

**Minutes of special executive committee meeting held on 12.05.19 KOA house Ernakulam at request of executive committee members (Dr Vasudevan PN ,Dr Jose Francis, Dr Tajan PJ and Dr Cherian Kovoovr)**

Meeting started at 10:40 a.m. on 12-5-2019 with the silent prayer. meeting called to order by vice president in the absence of president. minutes of special executive committee meeting at KOA house Ernakulam on 17-3-2019 was read by secretary incharge. Dr.Jijo said he had requested to cross check the statement in the minutes of previous (24/02/2019) special executive committee meeting that "advocate has informed that so far details of court order preventing election is not available so far" with the audio recording , secretary in charge said he has crossed checked it. Then Dr Jijo requested for a copy of audio.

Dr.Jijo said,on March 19th 2019 he had sent a mail to Kerala Orthopaedic Association. The content was when a committee was appointed to cross check audio-visual recording of Annual General Body Meeting and the minutes recorded by Dr Jijo, included those who have given Complaints against it .He had requested to reconstitute the committee excluding those who have given complaints.But he didn't receive any reply .Secretary in charge said the delay is because the audio-visual recording of Annual General Body Meeting of KOACON Kollam is no longer available, it cannot be recovered .Reply will be given to Dr Jijo within one week

Dr Jijo asked why ethical committee is not formed.The members as well as secretary in charge replied that president has blocked the conduct of regular executive committee meeting.The minutes were passed, proposed by Dr Cherian Kovoovr and seconded by Dr Jiju A N

Dr Jose Francis Dr Jiju Dr Vasudevan said, the persons who have manipulated the bylaws during election process should be identified and brought before the court of law

Secretary read out the minutes of combined executive committee meeting all 17 / 3/2019 at IMA house Kaloor .The minutes were passed proposed by Dr Simon and seconded by Dr Sasi Kumar

**Defamation notice against executive committee members**

Dr Vasudevan presented the details he said Dr Gopinathan should have been present at this meeting to discuss it fully. On April 4th 2019 he got a legal notice of defamation for INR 3 crores from Dr Gopinathan. Dr Gopinathan alleges that Dr Vasudevan has sent defaming mails Dr Vasudevan said no such mail has been sent from his mail ID as alleged .Dr Aneen and Dr Ansu Anand said they also received the same. Dr Ansu has replied through the advocate .Dr Subin sad he also received the same mail without any evidence that he has send them. Dr Subin said Dr Gopinathan is acting on personal grudge .He is being victimized by this person ever since he submitted application as contestant in election. He also has send a legal reply.

Dr Jijo asked if Kerala Orthopaedic Association was a party and that it is an individual to individual legal fight.

When this agenda was put to voting the majority of members felt that the the act by president is highly inappropriate and appropriate action needs to be taken against president .Dr

Jijo put a dissent that executive committee cannot do that . The members said that this recommendation must be included in the agenda of special GB .President has given affidavit against Association in the court.which as well as decided to be discussed in GB.Members requested emergent GB

### Gross errors in the documentation in the amendment of bye laws

Dr Tajan said he has examined 1992 registered by laws ,bylaws added time to time, minuted and ratified in the GB by physical verification of registers. In between Dr Tigy has published a printed copy in 2005. It has included minuted amendments up to 2004 . In the proposed amendments there are certain conditions to be ratified

To avail membership now now the secretary of club need to sign instead it may be amended as signed and proposed by two life members but the applicant should opt one club has home club .

CAPE KOA Chairman and secretary must be included in the executive committee

Membership fee need amendment

Vice president may be considered to the post of president elect. The criteria to distinguish between office bearers and executive committee members should be well defined .

Dr Tajan said he has contacted many organisations and the norm is- elected representatives are considered as office bearers and others (nominated members are not considered as office bearers .

The president elect and Vice President shall be over 45 years age with life membership of 10 years and should be executive committee members for the last two years

All criteria has been changed in the proposed amendments as executive committee members. It was originally mentioned as executive committee members only. Someone change it to office bearers only during the last election process,that too without following the procedure for amendment

Honorary Secretary,Honorary Treasurer ,Long Term Planning Chairman, Chairman-Travelling Fellowship and CAPE KOA chairman lifetime membership 5 years executive committee for membership for last 2 years

Editor, Joint secretary IT Secretary and CAPE KOA secretary these criterias are not considered

An executive committee member who has not attended meetings at least 50% in the current year will not be eligible for to contest to any post for next 2 years

Dr Jijo said, for same post two criterias cannot be considered .Because elections are conducted at different clubs at different periods the attendance criteria may be difficult to apply .

Dr Aneen said, every year we should disclose the names of Executive committee members who have not attained 50% attendance .

The members suggested that election process of affiliated clubs should end in December (streamlining)

One member can apply for one post only .One member in in an official post should complete his time in that post ,before contesting in another post.

Mr Arun the office assistant reminded of a possible fine for late registration of elections. The election process will be as per the election protocol amended on 3/6 / 2018 At Special GB Thrissur

Dr Aneen suggested 2 years time for all post except President and Vice President we can elect two Vice Presidents at the same time (I &II)so that elections need be conducted once in 2 years only this suggestion was accepted by voting.

The quorum for executive committee meeting may be raised to 12 persons.It was unanimously decided that anomalies and confusion in bylaws on account of clarity should be resolved in GB

#### Violation of additional CME norms by Lourdes Hospital

Secretary incharge explained the scenario .Dr John T John of Lourdes Hospital had sent a mail to KOA with attached brochure of additional CME of KOA. The brochure omitted the name of secretary and included the name of president and treasurer. But considering the academic value the secretary in charge circulated this among KOA members. Dr Jijo said this brochure should have been verified before sending. The executive committee felt it was unfair and decided to send mail to the organisers of Lourdes CME, seeking explanation , correct the anomaly and send mail to all members. If not done this should be included in the agenda of special GB. The office bearers should not involve in the inauguration process and signing of certificates.

#### Building committee

Dr Tajan said so far he has not received any minutes / documents of the previous security building committee .Dr Jijo said no such books are available .IMA Cochin is starting a new building Complex adjacent to the IMA house. We can avail more than 7000 square feet space in this building in the form of rooms /hall/ customised .As there is growing demand we have to enter into negotiation at the earliest. The rate is 7500 INR per square feet fully furnished. IMA can rent out both rooms and Hall on behalf of KOA, if we wish .All structural maintenance will be done by IMA .The budget is INR 5 crores .We are now having fixed deposit of this amount at interest of less than 7% .If we pay as full amount instead of installments, as is done usually ,the balance in the instalment pattern at each stage will be paid an interest of 9%.

Dr Venugopal asked what is the advantage of this project over the purchase of 10 cents land as per previous project. He suggested partly buying some office space in IMA and 10 cents of land with the remaining amount .Dr Jijo supported Dr Venu.

Dr Tajan said , we should think what is the aim of association while buying 10 cents of land. If it is investment , Association cannot do it like a real estate business .Dr Venugopal said COS owns some rooms and rent received is nominal only.Dr Tajan said hall is a better option .When the matter was put two voting majority of members voted in favour of proceeding with IMA project .Dr Ansu said the 5 CR INR is deposited as four fixed deposits .Dr Vasudevan asked what has happened to the interest accumulated so far. Dr Binoy and Dr Jijo said the interest was withdrawn and contributed to Chief Minister's Distress Relief Fund with

concurrence of all executive committee members. This matter was decided to be resolved in the special GB to be convened.

#### Structural defects in KOA house

The problems identified are damage of plastering, AC not functioning, computer monitor not working, software Tally requires updation, plumbing and electrical works. The estimate is to be prepared. Fund allocated is 1.5 lacs INR. Dr Ansu said we should have a locker in Dhanalakshmi bank for safe custody of all documents. Executive committee meeting rejected renting out of the rooms in KOA house. Dr Ansu expressed doubt if without regular executive committee meeting is it possible to proceed further. The special executive committee entrusted Dr Ansu to proceed as works are of urgent concern.

#### KOA Logo

When the Indian Orthopaedic Association logo is updated we will adopt the same and write Kerala underneath. Majority of the members voted for this suggestion. This was also decided to be placed before special GB

#### Bills and payments requiring urgent approval

Bill dated 23 / 1/19 from Nathans law Chambers for scrutinizing a land proposed for purchase by KOA. The bill amount is INR 30000 and is pending approval. The executive gave permission to settle the bill.

#### Modification of election rules

Dr Cherian Kovoov said if a local club is not conducting election, KOA should conduct the election

#### Special GB

Members proposed to conduct a special General Body Meeting at Thiruvananthapuram along with basic CME of Kerala Orthopaedic Association. Dr Tomichen said we had already decided to conduct a special GB. Secretary in charge said, the president is not willing to conduct the special GB as the decision to conduct it is not mentioned in the general Body Minutes. Dr Jijo said special GB was not decided to convene as per minutes. The members said it was decided but Dr Jijo did not minute the same. Dr Jijo said the organisers of KOACON Kollam failed to submit audio visuals of the General Body and hence cannot be cross checked.

The members said the audio recording available with Dr Jijo should be submitted to the present secretary for verification. Dr Jijo said that audio recording of annual GBM is available with him. The decision to conduct special GB was reinforced by voting by majority of members. Dr Shibu John secretary of Trivandrum Orthopaedic society agreed to video record the special GB. The agenda of the special General Body was decided as follows

1. Compiled bye laws of Kerala Orthopaedic Association presentation and ratification by GB of the amendments (copy enclosed)
2. Appropriate action by General body against President who has given affidavit against Association ,defamation notice against executive committee members, impeding the normal function of KOA,including removal of president from the post.
3. Streamlining of election process of clubs affiliated
4. If no satisfactory explanation is given and correction mails are not sent to members ,disciplinary action against organizers of the Lourdes CME for violating the norms
5. Building committee sanctions
6. KOA logo Updating
7. To identify and take appropriate action against person(s) who has(ve) manipulated the bylaws of the Association in the election process of 2019
8. Any other important matters with the permission of chair

#### Any other matters

Dr Jijo said, ethical committee was not formed or discussed, the secretary in charge said that the president has not allowed a regular executive committee meeting and hence only requested urgent matter could be discussed

Dr Tajan said that according to printed by laws , the regular executive committee meeting should have been conducted before March. The same could not be done as a president objected.

The majority of members expressed their displeasure over the president not taking part in the executive committee meeting

Secretary incharge said Dr AA John has sent a letter addressed to president ,KOA and he received a copy of it .The letter contained a project proposal to buy land for KOA. He wanted to read it out in the executive committee meeting. When this matter was put to voting no member voted in favour of reading it hence it was not done.

The members wanted to know the status of all cases against KOA. Secretary in charge said that he will update in official WhatsApp group after discussing with advocate

The meeting was adjourned after vote of thanks by Dr Ansu Anand , treasurer.

The meeting was video recorded ,except the reading of minutes by secretary and is stored in the drive G of the computer at KOA office with Google Drive backup ,protected by password

(Sd)

Dr Sethu Sivan  
Secretary in Charge