

RULES AND REGULATIONS
CHANDIGARH INSTITUTE OF HOTEL MANAGEMENT (CHANDIGARH),
SOCIETY

Definition. 1 : In these rules:-

- a) “Society” means the Chandigarh Institute of Hotel Management (Chandigarh), Society.
- b) “Institute” means the Chandigarh Institute of Hotel Management Chandigarh.
- c) “Central Government” means the Govt. of India in the Ministry of Tourism HMC Division or if there be no such department, the Department/Ministry which is for the time being, incharge of the functions now performed by the Department of Tourism whether in addition to other functions or otherwise.
- d) “State Government” means Chandigarh Administration.
- e) “Chairman’ means except where the context otherwise requires, the Chairman of the Society.
- f) “Principal” means the Principal of the Chandigarh Institute of Hotel Management, Chandigarh.

Registered Office: 2) The office of the Society shall be situated at Chandigarh or any other city or town in the Union Territory of Chandigarh where-to it may be removed pursuant to a resolution passed in that behalf by the Governing Body of the Society.

Membership-3) (i) The Society for the time being shall consist of the following members:-

- (a) A Chairman nominated by the Central Government.
- (b) Three representatives of the Chandigarh Administration, one being the Director Tourism, Chandigarh Administration, ex-officio, or if there be no such person the officer who is for the time being the administrative head of the department which is in charge of Tourism Department whether in addition to other functions or otherwise.
- (c) Four representative of the Central Government.
- (d) An expert on Large Scale Catering to be nominated by the Central Govt.
- (e) A representative of the Hotel and Restaurant Association of region to be nominated by the Chandigarh Administration.
- (f) The Principal, ex-officio.

(ii) The Board of Governors may at any time co-opt any other person as a member of the Society, and the member so co-opted shall have all the rights and privileges of every other member of Society.

4) The society shall keep a “Roll of Members” and every member of the Society shall sign the Roll and state there in his name, designation, occupation and address. No person shall be deemed to be a member of society and entitle to exercise any of the rights and privileges of a member unless he has signed the Roll as aforesaid.

5) If a member of the Society shall change his address, he shall notify his new address, to the principal, but if he fails to notify his new address, the address in the Roll of Member shall be deemed to be his address.

6) Should any member of the Society (other than the Chairman, the Expert on Large Scale Catering nominated by the Central Government and the Principal) be prevented from attending a meeting of the Society, he shall be at liberty to appoint and authorize a representative to take his place at that meeting of Society and such representative to take his place at that meeting of society and such representative shall have all the rights and privileges of a member of the Society including the right to vote for that meeting.

7) Tenure of Members:

- i) When a person becomes member of the Society by reason of the office he holds, his membership shall terminate when he ceases to hold that office.
- ii) A member of the Society representing the Central Government or the Chandigarh Administration shall continue to be a member during the pleasure of the Central Government or the State Government as the case may be.
- iii) The member of the Society representing the Hotel and Restaurant Association of the region shall cease to be a member of the Society as soon as he is removed from the membership of the Society by the State Government upon a request to that affect being made by the said Association.
- iv) Every member (including the Chairman) not covered by sub-rules (i) & (ii) of this rule shall cease to be a member on the expiry of three years from the date of his appointment or nomination but shall be eligible for re-appointment or re-nomination as the case may be.

8. Cessation of the Membership:

A member of the Society shall cease to be a member of the Society, if he resigns, becomes of unsound mind, be adjudged or adjudicated an insolvent, or be convicted of a criminal offence involving moral turpitude, or if he is removed from the membership of the Society, or if he (other than the Principal) accepts a full time appointment in the Institute., or does not attend three consecutive meetings of the Society without obtaining leave of absence from the Chairman.

9. Resignation:

- i) The Chairman may resign his office by a letter addressed to the Central Government and his resignation shall take effect from the date it is accepted by the Central Government.
- ii) A member may resign office by a letter addressed to the Chairman and such resignation shall take effect from the date it is accepted by the Chairman.

10. Vacancies:

Any vacancy in the Society shall be filled by either appointment or nomination by the respective authority entitled to make such appointment or nomination and the term of office of a member appointed or nominated to fill a causal vacancy shall continue for the remainder of the term of the member in whose place he has been appointed or nominated.

11. The Society shall function, not with standing any vacancy there in and not with standing any defect in the appointment or nomination of any of its member and no act or proceeding of the Society shall be invalid merely by reason of the existence of any vacancy therein or of any defect in the appointment or nomination of any of its member.

12. Meeting of Society :

- (i) The society shall meet whenever the Chairman thinks fit, provided that the Chairman shall call a meeting of the Society upon a written requisition of not less than four members, specifying the object of the meeting proposed to be called.
- (ii) For every meeting of the Society fifteen days; notice shall be given provided that the Chairman may, for reasons to be recorded, call a special meeting on such short notice as he may deem fit. The accidental omission to give notice to or the non-receipt of the notice of any meeting by one or more members shall not invalidate the proceeding at that meeting.
- (iii) Five members of the Society including any representative authorized under Rule 6 shall constitute a quorum at any meeting.
- (iv) In case of difference of opinion amongst the members the opinion of the majority shall prevail.
- (v) Each member of the Society, including the Chairman shall have one vote and if there shall be an equality of votes on any question to be determined by the society the Chairman or member presiding shall have an additional or casting vote.
- (vi) Every meeting of the Society shall be presided over by the Chairman and, in his absence, by a member chosen by the Members present, to preside on the occasion.

Board of Governors Composition, Powers, Meetings etc.

13. The general superintendence, direction and control and management of the affairs of the Society and its income and property shall be vested in the Governing Body of the Society, hereinafter called the Board of Governors of the Society.

14. Every members of the Society shall ipso-fact be a member of the Board.

15. Should any member of the Board (other than the Chairman, the Expert on Large Scale Catering nominated by the Central Government and the Principal) be prevented from attending a meeting of the Board he shall be at liberty to appoint and authorize a representative to take his place at that meeting of the Board and such representative shall have all the rights and privileges of a member of the Board including the right to vote at that meeting.

16. The Board shall function, not with standing any vacancy there in and not with standing any defect in the appointment or nomination of any of its members; and no act or proceedings of the Board shall be invalid merely by reason of the existence of any vacancy therein or of any defect in the appointment or nomination of any of its members.

17. (i) The Board may make and frame and from time to time repeal or alter bye-laws as to the management of the Society and the affairs there of an as to the management of the Institute and the other Institutions of the Society and as to the duties of any officers, employees or servants of the Society and as to the conduct of the business of the Board or any committee or sub-committee appointed by the Board or as to any of the matters or things within the powers or under the control of the Board provided that the same shall not be inconsistent with the Memorandum of association or the Rules and Regulations of the Society. Without in any manner derogating from the generality of the foregoing powers, the Board may make, frame and from time to time alter and repeal bye-laws, as to all or any of the following matter, namely:-

- a) The formation of Departments of teaching;
- b) The fees to be charged for courses of study in the Institute and for admission to the examinations for conforment of the awards;
- c) The Institution of fellowships, scholarships, exhibitions, loans, prizes and medals;
- d) The classification and method of appointment and the determination of the terms and conditions of teachers and other staff of the Institute;
- e) The constitution of pension and provident funds for the benefit of the officers, teachers and other staff of the Institute;
- f) The establishment and maintenance of halls and hostels;

- g) The conditions of residence of students of the Institute and the levying of fees for residence in the halls and hostels and of other charges; and
- h) Other matters of relevance and importance in the administration of educational Institutions.

ii) The Board may, by resolution, appoint such committees or sub-committee for such purposes and with such powers as the Board may think fit; the Board may co-opt such persons to these committees as it considers suitable.

iii) The Board may, by resolution, delegate to committees or sub-committee or the Chairman such of its powers for the conduct of its business as it may deem fit, subject to the condition that action taken by any committee or sub-committee or the Chairman under the powers delegated to them by this rule shall be reported for confirmation at the next meeting of the Board.

iv) The Board may pass such resolution or resolutions as it may deem fit on the annual report, the annual accounts and the financial estimates.

18. (i) Ordinarily, the Board shall meet once in every six months and fifteen days' notice shall be given of each meeting and a copy of the proceeding of such meeting shall be furnished to the Central Government and Chandigarh Administration as soon possible after the meeting provided that the Chairman may, whenever he thinks fit, and shall, on the written requisition not less than two members call a special meeting.

ii) Five members of the Board, including any representative authorized under Rule 15 shall constitute a quorum at any meeting of the Board.

iii) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.

iv) Each member of the Board, including the Chairman shall have one vote and, if there shall an equality of votes on any question to be determined by the Board, the Chairman or member presiding shall have an additional or casting vote.

v) Every meeting of the Board shall be presided over by the Chairman and, in his absence by a member chosen by the members present to preside on the occasion.

vi) Any business which it may be necessary for the Board to perform, except such as may be placed before its meeting, may be carried out by circulation among all its members in India and any resolution so circulated and approved by a majority of the members signing shall be as effectual and binding as if such resolution had been passed

at a meeting of the Board duly called and held, provided that at least five members of the Board have recorded their views of the resolution.

19. Executive Committee Composition, Powers, Meetings etc. :

i) The following members of the Board shall constitute an Executive Committee:-

- a) The Director of Tourism, Chandigarh Administration, if there be no such person, the officer who is for the time being the administrative head of the department which is incharge of Tourism, whether in addition to other functions or otherwise;
- b) Two of the representatives of the Central Government to be specified by the Central Government.
- c) The Expert nominated by the Central Government to the Board; and
- d) The Principal.
- e) One of the representatives of the Chandigarh Administration to be specified by them.

ii) The Director of Tourism, Chandigarh Administration, or if there be no such person the officer who is for the time being the administrative head of the department which is incharge of Tourism, whether in addition to other functions or otherwise shall be the convener of the Executive Committee.

iii) Should any of the specified representative of the Central Government be prevented from attending a meeting of the Executive Committee, he shall be at liberty to appoint and authorize an alternate for the meeting and such an alternate shall have all the rights and privileges of a member of the Executive Committee, including the right to vote at that meeting only.

20. It shall be the duty of the Executive Committee to see that the decisions taken by the Board are implemented.

21. The Executive Committee shall exercise all or any the powers and functions of the Board subject to the general superintendence, direction and control of the Board.

22. The Executive Committee shall function, notwithstanding any vacancy therein and notwithstanding any defect in the appointment or nomination of any of its members; and no act or proceedings of the Executive Committee shall be invalid merely by reason of the existance of any such vacancy therein or of any defect in the appointment or nomination of any of its members.

23. (i) The Executive Committee shall meet as often as necessary and at least once in three months, and 10 days' notice shall be given of each such meeting, and a copy of the proceedings of such meeting, shall be furnished to the Board of Governors and to the

Central and State Governments as soon as possible after the meeting, PROVIDED the convenor may, whenever he thinks fit, and shall on the written requisition of not less than two members, call a special meeting.

(ii) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.

(iii) Three members of the Executive Committee present in person shall constitute a quorum at any meeting of the Committee.

(iv) Each member of the Executive Committee, including the Chairman who will be elected at each meeting of the Committee, shall have one vote and if there shall be an equality of votes on any question to be determined by the Committee, the Chairman shall have an additional or casting vote.

(v) Any business which it maybe necessary for the Executive Committee to perform, except such as may be placed before its meetings, may be carried out by circulation among all its members in India, and resolutions so circulated and approved by the majority of the members signing shall be as effectual and binding as if such resolution had been passed in a meeting of the Committee duly called and held; PROVIDED that at least three members of the Committee have recorded their views on the resolution.

24. **Principal**: (i) There shall be a Principal of the Institute to be appointed by the Board in accordance with such qualifications and experience and methods of recruitment and under such terms and conditions of service, as the Board determine.

(ii) The Principal shall be the Principal academic and executive officer of the Institute and shall be responsible for the proper administration of the Institute and for the Imparting of instruction and the maintenance of discipline. All other staff of Institute shall be subordinate to the Principal.

iii) The Principal shall be the custodian of records, the funds of the Institute and such other property of the Institute as the Board may commit to his charge.

iv) The Principal shall act as Secretary to the Society, the Board, the Executive Committee and any other committee of the Society or the Board.

v) The Principal shall have such other powers and shall perform such other duties as may be delegated to him by the Board.

vi) The Principal shall have the power to delegate his powers to any of his subordinates with the approval of the Board.

vii) In the event of the occurrence of any vacancy in the office of the Principal or if the Principal is unable to discharge his functions owing to absence, illness or any other cause,

it shall be open to the Board to authorize any person to exercise such powers, functions and duties of the Principal as the Board may deem fit.

25. Budget, Accounts, Audit & Reports: (i) The Society shall from time to time prepare the budget estimates of the Institute in such form and manner and shall submit the same to the Central Government and the Chandigarh Administration, for approval by such dates, as the State Government, in consultation with the Central Government may direct.

(ii) The Society shall submit to the Central Government and the Chandigarh Administration, a report on the working of the Institute and an audited statement of accounts showing the income and expenditure of the Institute for each financial year within five months after the closing of the year.

(iii) The Central Government and or the Chandigarh Administration may, after scrutiny of the budget estimates, the statement of accounts and the report referred to in sub-rules (i) and (ii) of this Rule, refer them back to the Society with comments, and the Society shall comply with such comments or otherwise explain the matter to the satisfaction of the Central Government and/or the Chandigarh Administration, as the case may be Government.

(iv) The Society shall maintain proper accounts and other relevant records and prepare an annual statement of account including the Balance Sheet in such form as may be prescribed by the Central Government or the Chandigarh Administration.

(v) The Society shall have the accounts of the Society audited in such manner as the Central Government or the Chandigarh Administration may direct and to forward annually to the Central Govt. and the Chandigarh Administration, the accounts duly certified by the auditors together with the audit report thereon.

(vi) The Society may constitute such committees or sub-committees as it may deem fit.

(vii) The Society may delegate all or any of its powers to the Board of Governors of the Institute or to the Executive Committee or to any of the Committees or sub-committees constituted by the Society or the Board of Governors to any one or more members of its bodies or its officers.

Society to be sued in the name of the Secretary :

26. For the purpose of section 6 of the Societies Registration Act, 1860, (XXI of 1860), the Secretary shall be considered the Principal/Secretary and the Society may sue or be sued in the name of the Secretary of the Society.

27. All Contracts deeds and other instruments for and on behalf of the Society and the members of the Board shall be executed by the Principal of the Institute, if the value of the contract deed or instruments is Rs.10,000 or less, and by the Principal of the Institute and the Convener of the Executive Committee, if the value there of exceeds Rs.10,000. The

Board may also authorise any person to enter into contracts on behalf for the Society subject to such restrictions and condition as the Board may impose.

28. The Society may be dissolved in accordance with the provisions of Section 13&14 of the Societies Registration Act (21 of 1860) after obtaining the previous consent of the Central Government and the Chandigarh Administration, in that behalf.

Alteration etc. of purposes and of rules :

29. Subject to the prior approval of the Central Govt., and the Chandigarh Administration, the Society may alter, extend or abridge and purpose or purposes for which it is establishing, in the manner laid down in the Societies Registration Act (XXI of 1860).

30. The Rules may be altered with the consent of the Central Govt., and the Chandigarh Administration by a resolution passed by a majority of two-thirds of the members present at any meeting of the Society which shall have been duly convened for the purpose.

We, the following members of the Board of Governors, certify that the above is a correct copy of the Rules of the Society:-

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| 1. | Sd/- (T.R. Parameswaran) | Member |
| 2. | Sd/- (M.C. Verma) | Member |
| 3. | Sd/- (Miss Sherie Doonga ji) | Member |
