

RULES AND REGULATIONS

OF THE

INSTITUTE OF HOTEL MANAGEMENT CATERING & NUTRITION, BATHINDA, PUNJAB SOCIETY

AMENDED

The 11th March 2020

SHORT TITLE

1. These Rules and regulations may be called "Rules and Regulations of Institute of Hotel Management, Catering & Nutrition, Bathinda (Punjab) Society"

DEFINITION

2. In these rules-
 - a) 'Society' means the Institute of Hotel Management, Catering & Nutrition Bathinda Punjab, Society.
 - b) 'Institute' means the Institute of Hotel Management, Bathinda Punjab.
 - c) 'Central' Government means Ministry or Department in 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 & Nutrition. In these Rules and Regulations, the Principal shall also mean Secretary of the Society, wherever the context so required.
 - f) The State Government means the Department of Tourism, Punjab

REGISTERED OFFICE

3. The office of the Society shall be situated at Bathinda (Punjab) or any city or town in the State of Punjab where to 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 State Government i.e Principal Secretary, Tourism, Punjab- ex-officio.


Principal/Secretary

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- b) Four representatives of State Government of Punjab, one being the Secretary finance and the other being the Director of Technical Education and Training, Government of Punjab Government ex-officio or if there be no such person the officer who is for the time being; the administrative head of department which is in-charge of Finance Department/technical education, whether in addition to other functions or otherwise.
- c) Two members' representatives of Central Government with Joint Secretary / Joint Secretary level office in-charge, HRD Division, Ministry of Tourism, Government of India or their Nominee. ⁽¹⁾
- d) The Director (Studies) of National Council for Hotel Management and Catering Technology, Noida.
- e) An expert on catering technology to be nominated by the State Govt.
- f) Two persons from the Hotel Industry to be nominated by the State Government.
- g) The Principal of the Institute, ex-officio- Member Secretary.
- ii) The State Government may at any time appoint any other 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 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 address, the address in the roll of members shall be deemed to in his address.
7. Should any member of the Society (other than the Chairman), the Expert on Catering Technology nominated by the State Government and the Principal, Institute of Hotel Management, Bathinda, Punjab be unable to attend a meeting of the Society, he may appoint an authorized 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.

⁽¹⁾ Amended vide File No. 9(1)/2018-HRD dated 12th September 2018 from Ministry of Tourism (HRD Division) Government of India and BoG Resolution in 21st Meeting – Agenda 21 S.A-1

TENURE OF MEMBERS

8. 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 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 State Government under Rule 4(i)(e) and Rule 4(ii) shall ordinarily be 3 years unless terminated earlier under Rule 8 (ii).

CESSATION OF MEMBERSHIP

9. A member of the Society shall cease to be 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, they can be removed from the membership of the Society without leave of the Chairman.

RESIGNATIONS

10. i) The Chairman may resign his office by a letter addressed to the State Government and his resignation shall take effect from the date it is accepted by the State 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 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 member.

MEETING OF THE SOCIETY:-

12. i) The Society shall met 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 in such notice as he may deem fit.

iii) Four members of the Society including any representative authorized under Rule 6 shall constitute a quorum at any meetings.

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 Financial Controller on any financial matter, the same would be referred to the Department of Finance, State Govt.

v) Each member of the Society, including the Chairman, shall have one vote and if there shall be an equality of 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 Presided 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 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 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 affairs of the Society and its income and property shall be vested in the hereinafter call 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 State Govt. and the Principal of the Institute of Hotel Management, Catering & Nutrition, Bathinda, Punjab 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 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 State Government or instructions/ orders issued by them from time to time the Board may frame/ amend their bye-laws to provide for all or any of the following matters:-

- (a) The formation of Department 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 methods of appointment and determination of terms and conditions of service of teaching and other staff of the Institute subject to prior approval of the State Government in all such matters.
- (e) The constitution of pension and providing 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, be 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 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 fifteen days' notice shall be given of each such meeting and a copy of the proceedings of such meeting shall be furnished to the State 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) Four members of the Board, including any representative authorized under Rule 13 shall constitute a quorum at any meeting of the Board⁽²⁾.
- (iii) 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 Financial Controller on any financial matter, the same would be referred to the Department of Finance, State Govt⁽³⁾.
- (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 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 had been passed at a meeting of the Board, Provided that at least five member of the Board have recorded their views on the resolutions.

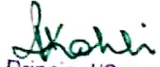
EXECUTIVE COMMITTEE COMPOSITION, POWERS, MEETINGS ETC.

19. The Executive Committee of the IHMCN Society shall constitute of following Members:⁽⁴⁾

Sr. No.	Composition of Executive Committee
i.)	Director, Department of Tourism and Cultural Affairs, Govt. of Punjab – Convener
ii.)	Deputy Secretary, Tourism and Cultural Affairs, Government of Punjab
iii.)	Representative of Department of Finance not below the rank of Deputy Secretary.
iv.)	Director, Department of Technical Education, Govt. of Punjab or Nominee
v.)	Secretary/ Principal, IHMCN Society, Bathinda

(2)(3)(4) Amended vide File No. 9(1)/2018-HRD dated 12th September 2018 from Ministry of Tourism (HRD Division) Government of India and BoG Resolution in 23rd Meeting – Agenda 23.4

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20. It shall be the duty of the Executive Committee to see that the decisions taken by the Board of Governors are implemented.
21. The Executive Committee shall exercise all or any of the powers and functions of Board of Governors, 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 of proceedings of the Executive Committee shall be invalid merely by reason of the existence of any vacancy therein or of any defect in the appointment or nomination on 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 State Government as soon as possible after meeting provided that the convener 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 Executive Committee shall be presided over by the Director, Department of Tourism and Cultural Affairs, Govt. of Punjab – Convener.⁽⁵⁾
- (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 State Government representative, the same would be referred to the Department of Tourism, State Govt. for a decision.⁽⁶⁾
- (v) Each member of the Executive Committee including the Chairman elected for the meeting shall have one vote, and if 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 necessary for the Executive Committee to perform, except such as 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 as had been passed in a meeting of the Committee; PROVIDED that at least three members of Committee have recorded their views on the resolution.

⁽⁵⁾⁽⁶⁾ Amended vide File No. 9(1)/2018-HRD dated 12th September 2018 from Ministry of Tourism (HRD Division) Government of India and BoG Resolution in 23rd Meeting – Agenda 23.4

PRINCIPAL

24(i) The Board shall, with the prior approval of the State 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 Committees of the Society of the Board. He shall discharge all functions of the Secretary as provided in the 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 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.

ACCOUNTS, AUDIT AND REPORTS.

25. Within six months of the closing of the previous financial year the Society shall submit to the State Government for their approval Budget Estimates for the opening 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 State Government may issue in this respect.

SOCIETY TO BE SUED IN THE NAME OF THE SECRETARY:-

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

27. All contracts for and on behalf of the Society shall be executed by the Principal of the Institute if the value of the contract is Rs.30,000/- or less and the principal of the Institute and the convener of the Executive Committee if the value of the contract exceeds Rs.30,000/- 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 ETC, OF PURPOSES AND RULES.

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

(ii) These Rules may be altered with the consent of the State Govt. at any time 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.

29. The Society may be dissolved in accordance with the provisions of Sections 13 and 14 of the Societies Registration Act (21 of 1860) after obtaining the previous consent of the State 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 of the Act shall be disposed off as the state Government may determine.

⁽¹⁾Amended vide File No. 9(1)/2018-HRD dated 12th September 2018 from Ministry of Tourism (HRD Division) Government of India. Resolution for the amendment is approved in 21st Board of Governors Meeting held on 26th February 2019 as Supplementary Agenda 21.S.A-1.

⁽²⁾⁽³⁾⁽⁴⁾⁽⁵⁾⁽⁶⁾Amended vide File No. 9(1)/2018-HRD dated 12th September 2018 from Ministry of Tourism (HRD Division) Government of India and BoG Resolution in 23rd Meeting – Agenda 23.4