

**RULES AND REGULATIONS OF THE INSTITUTE OF HOTEL
MANAGEMENT CATERING TECHNOLOGY & APPLIED NUTRITION
SOCIETY.**

.....

SHORT TITLE : 1. These Rules and Regulations may be called "Rules and Regulations of the Institute of Hotel Management, Catering Technology & Applied Nutrition (Meghalaya) Society."

DEFINITION : 2. In these rules –

(a) 'Society' means the Institute of Hotel Management, Catering Technology & Applied Nutrition (Meghalaya) Society;

(b) 'Institute' means the Institute of Hotel Management, Catering Technology & Applied Nutrition.

(c) 'Central Government' means Ministry or Department in the Central Government dealing with the subject.

(d) 'Chairman' means, except where the context otherwise requires, the Chairman of the Society;

(e) 'Principal' means the Principal of the Institute of Hotel Management, Catering Technology & Applied Nutrition Shillong, (Meghalaya)

In these Rules and Regulations, the 'Principal' shall also mean Secretary of the Society, wherever the context so requires.

(f) State Government means the Government of Meghalaya

REGISTERED OFFICE : 3. The Office of the Society shall be situated at Shillong or any city or town in the State of Meghalaya whereto it may be removed pursuant to a resolution passed in that behalf by the Board of Governors of the Society.

MEMBERSHIP: 4. (i) The Society shall consist of the following members :

(a) A Chairman nominated by the Central Government.

(b) Three representatives of the State Government of Meghalaya one being the Director of Technical Education and Training, Government of Meghalaya, 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 technical education; whether in addition to other functions or otherwise.

(c) Four representatives of the Central Government. One of them being FA to the Department of Tourism or his nominee.

(d) An expert on catering technology to be nominated by the Central Government.

(e) Two persons from the Hotel Industry to be nominated by the Central Government.

(f) The Principal of the Institute, ex-officio.

(ii) The Central Government may at any time appoint any person to be a member of the Society.

5. The Society shall keep a roll of members and every member of the Society shall sign the roll and state therein his name, designation, occupation and address. No person shall be deemed to be a member or be entitled to exercise any of the rights and privileges of a member unless he has signed the roll as aforesaid.
6. If the member of the Society shall change his address, he shall notify his new address to the Principal, but if he fails to notify his address, the address in the roll of members shall be deemed to be his address.
7. Should any member of the Society (other than the Chairman, the Expert on Catering Technology nominated by the Central Government and the Principal, Institute of Hotel Management, Catering Technology & Applied Nutrition, Shillong, be unable to attend a meeting of the Society, he may appoint an authorised representative as proxy to take his place at that meeting of the 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.

TENURE OF 8.
MEMBERS

- (i) When a person become a 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 nominated by the Central Government or by the State Government shall continue to be a member during the pleasure of the Central Government or the State Government, as the case may be.
- (iii) The tenure of every person nominated by the Central Government under Rule 4 (i)(a) & (e) and Rule (ii) shall ordinarily be 3 years unless terminated earlier under Rule 8(ii).

CESSATION 9.
OF MEMBER-

A member of the Society shall cease to be a member of the Society, if he dies, resigns, becomes of unsound mind, be adjudged or adjudicated as 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 if he does not attend three consecutive meetings of the Society without leave of the Chairman.

RESIGNATIONS -

10. (i) The Chairman may resign his office by as 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 under intimation to the authority by whom he was nominated and such resignation shall take effect from the date it is accepted by the Chairman.

VACANCIES 11.

The Society shall function, notwithstanding any vacancy therein and notwithstanding any defect in the appointment or nomination of any of its members; and no act or proceeding of the Society shall be invalid merely by reason of the existence of any vacancy therein or if any defect in the appointment or nomination of any of its members.

MEETINGS 12.
OF THE 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 subject of the meeting proposed to be called. Provided further that the annual general meeting of the Society shall be held at least once in every year as required under the Societies Registration Act, 1860.
- (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 notice as he may deem fit.
- (iii) Four members of the Society including any representative authorised 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 provided that in the event of disagreement by the Central Government representative representing Ministry of Finance on any financial matter, the same would be referred to the Ministry of Tourism & Civil Aviation and the Finance Minister for a decision.
- (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.
- (vii) All the meetings of the Board of Governors shall be deemed to be meeting of the Society.

(viii) Any business which it may be necessary for the Society to perform, except such as may be placed before its meetings, 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 Society; provided that at least four members of the Society have recorded their views on the resolution.

BOARD OF GOVERNORS COMPOSITION POWERS, MEETINGS ETC. 13. The general superintendence, direction and control of the Society and its income and property shall be vested in the hereinafter called the Board.

14. The members of the Board shall be the same as the Members of the Society.
15. Should any member of the Board (other than the Chairman, the Expert on Catering Technology nominated by the Central Government and the Principal of the Institute of Hotel Management, Catering Technology & Applied Nutrition Shillong, be unable to attend a meeting of the Board, he may appoint an authorized representative as a proxy to take his place at the 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 for that meeting only.
16. The Board shall function, notwithstanding any vacancy therein and notwithstanding any defect in the appointment or nomination of any of its members, and no act or proceeding 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) Within the broad framework of policy laid down by the Central Government or instruction/orders issued by them from time to time the Board may frame/amend their byelaws to provide for all or any of the following matters:-
 - (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 conferment of the awards;
 - (c) the institution of fellowships, scholarships, exhibitions, loans, prizes and medals.

- (d) the creation and classification of posts, the method of appointment and determination of the terms and conditions of service of teaching and other staff of the Institute subject to prior approval of the Central Government in all such matters.
 - (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 education institutions.
- (ii) The Board may by resolution, appoint such committees 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, either from amongst the Members of the Board of Governors or outsiders.
 - (iii) The Board may, by resolution delegate to a 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 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 resolutions as it may deem fit on the annual report, the annual accounts and the financial estimate.
18. (i) Ordinarily, the Board shall meet once in every six months and fifteens days' notice shall be given of each such meeting and a copy of the proceedings of such meeting shall be furnished to the Central Government as soon as possible after the meeting; provided that the Chairman may, whenever he thinks fit, and shall, on the written requisition of not lose 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 any difference of opinion amongst the members, the opinion of the majority shall prevail provided that in the event of disagreement by the Central Government representative representing Ministry of Finance on any financial matter, the same would be referred to the Minister for Tourism & Civil Aviation and the Finance Minister for a decision.

- (iv) Each member of the Board, including the Chairman, shall have one vote and if there shall be an equality of votes on any question to be determined by the Board, the Chairman or members 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 meetings 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 fully called and held PROVIDED that at least five members of the Board have recorded their views on the resolution.

EXECUTIVE,
COMMITTEE
COMPOSITION
POWERS MEETING ETC.

19.

- (i) Out of the members of the Board of Governors the following shall constitute an Executive Committee :-
 - a) The Director of Technical Education, 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 technical education, whether in addition to other functions or otherwise
 - b) Two of the representatives of the Central Government to be specified by the Central Government; One of the representatives to be specified as convenor of the Executive Committee.
 - c) The expert nominated by the Central Government to the Board of Governors; and
 - d) The Principal of the Institute.

- 20. It shall be the duty of the Executive Committee to see that the decision taken by the Board are implemented.
- 21. The Executive Committee shall exercise all or any of the power and functions of the Board, subject to the general superintending, direction & control of the Board.
- 22. The Executive Committee shall function, notwithstanding any vacancy therein and notwithstanding any defect in the appointment.

23. i) The Executive Committee shall meet as often as necessary and at least once in three months and ten days notice shall be given of each such meeting and a copy of the proceeding 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 that the convenor may, whenever he thinks fit, and shall, on the written requisition of not less than two members, call a special meeting.
- ii) The meeting of the Executive Committee shall be presided over by a member elected to preside over that meeting. If there is any difference of opinion with regard to the Chairman, the meeting shall be presided over by the Convener of the Executive Committee or in his absence by one of the other representatives of the Central Government.
- iii) Three members of the Executive Committee present in person shall constitute a quorum at any meeting of the Committee.
- iv) In case of difference of opinion amongst the members, the opinion of the majority shall prevail provided that in the event of disagreement by the Central Government representative representing Ministry of Finance on any financial matter, the same would be referred to the Minister for Tourism & Civil Aviation and the Finance Minister for a decision.
- v) Each member of the Executive Committee, including the Chairman elected for the meeting shall have one vote, and if there shall be an equality of votes on any question to be determined by the Committee the Chairman elected for the meeting shall have an additional or casting vote.
- vi) Any business, which it may be 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 any resolution 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 PROVIDED that the least three members of the committee have recorded their views on the resolution.

Principal.24.i)

The Board shall, with the prior approval of the Central Government appoint the Principal of the Institute.

- 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 the 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 of the Society, the Board, the Executive Committee and other Committee of the Society or the Board. He shall discharge all functions of the Secretary as provided in the Societies Registration Act.
- 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 re-delegate his powers to any of his subordinate 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.

**ACCOUNTS, AUDIT
AND REPORTS.25.**

Within six months of the closing of the previous financial year the Society shall submit to the Central Government for their approval Budget Estimates for the ensuing year, along with a report on the working of the Institute and an audit Statement of Accounts showing the income and expenditure for the previous year, provided that the Budget estimates for the first year will be submitted in accordance with such directions as the Central Government may issue in this respect.

**SOCIETY TO 26.
BE SUED IN THE
NAME OF THE
SECRETARY**

For the purpose of section 6 of the Societies Registration Act, 1860 (XXI OF 1860), the person in whose name the society may sue or be sued shall be the Secretary of the Society.

27. All contract for and on behalf of the Society and the member of the Board shall be executed by the Principal of the Institute if the value of the contract is Rs.10,000 or less, and by the Principal of the Institute and the Convener of the Executive Committee, if the value thereof exceeds Rs.10,000. The Board may also authorize any person to enter into contracts on behalf of the Society subject to such restrictions and conditions as the Board may impose.

**Alteration of
Purposes and
Of Rules.**

28. i) Subject to the prior approval of the Central Government the Society may alter, extend or abridge any purpose for which it is established provided it carries out the procedure prescribed in that by Act (XXI of 1860).

ii) These Rules may be altered with the consent of the Central Government at any time by a resolution passed by a majority of two-thirds of the members present any meeting of the Society which shall have been duly convened for the purpose.

29. The Society may be dissolved in accordance with the provisions of Section 13 and 14 of the Societies Registration act (21 of 1860) after obtaining the previous consent of the Central Government.

30. If on the winding up or the dissolution of the Society there shall remain, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to any of its Members or distributed amongst them, but subject to provisions of section 14 of the Act shall be disposed off as the Central Government may determine.