Money collected from newspapers
- d) Miscellaneous

13.1 The money collected from the sources mentioned in clause 13 will be deposited in a bank located in Kathmandu in an account that will be opened under the name of the organization (for organizational purpose).

13.2 The account will be run by the joint signature of both the President and Treasurer. The president can hand over the rights related to this matter to others time and often and then take them back later.

13.3 The treasurer will be required to present the details of the expenditure of the last year and the expected expenditure and income of the coming year during the General Assembly.

13.4 A sum of more than one hundred rupees will be deposited in the account of the organization as soon as possible.

13.5 The financial sub-committee will assist the treasurer to prepare the budget for the Executive Body and different Sub-committees, utilize available resources to increase the organization's fund and prepare details of the income and expenditures

14. Auditing

The financial record of the organization will have to audit yearly by a Chartered Accountant licensed by the Nepal Government and the details of this auditing will have to be submitted to the local authority.

Part-6

15. Election and termination of post

15.1 The executive Body needs to announce an election at least fifteen days prior to the end of its tenure. The Executive Body will also arrange for the Election Commission for conducting the election.

15.2 The election will be of secret voting type.

- 15.3 The President, Vice-President, Secretary and Treasurer will be elected by the General Assembly. Other members required will be chosen from each batch as members of the Executive Body and additional representatives (for sub-committees like academic, publication, Foreign Affair sub-committees and others)
- 15.4 The election for the post of member of the Executive Body and representative for sub-committees will be held in the presence of Election Committee and full members of the respective batch.
- 15.5 During the election, full members can select their representatives either by secret voting, hand-raising or consensually.
- 15.6 In case of a tie in an election, the election official can choose a winner by lottery method in the presence of the candidates or he/she can decide to conduct a re-election.
- 15.7 –
- 15.8 The ballot box will be opened within one hour after completion of the election amidst the Election Commission and representatives on the behalf of the candidates.
 - 15.8.1 The voter should be a full member.
 - 15.8.2 Those who do not take the full membership 24 hours prior to the commencement of the election will not be given voting rights.
- 15.9
 - 15.9.1 The candidates need to submit a written application after fulfilling the conditions set by the Election Commission.
 - 15.9.2 The rights to conduct the election in a secure and peaceful manner will be provided to the Election Commission. The Election Commission will also have the right to cancel or postpone the election.
 - 15.9.3 If any member tries to disrupt the election process forcefully, the Election Commission can withhold the member's voting right for that election.
 - 15.9.4 At least two-third of the total votes must be casted during an election. Otherwise, the election will be cancelled and another election will be held as soon as possible. In this second election, at least fifty percent of the votes must be casted off to call it a valid one.
 - 15.9.5 In case a post remains vacant, a sub-election will be held for that post in the remaining tenure. This will be done as per the provisions in the different sub-clauses of clause 15.
 - 15.9.6 The election will be held once a year. The election process should be completed within one month from the date of the announcement of the election.
 - 15.9.7 For the candidates of President, Vice-President, Secretary and Treasurer, there should be three proposers and three supporters, who can be from any batches. A full member once becomes a proposer or supporter for a particular post cannot be a proposer or supporter for another post.

15.9.8 For the candidates of Member of the Executive Board, there should be one proposer and one supporter, who should be from the same batch as the candidate. A full member once becomes a proposer or supporter for a particular candidate cannot be a proposer or supporter for another candidate.

16. Termination of post

- 16.1 To propose the vote of disconfidence against the President, Vice-President, Secretary and Treasurer, it should include signature of fifty percent of the full members and be submitted to the President. Such proposal should be put forward to the Special Assembly by the President. If at least 75 percent of the members vote in favor of the proposal, it will be proved that the proposal against the official has been approved.
- 16.2 To propose the vote of disconfidence against the Member of the Executive Body and Representative for sub-committee, it should include signature of 5 percent of the full members of the concerned batch and be submitted to the Executive Body. Such proposal should be put forward to the Special Assembly by the President. If at least 75 percent of the members vote in favor of the proposal in the presence of a person authorized by the Executive Body, it will be proved that the proposal against the official has been approved.
- 16.3 The concerned official will be freed of the post from the day the proposal has been approved.
- 16.4 The president can accept the written resignation of any of the members of the Executive Body. The written resignation of the President can be accepted by the simple majority of the Executive Body. Under such circumstances, the Vice-president will look after the work of the President.
- 16.5 Such post will be fulfilled within one month by sub-election.

Part-7

Miscellaneous

17. Right to Describe

The Executive Body has the right to describe the subject matter written in this constitution on the basis of this constitution in Nepali language. The constitution can be translated into any language. But, the constitution can't be described on the basis of this

18. Minimum Count

For all language meeting, the minimum count is two-thirds. In case two-thirds count is not reached in two meetings, the minimum count will be fifty percent.

19. Constitution amendment:

Regardless of the conditions written in clause 11.10 or elsewhere, the constitution can be amended only with approval of at least three-fourth of the total full members*. (Only after such

approved constitution has been accepted by the local authority, will the amended constitution come into effect.)

20. Dissolution of the Organization*

According to this constitution, should the organization dissolve for any reason, the entire belongings of the organization will be transferred to the Nepal Government.

*These points will come into effect from the very day this constitution has been registered.

1st amendment (1998/06/24)

1. There will be a branch of NMSS in every medical college of Nepal
2. The central Executive Body of NMSS will be made from Maharajgunj Medical Campus
3. The right to change the constitution lies in the hands of students of Maharajgunj Medical Campus

2nd amendment (2012/07/18)

For all purposes:

- Local Body (LB) means the executive body of Local Member Organisation (LMO)
 - Founder college refers to Maharajgunj Medical Campus (MMC), Institute of Medicine
 - Central Body (CB) refers to central executive body of NMSS
1. There will be a local member organization (LMO) of NMSS in every medical college of Nepal.
 2. The secretariat of NMSS will be in the premises of Maharajgunj Medical Campus and the election of the central body will be held in the secretariat of NMSS.
 3. To get the right to be elected in the central EB, every local body has to fulfill the following conditions under the observationship phase of 2 years:
 - a. The local member organization (LMO) should get recognised as the branch of NMSS by respective medical colleges.
 - b. The LMO should have at least 51% of total Nepalese medical students of the respective colleges.
 - c. The LMO should organise or participate in at least 50% of the programs formulated by central body (CB) at the start of its tenure.

d. The LB should be formed either by election among the members of LMO following the rules of NMSS or should be unanimously selected from the LMO members.

e. The LB should inform of its activities to the CB and if CB thinks that any activity is biased, then it can intervene.

f. The LB should submit 30% of the membership fee collected from the LMO members to the CB. The membership fee will be decided by the CB.

g. The LB should submit the report of its annual activities to the CB at the end of 1 year.

h. If any LB does anything to affect the integrity, reputation and prestige of NMSS, then CB has the power to suspend the LMO from NMSS.

i. The election of LB of LMO should be organized as per the rules of NMSS and 1 month before the scheduled election of the CB.

j. During the observationship phase, the CB will be formed by the LB of the founder college.

h. During the observationship phase, any member of LB can take part as observatory member in the meeting of central body.

4. The organisation of LB and CB will be as follows:

- President 1

- Vice President - 1

- Secretary - 1

- Treasurer - 1

- Members – 6

a. The president of the CB will be the president of the Local Body of the founder college of NMSS.

b. Other posts will be held by election among all the LBs having right to election (according to clause 2)

c. The election of LB should be held 1 month before the election of CB.

5. About Sub-Committees

a. There will be following sub-committees under NMSS CB.

- National Exchange Officer (NEO)
- National Officer for Research Exchange (NORA)

- National Officer for Human Rights and Peace (NORP)
- National Officer for Medical Education (NOME)
- National Officer for Public Health (NOPH)
- National Officer for Sports and Publication
- National Officer for Social Service, Information and Communication

b. The president will form these subcommittees from among the members of CB or the LB.

c. Every LMO should have these subcommittees and these subcommittees will work in coordination with corresponding central subcommittees.

The Supervising Council of CEB shall consist three members of:

- a. A minimum of one NMSS member.**
- b. Up to two Members from external organizations (NMA & NRDA).**

The Supervision Council of LEB shall consist three member of:

- a. a general member**
- b. a member from previous EB.**
- c. a member from external organization.**