

**INDIAN MEDICAL ASSOCIATION, TELANGANA STATE
PROFESSIONAL PROTECTION AND WELFARE SCHEME
AS UP DATED BY MAR 2019**



I. Preamble

The Indian Medical Association TELANGANA State Branch is a Professional and Charitable Organization established for safeguarding the interest of the sick public by organizing the Medical Practitioners in a systematic way, by promoting the advancement of Medical and related sciences and maintaining the honour, dignity and discipline among the medical practitioners.

Ultimately all the efforts to IMA is to lead the public to get the best from the medical practitioners, whom they approach at the apt time and at the least cost. But there are instances of litigations on death or other calamities occurring during the treatment. Some measures are to be taken in such matters in the interest of members as well as that of public. For this purpose the IMA TELANGANA State is having the scheme called Profession Protection & Welfare Scheme.

II. Title

IMA TELANGANA STATE PROFESSIONAL PROTECTION AND WELFARE SCHEME..

III. Head Quarter

The head quarters of the Scheme shall be located at 1st Floor, IMA Building, Esamia Bazar, Hyderabad.

IV. Date of Effective Operation

The Scheme came into effect from 1st July, 1997.

V. Correspondence

All correspondence regarding the Scheme should be routed through scheme head quarters.

VI. Aims & Objectives

- a) To promote Social Service Activities such as to provide Medical Aid to the poor and needy, to undertake family welfare programmes, to organize blood donation camps. To conduct first aid classes and to organize awareness programmes in AIDS, Heart diseases, Diabetes and other fields of medicine.
- b) To conduct CME programmes to doctors periodically to update their knowledge and to increase awareness of public towards health by Health Education.
- c) To protect and help members and public in litigation concerned with medical profession, which may arise during the process of their professional practice.
- d) While the member goes through the litigation the Scheme will provide to the member the necessary medical expertise and proper defense procedure and monetary aid.
- e) To provide legal aid to the members of the Scheme.

VII. Eligibility

- Life members of the Indian Medical Association, TELANGANA State Branch are eligible to become the members of scheme .
- Members should be registered with MEDICAL COUNCIL OF TELANGANA STATE.
- Members should provide their copies of all degree certificates.

VIII. Jurisdiction

Any claim arising within the jurisdiction of TELANGANA alone will be entertained by the Scheme and disputes regarding the scheme management are to be entertained in the Courts of Law of Hyderabad.

IX. Procedure for Enrollment

- The Managing Committee of PP&W Scheme reserves the right of admission of any member to join in the Scheme.
- The application form should be attested by the concerned local branch Hony. Secretary President confirming the IMA membership status.
- The members should inform the Scheme office regarding any change in the address.

X. Membership Fee

Members joining in the Scheme should pay the fees as detailed below. This fee structure is effective from 10th Feb 2019. The Managing Committee will revise the fee structure from time to time as and when necessary.

A.

Category-1 Individual Doctors Membership

	A	B	C	D
	MBBS without Surgical, Investigative and Other Procedures	Medical Specialists, Paediatricians, Gen. Physicians, Psychiatrists, Dermatologists, Pathologist, Radiologists, Ultrasonologists, Microbiologists, Chest Physicians	MBBS who does Surgery Gen. Surgeons, Dermatologists with Cosmetic Surgery, ENT & Eye Surgeons, Obstetricians and Gynecologists, Orthopaedic Surgeons	All Super Specialists Endoscopic, Laparoscopic and Laser Surgeons, Anaesthetists, Oncologists, including Surgical & Medical Chemotherapy & Radiotherapy, Neonatologists, Emergency & Critical Care Doctors, Retinal & Corneal Surgeons
		ONE YEAR		
5L	1500	2000	2500	3000
10L	2500	3500	4000	5000
20L	4000	5000	6500	8000
30L	5000	7500	8500	12500
50L	8000	10000	12500	15000
100 L	13600	17000	21250	25500
		5 YEARS		
5L	6000	8000	10000	12000
10L	10000	14000	16000	20000
20L	16000	20000	26000	32000
30L	20000	30000	34000	50000
50L	32000	40000	50000	60000
100L	54400	68000	85000	102000

Members under Category 1 are covered for their professional practice in their clinics/nursing homes Hospitals and also for the practice in other Nursing Homes and Hospitals. Members in this scheme when they operate or practice in unqualified person's nursing homes, their practice will not be covered in this scheme. When the members do not have proper qualification in particular speciality, they should prove their capability in case of litigation, like adequate experience and training in the respective filed. The burden of proof is with the member.

B.

**Category-2
Hospitals And Nursing Homes Membership**

		ONE YEAR		
	1-10 BEDS	11-25 BEDS	26-50 BEDS	51-100 BEDS
10L	3750	5000	8750	12500
20L	7500	10000	17500	25000
30L	10000	15000	25000	37500
50L	12500	20000	37500	50000
100L	20000	30000	62500	87500
		3 YEARS		
10L	9375	12500	21875	31250
20L	18750	25000	43750	62500
30L	25000	37500	62500	93750
50L	30000	50000	87500	125000
100L	50000	62500	125000	175000

Members under Category 2

- a) The Professional Practice in that Nursing Home/ Hospital by the member, his consultants and the entire staff are covered. The benefit will not apply to the practice by the member in the other Nursing Homes and Hospitals.
- b) Owner of Nursing Homes/Hospital should not be covered for Individual Membership without covering Nursing Homes Category.
- c) If a member is having Nursing Homes/ Hospital he has to take Nursing Homes Category and he/she himself is consultant in other hospitals then he has to take individual category also.
- d) Any false information regarding the bed strength will not entitle the member to get any benefits of the Scheme. The members should inform the Scheme office regarding any change in the number of beds.
- e) The Nursing Homes/ Hospital having separate diagnostic centers should also take the Category 3 for Diagnostic Centres
- f) The members under this category will ensure that the Consultants and Doctors of their Nursing Homes and Hospitals are members of Indian Medical Association, for them to be covered.

C.

**Category 3
Diagnostic Centres**

	Category-3A Without MRI/CT	Category-3B With MRI/CT
	ONE YEAR	
5L	2500	5000
10L	4000	10000
20L	7500	15000
30L	10000	20000
50L	12500	25000
100L	21250	42500
	3 YEARS	
5L	6250	12500
10L	10000	25000
20L	18750	37500
30L	25000	50000
50L	31250	62500
100L	53125	106250

NOTE: For all the above Three categories the risk of Coverage is 1:1 also .i.e., the risk benefit can be for a single case or for number of cases together.

- D.** All the members will be sent a renewal notice in the month before the expiry of their coverage, but non-receipt of notice is not an excuse for non-renewal.
- E.** The members should follow the guidelines given by the scheme office and the guidelines by the Medical Council of India at Web site: www.mciindia.org.

XI. Commencement of the Membership

Membership under all three categories shall come into effect from the next day of receiving the completed application form in all respects along with appropriate Demand Draft/Cheque(incase of cheques subject to realization).

XII. Rights and Duties of Members

- a) The Scheme renders assistance in defending civil cases of members, which may arise during the process of their professional practice. This assistance is limited only to the problems arising while discharging professional duties only.
- b) The concerned member shall inform the Hony.Secretary of the PP&W Scheme and District Coordinator of the Scheme within 15 days from the receiving of Legal Notice or Court Summons otherwise that claim cannot be accepted in PP&W Scheme.
- c) The concerned member shall take all instructions given by the Management of the Scheme regarding the case.
- d) The concerned member shall give the Hony.Secretary of PP&W Scheme, the copies of the relevant documents of all records concerned with the incident for the use of the scheme like case sheets, case records, statement on the details of the incident, etc.
- e) If the member is advised by the Management to file a counter petition or suit against the party concerned for monitory damages and defamation, the member is bound to obey. In such cases once the compensation is awarded, after deducting all the expenses, 50% of the amount so awarded, will go to the scheme and the balance 50% will be given to the member concerned.

XIII. Protection and damages payable by the Scheme

- a) The amount payable as ordered by the court of law(consumer forums), will be governed by the Rules & Bye Laws of PP&W Scheme.
- b) The office bearers of the scheme shall not be responsible personally for any act done during their tenure.
- c) The decision of the Managing Committee of the scheme will be final and binding.

XIV. OUT OF COURT SETTLEMENT

The limit for out of court settlement is maximum Rs. Five lakhs only .Beyond Rs.Five lakhs, only according to the orders by consumer forum. For any incident of litigation to be covered under out of court settlement, the local branch President, Hony Secretary should discuss about the negligence of a Doctor/Hospital/Nursing Home and coordinate with other office bearers of Scheme, District Coordinator, Vice Chairman, Joint Secretaries and Aisst Secretaries of the Zone. If there is no negligence the litigant should be advised to go legally. The final settlement will be done by the state Hony. Secretary of the scheme in coordination with scheme chairman. In case of incident to be considered for out of court settlement from Category-2, i.e., Hospitals and Nursing Homes membership, the coordination of the Hony. Secretary of THANA and designate by him is to be considered.

OUT OF THE COURT SETTLEMENT. .

CATEGORY-I INDIVIDUAL DOCTORS MBERSHIP

Coverage	Settlement Amount
5 lakhs	25000
10 lakhs	50000
20 lakhs	1 lakh
30 lakhs	1.5 lakhs
50 lakhs	2.5 lakhs
100 lakhs	5 lakhs

CATEGORY-2 HOSPITALS AND NURSING HOMES

Coverage	1-10 beds	11-25 beds	26-50 beds	51-100 beds
10 lakhs				
20 lakhs	50000	75000	1 lakh	2 lakhs
30 lakhs	1 lakh	1.5 lakhs	2 lakhs	3 lakhs
50 lakhs	1.5 lakhs	2.5 lakhs	3 lakhs	4 lakhs
100 lakhs	2 lakhs	3.5 lakhs	4 lakhs	5 lakhs

**CATEGORY-3
DIAGNOSTICS CENTRES**

Coverage	Cat-3A(With out MRI/CT)	Cat-3B (with MRI /CT)
5 lakhs	10000	20000
10 lakhs	15000	30000
20 lakhs	20000	40000
30 lakhs	30000	60000
50 lakhs	50000	100000
100 lakhs		

The above eligible limits are for one year for a single case of number of cases together.

XV. Saving Clause

Saving derived if any in the operation of the Scheme shall not in any way be distributed as dividend or profit among members of the Scheme and such excess if any shall be added to the Corpus Fund of the scheme.

XVI. A. Specialist Opinion Committee

1. A specialist committee from different faculties will be nominated by Managing Committee to give expert opinion from time to time, depending on the nature of the case.
2. The district level Medical Committee will be appointed by the Head Quarters with the concurrence of District Coordinator and other members of managing committee in the given district.

B. Legal Expenses paid by the Scheme

Legal Notice Reply:

- a) Reply to the legal notice fees
 - i. Rs. 5000 upto claim of Rs. One Crore.
 - ii. Rs. 1000 upto claim above Rs. One Crore.
- b) Advocates fees for cases in Consumer forum

District Forum	Rs.25000
State Forum	Rs.40000
National forum	Rs.50000
- c) The members have to engage only the advocates on the panel of PP&WS. If the member wants to have own advocate a written permission from scheme State Hony. Secretary/Chairman is mandatory. Any excess of fees to be born by the member.
- d) In the above fees to the advocates, initial 50% payment at the time of appealing in the consumer forum. The balance 50% payment after the final judgement.

XVII. Managing Committee

The overall management of the Scheme vests with the managing committee of the Scheme.

A. Composition

i) Elected Members

- a) Chairman
- b) 3 Vice Chairmen(one from each of three Zones)
- c) Hony. Secretary from GHMC Area
- d) Hony.Treasurer from GHMC Area
- e) Hony.Joint Secretary 3(ZONE-WISE)
- f) One District Coordinator from each erstwhile revenue district.
- g) Asst secretary 3 Zone-wise.

All the above members are duly elected by IMA TELANGANA PPWS council from amongst the members of PP&W Scheme.

ii) Ex.Officio Members(provided members of PP&W Scheme only)

- a) Immediate Past Chairman of the Scheme
- b) Immediate Past Secretary of the Scheme
- c) President of TELANGANA State Branch of IMA
- d) President Elect of TELANGANA .State Branch of IMA
- e) Hony.State Secretary of TELANGANA State Branch of IMA
- f) Chairman Finance committee IMA TELANGANA STATE
- g) Hony,Secretary Treasurer IMA TELANGANA STATE.
- h) Advisors from past presidents of State IMA.

iii). Invitees

The Hony.Secretary and Chairman may invite other dignitaries for the Managing Committee Meetings, who do not have right to vote.

B. Functions

1. The Managing Committee shall be in charge for the overall management of the scheme.
2. It shall receive, discuss and approve the reports and accounts submitted by the Secretary and Treasurer for a period between two consecutive meetings of the Managing Committee.
3. The Managing Committee shall decide the policy regarding disbursement and investment of funds at the disposal of the scheme.
4. The Scheme shall defend the cases (civil) concerned with medical profession up to the level(State/National) as decided by the Managing Committee.

C. The Managing Committee will ratify the payments made in regards to the out of court settlements.

D. Meetings

1. The Managing Committee shall meet at least three times in a year.
2. The Quorum of managing committee shall be eight of whom at least six are elected members.
3. If a Managing Committee member fails to attend two consecutive meetings of the committee without giving prior intimation in writing to the Chairman/Secretary of the Scheme, indicating valid reasons for the absence, he will automatically cease to be a member of Managing Committee from the conclusion of second meeting.
4. The Ex-Officio members who are not members of PP&WS shall not have voting right in the

Managing Committee meetings.

5. The notice of the meeting of the Managing Committee shall be sent fifteen days before the date of the meeting.
6. **Emergency meeting:** The Secretary of PP&WS shall in consultation with the Chairman convene an emergency meeting of Managing Committee to transact any urgent business with a notice of one week.

E. Election to Managing Committee

- a) Members of the Managing Committee of the Scheme shall be elected by the PPWS Council. All posts should be from PP&W Scheme members only.
- b) The 3 Vice-Chairmen shall be elected from among the members of PP&WS Belonging to the three zones (Zone I,II & III), one from each zone.
- c) The Hony.Secretary, Hony.Treasurer shall be elected from among the members of PP&WS at the place of Head Quarters of the scheme.
- d) The Hony. Zonal 3 and Assist. Secretary 3 from among the members of PP&W Scheme of their respective Zones.
- e) The 10 District Coordinators one from each erstwhile revenue district from the members of this scheme will be nominated by the Chairman/Hony.Secretary of the Scheme in consultation with State President & Hony. State Secretary, if not elected in the PPWS council.
- f) The Election Commission, IMA TELANGANA State will invite nominations for all the posts before the PPWS Council Meeting. The schedule of nominations and elections will be conducted by the election commission of IMA TELANGANA State.
- g) Eligibility Criteria -
 - Election of Managing Committee will be conducted by Telangana State Election Commission.
 - Eligibility Criteria-will be provided by Hony.State Secretary of the PP&WS in consultation with the Chairman of the scheme.
 - The State Election Committee will be conduct Election in coordination with Telangana State IJA President and Telangana State Hony. Secretary, the Hony Secretary of PP&WS and the Chairman of the Scheme.

XVIII. COUNCIL

Council will comprise of

1. All the members of the managing committee.
2. Council members from each branch. Members to be elected from the Local Branches should be members of the PPWS of IMA Telangana State and they will be elected in the following ratio.
 - a) One member in Branches with Scheme Membership of 25 members.
 - b) Two members in Branches with Scheme Membership of 26 to 50 members.
 - c) Every additional 25 members one council members upto a maximum of 10.

The total representatives from any one branch should not exceed 10.

3. Term of Office for PPWS Council members, the term is as elected in the General body of the respective branch.

XIX. FUNCTIONS OF COUNCIL

1. The Council shall be a representative body of All the members of the Scheme.
2. The Council shall be the policy-making authority for the management of the Scheme.
3. The Council shall have absolute power to manage the Finances of the scheme, by way of investing, utilizing them to create additional infrastructure.
4. It shall elect the members of Managing Committee/ Office Bearers every three years. The State IMA Election Commission will conduct the elections.
5. It shall carry out any amendments to the Constitution of the scheme as required from time to time.
6. It shall have the power to terminate any member of the Council on receiving a complaint and on proper investigation.
7. It shall have the power to terminate membership of any member of the scheme.
8. To act upon the above sub-clauses 5 to 7, Council decision should be with a 2/3rd Majority.

Meetings.

1. The Annual Meeting of the Council shall be held in the month of Aug-Sep every year.
2. Notice of Annual meeting of Council will be given at least 14 days in advance notifying the date, place and time of the meeting by post, Email or S.M.S.
3. The quorum of Council Meeting shall be 20% of the representatives in the Council or 15 whichever is less, of whom at least 9 shall be elected members.
4. In case there is no quorum, the meeting shall be adjourned and reconvened to transact the business on the agenda only.
5. The Council Meeting shall take decisions by a simple majority of the members present except decisions pertaining to changes to the Constitution which shall be decided by two third majority of the members present.
6. Requisition of Meeting of Council shall be called by a requisition signed by 60% of the representatives of Council on the register on that day. The meeting shall be convened within thirty days from the date of receipt of the requisition. The date, time and venue can be decided by the Hon. Secretary of the Scheme in consultation with the Chairman of the Scheme.

XX. District Coordinators

- a) The District Coordinators shall be nominated by the Chairman and the Hony. Scretary of the scheme from PP&WS members of different local branches in erstwhile revenue district, and must be a resident of the place where district forum exists.
- b) District Coordinators shall supervise the functioning of the scheme in their respective Revenue districts and shall act as a liason officer between the scheme Headquarters and the branch office bearers in the District. When an incident occurs in any branch in the

district, the district coordinator will immediately enquire about the incident and report the details to the scheme Headquarters. The Dist Coordinators shall also be in charge of the duties entrusted to them by the Chairman/Secretary of the scheme from time to time.

XXI .Duties and Privileges of Office Bearers

A. Chairman

The Chairman shall preside over all the meetings of the Managing Committee and council of the scheme other meetings of the Scheme and will supervise the overall functioning of the scheme smoothly. The Chairman shall investigate the case in consultation with the Secretary by appointing 2 or 3 Dist Coordinators/Zonal Joint Secretary, Zonal Asst. Secretary. The Chairman shall enjoy the casting vote in case issue comes up with equal votes in managing committee/Council and shall discuss and settle case on behalf of the Scheme in consultation with the Secretary.

B. Vice-Chairman

Shall assist the Chairman in all duties and shall preside over the Managing Committee meeting in the absence of the Chairman and shall investigate the cases directed by the Chairman.

C. Hony.Secretary

- a) Shall be incharge of the office
- b) Shall attend to the all correspondence.
- c) Shall have General Supervision of all expenditure and accounts and pass all the bills of routine nature for payment.
- d) Shall sign the cheques jointly with the Hony.Treasurer.
- e) Shall bring any expenditure other than the routine to the notice of the Managing Committee.
- f) Shall get prepared by the Treasurer the Statement of Accounts duly audited by the appointed Auditor for presenting to the Managing Committee.
- g) Shall prepare budget for the year with the help of Hony.Treasurer and submit to the Managing Committee and maintain the minutes of the Managing Committee Meetings.

D. Hony.Treasurer

- a) Shall work under the supervision and guidance of Hony.Secretary.
- b) Shall operate the accounts jointly with the Hony.Secretary.
- c) Shall be responsible for keeping upto date accounts of the association with all the account books posted upto date.
- d) Shall prepare and place audited accounts before the Managing Committee duly audited by the appointed auditor.

E. Hony.Joint Secretary & Ass. Secretary Zonal

Shall help the Hony.Secretary in the work mentioned above and any other work assigned by the Secretary in their respective Zones and help in the growth of the scheme and Ass. Secretary.

XXII. Travelling Allowance

- a) The Chairman, Secretary, Joint Secretary and Treasurer shall be paid two-way sleeper class railway fare/deluxe bus fare as T.A. to attend meetings and discharge other duties of the scheme.
- b) All members of the Managing Committee will be paid Sitting Fee for members Rs.500/. T.A upto 100 kms Rs.500/-, 100- 250 and above kms Rs.800/-
- c) Travelling allowance shall be claimed from this scheme provided no T.A.has been claimed for the same from the TELANGANA State branch of IMA
- d) The monthly conveyance to the Office Bearers of the scheme, for the Secretary, Treasurer and Joint Secretary will be decided by the Managing Committee.

XXIII. Amendments to Rules and Bye Laws

- a) The Hony.Secretary of the scheme shall send a circular to all the local branch Presidents and Secretaries of IMA TELANGANA State and Managing Committee members of this Scheme, asking for any resolutions/amendments to the Rules and Bye Laws to be placed on the agenda of the annual meeting of PPWS Council. The local branch presidents and secretaries shall inform the same to all the primary members of the PP&W Scheme.
- b) The resolutions/amendments to the Rules and Bye Laws of the PP&WS duly proposed and seconded by two individual members of the scheme shall lbe sent to the PP&WS office latest by (2)weeks before PPW&S council. Any resolution received after this date will not be considered valid.
- c) The resolutions/amendments to Rules and Bye Laws have to be considered by the managing committee/PPWS council at its meeting preceding the annual meeting of the State Council for its recommendation to the State Council.
- d) The resolution/amendments of the Rules and Bye Laws shall be considered accepted as passed provided two-thirds of the members of the PPWS Council present and vote in favour of the resolutions/amendments to the Rules and Bye Laws.
- e) The amendments passed by the PPWS Council shall take affect from the date notified by the PPWS Council

XXIV. Accounts and Audit

- a) Separate Bank accounts for the scheme shall be opened and maintained in any Nationalised Banks. The accounts shall be operated and maintained jointly by the Hony. Secretary and Treasurer.
- b) The financial year of the scheme shall be from 1st April to 31st March.
- c) The managing committee shall discuss and approve the accounts submitted by the Treasurer.
- d) The Managing Committee shall approve the accounts submitted by the Treasurer, duly audited by a Chartered Accountant as also the budget for the succeeding year.
- e) The accounts shall be audited every quarter by internal audit.
- f) Audited accounts of the scheme and the budget for the succeeding year passed by the managing committee shall be submitted to the Finance Committee of IMA TELANGANA State and the State Council.
- g) The ultimate authority for investment, utility and disbursement of the funds shall entirely vest with the managing committee of the scheme.
- h) The funds of the scheme shall be deposited in Fixed Deposits in Nationalised Banks, National Saving Certificates, Post Office Saving accounts, RBI Bonds.
- i) Any withdrawal of above Rs.10000/- at a time should be supported by a resolution of the Managing Committee, obtained, if necessary by postal circulation.

- j) The contribution of the scheme to the regional information Centres of IMA TELANGANA State, to State Conferences, to the State Medi-Bulletin, for Sponsorship of the CME Meetings, etc., will be decided by the Managing Committee.

XXV. Miscellaneous

- a) The secretary of the scheme will submit periodical reports of this scheme to the State Working Committee and Annual State Council meeting of the TELANGANA. State Branch of IMA.
- b) The State Working Committee will discuss the reports presented, any suggestions/recommendations shall be discussed by the managing committee, which will pass on the same with its recommendations to the State Council, which shall take the final decision.
- c) Any Policies will come into effect after discussions and resolutions is PP&WScheme Council. However the IMA TELANGANA STATE Council is the supreme body for any suggestions and ratifications.
- d) All the notices for meetings under this scheme shall be sent under certificate of posting or courier service, by Email ,Whatsapp and SMS.

XXVI. Dissolution of the Scheme

In case it becomes impossible to achieve the objectives of the PP&WS, the PPWS Council will discuss and decide by three fourth majority. The final settlements of the liabilities and the outstanding assets if any, balance amounts of the accounts shall be handed over to the IMA TELANGANA State to be utilized for service projects. This will be treated as final, legal and non-negotiable.

Dr. M. SAMPATH RAO
CHAIRMAN

Dr. K. K.BAJAJ
HONY. SECRETARY