

RULES AND REGULATIONS

INSTITUTE OF HOTEL MANAGEMENT (HIMACHAL PRADESH) SOCIETY POST OFFICE KUFRI, DISTT SHIMLA(H.P)

Definition In these rules

- (a) 'Society' means the Institute of Hotel Management (Himachal Pradesh) Society
- (b) 'Institute' means the Institute of Hotel Management (Himachal Pradesh) at Kufri Distt.Shimla.
- (c) 'Central Government' means the Govt.of India in the concerned Ministry/Department of Govt.of India dealing with the subject
- (d) 'State Government' means Himachal Pradesh Government.
- (e) 'Chairman' means except where the context otherwise requires the Chairman of the Society.
- (f) 'Principal' means the Principal of the Institute of Hotel Management, Kufri, Distt.Shimla.

Registered Office

- 2. The Office of the Society shall be situated at Kufri, Distt.Shimla or any other city or town in the Himachal Pradesh whereto 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 to be nominated by the Central Government
 - (b) Three representatives of the Himachal Pradesh Government one being the Commissioner Tourism, Himachal Pradesh Government, 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 representatives of the Central Government.
 - (d) An expert on large scale Catering to be nominated by the Central Government.
 - (e) A representative of the Hotel and Restaurant Association of region to be nominated by the Himachal Pradesh Government.
 - (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 Member" 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 a member or be entitled 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 members 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 rep. 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 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 representing the Central Government or the Himachal Pradesh 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 removed from the membership of the Society by the State Government upon a request to that effect 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.

Membership

8. 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.

Resignation

9.
 - (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.

Vacancies

10. 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 casual 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, 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 of any defect in the appointment or nomination, of any of its members.

Meeting of Society

12. (i) The Society shall meet whenever the Chairman thinks fit, provided that 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, specify in 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 Governing Body of the Society herein after called the Board of Governors of the Board.
14. Every members of the society shall ipso-facto 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 the member of the Board including the right to vote at that meeting.
16. The Board shall function, notwithstanding any vacancy there in and notwithstanding 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 its members.

17. 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 and 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 other 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 matters, 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 examination for conformance 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 the 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, sub-committees or the Chairman such of its powers for the conduct of its business as it may deem fit subject to the conditions that action taken by any committee or sub-committee or the Chairman under the power 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 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 proceedings such meeting shall be furnished to the Central government and Himachal Pradesh 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 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 of opinion of the majority shall prevail.
- (iv) Each member of the Board, including the Chairman shall have one vote and, if there shall be an equality of votes of 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 member 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 and 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.

Executive Committee Composition, Powers, Meetings. etc

- 19 (i) The following members of the Board shall constitute an Executive Committee:-
 - (a) The Commissioner Tourism, Himachal Pradesh Government.
 - (b) Two of the representatives of the Central Govt. to be specified by the Central Government.
 - (c) The expert nominated by the Central Govt. to the Board and
 - (d) the Principal.
 - (e) One of the representatives of the Himachal Pradesh Government to be specified by them.
 - (ii) The Commissioner Tourism, Himachal Pradesh Government shall be the convenor of the Executive Committee.
 - (iii) Should any of the specified representative of the Central govt. and State Govt. be prevented from attending a meeting of the Executive Committee, he shall be at liberty to appoint an authorized and alternate for that meeting and such an alternate shall have all the rights and privileges of a member of 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 of the powers and functions of the Board subject to the general superintendence, directions 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 existence 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 ten day's 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 ipinion 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 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 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 view on the resolution.

PRINCIPAL

- 24 (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 eb 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 any Committee to his charge.
 - (iv) The Principal shall act as Secretary to the Society, the Board, the Executive Committee and 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.

Budget Accounts Audit & Reports

25. (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 Govt. and the Himachal Pradesh Government, 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 Himachal Pradesh Government, 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 Himachal Pradesh Government, after scrutiny of the budget estimates, the statement of accounts and the report referred to in sub rules (i) and (ii) of with comments, and the Society shall comply with such comments or otherwise explain the matter to satisfaction of the Central and/or the Himachal Pradesh Govt. as the case may be Government.
- (iv) The Society shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be prescribed by the Central Govt. or the Himachal Pradesh Government.
- (v) The Society shall have the accounts of the Society audited in such manner as the Central Government or the Himachal Pradesh Government and to forward annually to the Central Government and the Himachal Pradesh Government, 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 an 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 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 instrument 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 authorize any person to enter into contracts on behalf of 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 (21 of 1860) after obtaining the previous consent of the Central Government and the Himachal Pradesh Government in that behalf.

Alteration etc. of purposes and of rules

- 29. Subject to the prior approval of the Central Government, and the Government of Himachal Pradesh, the Society may alter, extend or abridge any purpose of 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 Government and the Himachal Pradesh Governments by a resolution passed by a majority of two-thirds of the members present at any meeting of the members present at any meeting of the Society which shall have been duly convened for the purpose.