

**RULES & REGULATIONS  
OF  
INSTITUTE OF HOTEL MANAGEMENT CATERING TECHNOLOGY  
AND APPLIED NUTRITION (JHARKHAND) SOCIETY**

**1. SHORT TITLE**

These Rules and Regulations may be called "Rules and Regulations of the Institute of Hotel Management Catering Technology and Applied Nutrition (Jharkhand) Society".

**2. DEFINITION**

In these rules –

- (a) "Society" means the Institute of Hotel Management, Catering Technology and Applied Nutrition (Jharkhand) Society.
- (b) "Institute" means the Institute of Hotel Management, Catering Technology and Applied Nutrition, Ranchi.
- (c) "Central Government" means Ministry of Tourism 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 and Applied Nutrition, Ranchi. In these Rules and Regulation, the "Principal" shall also mean Secretary of the Society, wherever the context so requires.
- (f) State Government means the Department of Tourism, Government of Jharkhand.

**3. REGISTERED OFFICE**

The office of the Society shall be situated at Ranchi or any city or town in the State of Jharkhand where it may be removed pursuant to a resolution passed in that behalf by the Board of Governors of the Society.

**4. MEMBERSHIP**

- (i) The Society shall consist of the following members:
  - (a) Chairman – Secretary Tourism, Jharkhand Government.
  - (b) Two representative of the Central Government:

- (1) Additional Director General, Ministry of Tourism, Government of India.
  - (2) Financial Adviser, Ministry of Tourism, Government of India.
  - (c) Three representatives of State Government of Jharkhand:
    - (1) Secretary Finance, State Government or his/her nominee;
    - (2) Director, State Tourism Department; and
    - (3) Director of Technical Education and Training, Jharkhand.
  - (d) Director, National Council for Hotel Management and Catering Technology, Noida to be nominated by Central Government.
  - (e) Two members from Hotel and Restaurant Association of Jharkhand to be nominated by State Government.
  - (f) One member representing Federation of Hotel & Restaurant Associations of India (FHRAI) to be nominated by the State Government.
  - (g) The Principal of the Institute – ex-officio.
  - (ii) The State Government may at any time appoint not more than two experts to be members of the Society.
5. The Society shall keep a roll of members and every members 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 privilege 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 be his address.
7. Should any member of the Society (other than the Chairman, Director, National Council for Hotel Management and Catering Technology, Noida and the Principal of Institute of Hotel management Catering Technology and Applied Nutrition, Ranchi) be unable to attend a meeting of the Society, he may appoint authorized representative as proxy to take his place at the 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 the meeting.

(112)

## 8. 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 nominated by the State Government shall continue to be a member during the pleasure of the State Government.
- (iii) The member of the Society representing the Hotel and Restaurant Association of Jharkhand region or FHRAI 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 of Jharkhand upon a request to that effect being made by the said Association/Federation.
- (iv) Every member not covered by sub-rule (i), (ii) and (iii) 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.

## 9. CESSATION OF MEMBERSHIP

A member of the Society shall cease to be a member of the Society, if he dies, resigns, become 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 obtaining leave of absence from the Chairman.

## 10. RESIGNATION

A member may resign office by a letter addressed to the Chairman under intimation to the authority by whom he was nominated and such resignations shall take effect from the date it is accepted by the Chairman.

## 11. VACANCIES

The Society 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 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 its members.

## 12. MEETINGS 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



(11)

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.

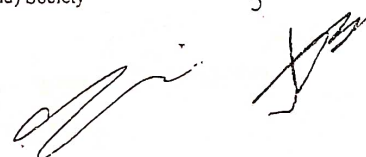
- (ii) For every meeting of the Society fifteen days notice shall be given provided that the Chairman may, for reasons to be recorded, call a special meeting on such short notice as he may deem fit. The accidental omission to give notice to or the non-receipt of notice of any meeting by one or more members shall not invalidate the proceeding at that meeting.
- (iii) Five members of the Society including any representative authorized under Rule 7 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.
- (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 arrived 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.

### **13. BOARD OF GOVERNORS, COMPOSITION, POWERS, VESTING ETC.**

The general superintendence, direction and control of affairs of the Society and its income and property be vested in the Governing body 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, Director, National Council for Hotel Management and Catering Technology, Noida and the Principal of Institute of Hotel management Catering Technology and Applied Nutrition, Ranchi) be unable to attend a meeting of the Board, he may appoint authorized representative as 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 frame work of the policy laid down by the Government of Jharkhand or instructions / orders issued by them from time to time, 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 thereof 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 Board or any committee or sub-committee appointed by the Board or as to any of the matters of things within the powers or under the control of the Board provided that the same shall not be consisted with the Memorandum of Association or the rules and regulations of the Society. Without in any manner derogating from the generally of the foregoing powers, the Board may make from time to time alter and repeal bye-laws as to all or any of the following matters namely:
- (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 determinations of the 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 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



- (189)
- (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 Governor or outsiders.
  - (iii) The Board may, by resolution, delegate to a committee or the Chairman such of its powers of the conduct of its business as 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 resolution 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) 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 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

(100)

and binding as if such resolution had been passed at a meeting of the Board, provided that at least five members of the Board have recorded their views on the resolution.

**19. EXECUTIVE COMMITTEE COMPOSITION, POWERS, VESTING ETC.**

- (i) The Executive Committee shall also be the Finance Committee of the Society. Out of the members of the Board of Governors, following shall constitute an Executive Committee:
  - (a) The Director Tourism of State Government, or if there be no such person, the officer, who is for the time being the administrative head of the Department whether in addition to other functions or otherwise;
  - (b) Secretary Finance, State Government or his/her nominee;
  - (c) One of the members of the Hotel & Restaurant Association of Jharkhand to be specified by the State Government;
  - (d) Director, National Council for Hotel Management and Catering Technology, Noida; and
  - (e) The Principal of the institute – ex-officio.
- (ii) The Director Tourism or if there be no such person the officer who is for the time being the administrative head whether in addition to other functions or otherwise shall be the Convener of the Executive Committee.
- (iii) Should any of the specified representatives of State Government be prevented from attending a meeting of the Executive Committee, he shall be at liberty to appoint and authorize an alternate for that 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 decisions taken by the Board of Governors are implemented.

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

22. The Executive Committee shall function, 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 reasons of the existence of any 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 proceeding of such meeting shall be furnished to the Board of Governors and to the State Government as soon as possible after the 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 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 State 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 the same shall be referred to the Board for a decision.
- (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 resolution so circulated and approved by the majority of the members signing shall be as effectual and binding as if such resolution have been passed in a meeting of committee; 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 with the prior approval of the State Government in accordance with such qualification and experience method of recruitment and under such terms & conditions of service as the Board may determine with the prior approval of the State Government.



- (106)
- (ii) The Principal shall be custodian of records and the funds of the institute and such other property of the institute as the Board may commit to his charge.
  - (iii) The Principal shall be the Principal academic and Executive Officer of the institute and shall be responsible for imparting of instruction and the maintenance of discipline. All other staff of the Institute shall be subordinate to the Principal.
  - (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.

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

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 ensuing year, along with a report on the working of the institute and an Audited 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 direction as the Central Government may issue in this respect.

## **26. SOCIETY TO BE SUED IN THE NAME**

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 contracts for and on behalf of the Society shall be executed by the Principal of the institute.

## **28. ALTERATIONS ETC.**

- (i) Subject to the prior approval of the State Government the society may alter, extend or abridge any purpose for which it is established provided it carries out the procedure prescribed in that behalf by Act XXI of 1860.
- (ii) These rules may be altered with the consent of the State Government at any time by a resolution passed by a majority of 2/3<sup>rd</sup> of the members present at any meeting of the society which shall have been duly convened for the purpose.

(105)

29. The society may be dissolved in accordance with the provision of Section 13 & 14 of the Society Registration Act (XXI of 1860) after obtaining the previous consent of the Central Government.
30. If on the winding up of the dissolution of the Societies there shall remain after the satisfaction of all its debts & liabilities, any property, whatsoever, the same shall not be paid to any of its members or distributed amongst them, but subject to Provision of section 14 of the Act shall be disposed off as the Central Government may determine.

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7



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