

Memorandum of Association - The Spinal Foundation

The Constitution of The Spinal Foundation shall comprise Memorandum of Association and Bye Laws, Rules & Regulations. This, the first part of The Constitution of The Spinal Foundation, is the Memorandum of Association of The Spinal Foundation.

Preamble

A Spinal Cord Injury (SCI) is perhaps one of the more devastating physical challenges / disabilities that can afflict a human being individually, as it leads to severe forms of multiple disabilities.

A Spinal Cord Injury is as an impairment of the spinal cord that leads to multiple physical challenges disabilities. Spinal Cord Impairment refers to abnormality in one or more of the following body functions - sensory, motor, bladder-bowel, respiratory, sexual, hemodynamic stability and temperature control. The degree of abnormality could range from mild reduction to complete absence of functions, depending on the severity of impairment.

Spinal Cord Impairment may be due to any cause, including, but not limited to, traumatic injury, infection, congenital causes, tumors, or any other disease condition.

- Traumatic causes could be road / train accidents, fall from heights, bullet wounds, construction / factory site accidents, defective surgical processes and sports injuries, to name a few.
- Non-traumatic causes include congenital defects, Spina Bifida, TB of spine, brain fever, Transverse Myelitis, other diseases and any other condition that leads to effects similar to paraplegia and tetraplegia (also referred as quadriplegia).

There are no proper epidemiological studies on spinal cord injuries as of now in the context of our larger community. Conservative estimates suggest that the incidence of spinal injuries would be around 10 per million. About 10,000 fresh cases of spinal cord injury are added every year.

There is no cure for spinal cord injury. It leads to lifelong disability. Appropriate rehabilitation is the key to living well with SCI. Improper management can lead to repeated hospitalization, morbidity or even death due to complications arising from pressure sores, urinary infection, respiratory system, and other complications.

Persons with spinal cord injury who get good and timely rehabilitation and support are living healthy, successful and productive lives. As there is no cure for spinal cord injury, appropriate pre-hospital care, proper treatment, comprehensive rehabilitation and community inclusion supported by government policies can empower a person with SCI to lead a full and meaningful life.

The Spinal Foundation is an SCI Self-Help Group. The Spinal Foundation is an organisation that seeks to support persons with spinal cord injury and enable them lead, as quality a life with dignity as is possible.

Several organisations and small groups working for persons with spinal cord injury have come together to form The Spinal Foundation in order to combine efforts, be more effective, improve reach, have unified voice for advocacy, share best-practices and address the daunting challenges faced by persons with SCI, especially those who are also economically challenged and living in rural areas.

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Trust, integrity, transparency, friendliness, and a conscious effort to reach out to persons with spinal cord injury across socio-economic strata and those who do not have access to electronic media, shall underpin The Spinal Foundation in every aspect of its work. The Spinal Foundation shall function without a profit motive.

1 Name of the Society

The Spinal Foundation

2 Registered Office

Mary Verghese Trust for Physically Handicapped
127, Swimming Pool Road
Edayansathu
Bagayam (Pin Code 632002)
Vellore, Tamil Nadu
India

3 Definitions

The definitions of terms are enumerated in the Byelaws, Rules & Regulations to this Memorandum of Association of The Spinal Foundation.

4 Aims & Objects:

4.1 Vision

Improve the quality of life and living standards of persons with Spinal Cord Injury

4.2 Mission

Enlighten, Educate, Enable and Empower persons with Spinal Cord Injury

4.3 Motto

Live Well with SCI is the motto of The Spinal Foundation.

4.4 Core Objects

The basic objects of The Spinal Foundation are:

- Identify and reach out to people with spinal cord injury with a focus on connecting with the newly injured as early as possible after the injury date.
- Advocate and facilitate the right to rehabilitation after a spinal cord injury.
- Support and monitor the spread of quality rehabilitation facilities.
- Improve quality of treatment and rehabilitation for persons with spinal cord injury through creation and implementation of evidence-based indigenized medical protocols.

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- Establish a robust peer network and a knowledge bank with a special emphasis on serving populations from rural areas, lower-income groups and persons with no access to contemporary communication facilities.
- Facilitate the establishment of a high-quality registry of persons with spinal cord injury with the support of the government.
- Enable enhancement in quality of life for persons with spinal cord injury through:
 - o Advocacy against unscientific methods of so-called treatments.
 - o Fight incidence and encourage proper management of pressure ulcers, commonly known as bedsores.
 - o Inclusive education, training, empowerment and guidance on vocation / employment.
 - o Social integration, recreation and sports leading to general health and fitness.
 - o Promoting, tracking and reporting research.
 - o Aiding information and availability of aids, implements and medical supplies.
- Follow the social, economic and family lives of persons with spinal cord injury so as to be able to provide support where needed and possible, especially by connecting the spinal cord injured person, his family and friends with support systems at multiple levels in a geographic sense.
- Sensitise and build awareness about spinal cord injury and its multi-faceted implications.
- Mould public policy at multiple levels of government.
- Champion initiatives to reduce incidence of spinal cord injury.
- Promote accessibility by removing mental and physical barriers.

4.5 General Objects:

- To frame Bye Laws, Rules & Regulations for the conduct of the business of The Spinal Foundation and its officers and employees.
- To take all lawful steps that may be necessary for promoting, supporting, or modifying legislation or other action impacting the interests of persons with spinal cord injury.
- To subscribe, to become a member of and co-operate with any other organisation, whether incorporated or not, whose objects are altogether or in point similar to those of The Spinal Foundation and to procure from and communicate to any such organisation information as may be likely to take forward the objectives of The Spinal Foundation.
- To accept, receive, purchase, take on lease, hire or otherwise acquire any movable or immovable property or any rights or privileges necessary or convenient for the purpose of The Spinal Foundation on such terms and conditions as are appropriate to achieve the objectives of The Spinal Foundation.
- From time to time to borrow or raise moneys, which may be required for the purpose of The Spinal Foundation, on such terms as are considered appropriate for the purpose of attaining the objectives of The Spinal Foundation.
- To improve, manage, develop all or any part of the property of The Spinal Foundation.
- To set apart and create special fund with special objects, and apply the same or any part thereof or the interests or income thereof or any part thereof for all or any of such special objects, subject to the statutory regulations in force governing the working of The Spinal

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Foundation from time to time.

- To invest the funds of The Spinal Foundation from time to time in a manner that is prescribed by the Tamil Nadu Societies Registration Act, 1975.
- All the income, earnings, moveable/immovable properties of The Spinal Foundation shall be solely utilized and applied towards the promotion of its aims and objects only as set forth in this Memorandum of Association, and no profit or part thereof shall be paid or transferred, directly or indirectly by way of dividends, bonus, profit or in any manner whatsoever, to the present or past members of The Spinal Foundation or to any other person.
- To establish and support or aid in the establishment and support of associations, institutions, funds, trusts and other units that could further the objectives of The Spinal Foundation.
- To enter into any arrangement with any Government or authority supreme, municipal, local or otherwise that may appear conducive to the objects or any of them and to obtain from any such Government or authority of rights, concessions and privileges, aid, grants, donations, financial or otherwise, which may be desirable to obtain, and to carry out exercises and comply with such arrangements, rights, privileges and concessions.
- To appoint employees, agents and consultants as may be required for the administration of The Spinal Foundation and for compliance with applicable laws/regulations.
- To organize and distribute at purchase cost any medicines, surgical devices, assistive devices and mobility aids through physical as well as online platforms.
- To ensure and do such acts as is needed to make sure that no member, past or present, of The Spinal Foundation shall have any personal claim on any moveable or immovable properties of The Spinal Foundation or make any profits, whatsoever, by virtue of this membership.

Provided that nothing herein shall prevent the payment, in good faith, of remuneration to any employee of The Spinal Foundation in return for any services actually rendered, of assistance to a deserving person with SCI or for performing other valid, legitimate and approved functions of The Spinal Foundation or payment to a person by way of reimbursement of actual expenses incurred for the purposes of The Spinal Foundation.

- To ensure that all the activities of the Foundation shall be conducted in accordance with the aims and objects as stated in this Memorandum of Association, and in accordance with the provisions of applicable laws.
- To ensure that there is no discrimination on grounds of religion, caste, creed, gender or political affiliation of the beneficiary.
- To do all such lawful acts, deeds and things, which may be conducive for furtherance of the main objects of The Spinal Foundation or incidental to the attainment of the above objects or any of them.

The objects / powers listed hereinabove in the Memorandum shall not be contrary to or inconsistent with or repugnant to any provision of law relating to property held under trust for charitable purposes entitled to

exemptions /concessions under the taxation laws as may be applicable from time to time, and shall be construed so as to provide conformity with the requirements of such laws.

And it is hereby declared that in the interpretation of the clause, the powers conferred on The Spinal Foundation by any paragraph shall not be restricted by reference to any other paragraph or to the name of the society, or by juxtaposition, this clause and every paragraph hereof shall be considered in such a way as to widen them and not restrict the powers of The Spinal Foundation.

5. Management of The Spinal Foundation

The Governing Board shall guide, oversee and manage the affairs of The Spinal Foundation. The Governing Board shall include the President, Vice-President, Secretary, Treasurer, other members of the Executive Committee and additional members (subject to limit prescribed in the Bye Laws) bringing diverse skill sets to the table that would in the furtherance of the objectives of The Spinal Foundation.

The Governing Board shall be expanded in due course in line with the norms prescribed in the Constitution of The Spinal Foundation.

5.1 The Governing Board

The Governing Board at inception shall comprise of the following persons whose names, addresses, designation and occupation are furnished, as required under The Tamil Nadu Societies Registration Act, 1975.

| Serial No | Name | Address | Occupation | Designation |
|-----------|-------------------------------------|---|---------------------------------------|----------------|
| 1 | Major Har Pal Singh (HPS) Ahluwalia | Indian Spinal Injuries Centre (ISIC) Sector C Vasant Kunj New Delhi 110070 | Founder Chairman, ISIC | President |
| 2 | Shivjeet Singh Raghav | 201 1/16 Shivaji Nagar Gurgaon Haryana 122001 | Peer Counsellor, ISIC | Vice President |
| 3 | S Vaidyanathan | 203, 18th Street Chowdhry Nagar Valasaravakkam Chennai 600087 | Community Worker (The Ganga Trust) | Secretary |
| 4 | Chandra Rama Rao | 286 Arun Vihar Gautam Budh Nagar Uttar Pradesh 201033 | Disability & Social Activist | Treasurer |

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| Serial No | Name | Address | Occupation | Designation |
|-----------|------------------|--|---|--------------------------------|
| 5 | Dr Komal Kamra | 5, Residential Complex SGTB Khalsa College University of Delhi Delhi 110007 | Associate Professor of Zoology | Member, Executive Committee |
| 6 | P Suresh Krishna | 5/18 Maraikayar Nagar 6th Street Neelagarai Chennai 600115 | Community Worker (Plegia.org) | Member, Executive Committee |
| 7 | Nitin Goyal | H No. 1456 Sector 46 Gurgaon Haryana 122003 | Finance Professional & Peer Counsellor | Member, Executive Committee |

5.2 Office Bearers

The key office bearers of The Spinal Foundation at formation and as on registration date are:

President

Major Har Pal Singh (HPS) Ahluwalia

Vice-President

Shivjeet Singh Raghav

Secretary

S Vaidyanathan

Treasurer

Chandra Rama Rao

6. Desirous Persons

We, the undersigned, are desirous of forming a Society christened The Spinal Foundation under The Tamil Nadu Societies Registration Act, 1975 in pursuance of this Memorandum of Association.

6.1 Declaration

A copy of the Bye Laws, Rules & Regulations of The Spinal Foundation certified to be the correct copy by three members of The Governing Board is filed along with this Memorandum of Association and signed by signatories to this Memorandum of Association.

6.2 *Subscribers to the Memorandum of Association*

We, the several persons, whose names and addresses are given below, having associated ourselves for the vision, mission and objectives set out in the Memorandum, hereby subscribe our names to this Memorandum of Association of The Spinal Foundation, set out our several and respective hands hereunto, and form ourselves into a Society under The Tamil Nadu Societies Registration Act, 1975 on this day, the 14th of April 2014.

| Serial No | Name | Address | Occupation | Signature |
|-----------|-------------------------------------|--|--|-----------------------------|
| 1 | R Bharatharajan | 5 – D – 1 TNHB Phase II Sathuvachari Vellore Tamil Nadu 632009 | Government Employee & Peer Counsellor | Voter ID Number: XNO0490979 |
| 2 | Chandra Rama Rao | 286 Arun Vihar Gautam Budh Nagar Uttar Pradesh 201033 | Disability & Social Activist | PAN AAGPR6239J |
| 3 | Major Har Pal Singh (HPS) Ahluwalia | Indian Spinal Injuries Centre (ISIC) Sector C Vasant Kunj New Delhi 110070 | Founder Chairman, ISIC | PAN AAIPA0204G |
| 4 | Jayakumar | 188 2/87, Govindraj Nagar Arni Road Vellore Tamil Nadu 632002 | Tailor & Social Activist | PAN AZGPj5617H |
| 5 | Dr Komal Kamra | 5, Residential Complex SGTB Khalsa College University of Delhi Delhi 110007 | Associate Professor of Zoology | PAN AAOPK8594K |

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| Serial No | Name | Address | Occupation | Signature |
|-----------|-----------------------|--|---|----------------|
| 6 | Nitin Goyal | H No. 1456 Sector 46 Gurgaon Haryana 122003 | Finance Professional & Peer Counsellor | PAN AASPG7410L |
| 7 | Shivjeet Singh Raghav | 201 1/16 Shivaji Nagar Gurgaon Haryana 122001 | Peer Counsellor, ISIC | PAN AJKPR7709J |
| 8 | P Suresh Krishna | 5/18 Maraikayar Nagar 6th Street Neelagarai Chennai 600115 | Community Worker (Plegia.org) | PAN BEPPS3528P |
| 9 | S Vaidyanathan | 203, 18th Street Chowdhry Nagar Valasaravakkam Chennai 600087 | Community Worker (The Ganga Trust) | PAN AABPV4898A |

“We hereby witness the signatures of all the desirous persons.”

Dr Guru Nagarajan
Social Worker
Mary Verghese Institute of Rehabilitation
Christian Medical College
Vellore 632002

PAN: ADIPN1756B

Elango Arumugam
Social Worker
Mary Verghese Institute of Rehabilitation
Christian Medical College
Vellore 632002

PAN: AADPE4751B