

# **"RULES OF REGULATIONS"**

**Institute of Hotel Management  
Catering Technology & Applied  
Nutrition  
Gwalior**

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

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**SHORT TITLE**

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

**DEFINITION**

2. In these rules -

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

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

(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 & Applied Nutrition, Gwalior. 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 Madhya Pradesh.

**REGISTERED OFFICE**

3. The Office of the Society shall be situated at Gwalior or any city or town in the State of Madhya Pradesh 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 Madhya Pradesh Administration, one being the Director of Technical Education and Training, Government of Madhya Pradesh 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 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) A representative of the Hotel and Restaurant Association of Region to be nominated by the ~~State~~ Government of ~~Madhya Pradesh~~. *INDIA*.
  - (f) The Principal of the Institute, Ex-Officio.
- (ii) The Central 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 be his address.
7. Should any member of the Society (Other than the Chairman, the Expert in Catering Technology nominated by the Central Government and the Principal, Institute of Hotel Management, Catering Technology & Applied Nutrition, Gwalior, be unable to attend a meeting of the Society, he may appoint an authorised 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.
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.

TENURE OF  
MEMBERS

- (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~~ member of the Society representing the Hotel and Restaurant Association of Madhya Pradesh 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 of Madhya Pradesh upon a request to that effect being made by the said association.

(iv) Every member (including the Chairman) not covered by sub-rule(i) and (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 renomination as the case may be.

#### POSITION OF MEMBERSHIP

9. 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 obtaining leave of absence from the Chairman.

#### RESIGNATIONS

10. (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 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 its members.

#### MEETING OF THE SOCIETY

12. (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 held. Further that the

annual general meeting of the Society shall be held atleast 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 authorised under Rule 7 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 Ministry of Finance on any financial matter, the same would be referred to the Ministry of Tourism and the Finance Ministry 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 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.

BOARD OF  
GOVERNORS  
COMPOSITION  
POWERS  
VESTING ETC.

13. The general superintendence, direction and control of the affairs of the Society and its income and property shall be vested in the Governing body hereinafter called the Board of Governors or 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 Govt. and the Principal of the Institute of Hotel management Catering Technology & Applied Nutrition, Gwallor be unable to attend a meeting of the Board, he may appoint an authorised 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 frame work of the policy laid down by the Govt. of India, 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 generality of the foregoing powers, the Board may make from and from 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 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 fifteen 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 less than two members, call a special meeting.
- (ii) Five members of the Board, including any representative authorised under Rule 15 shall constitute a quorum at any meeting of the Board.
- (iii) In case of difference of opinion amongs 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 and the Finance Ministry 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 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 members of the Board have recorded their views on the resolution.

EXECUTIVE  
COMMITTEE  
COMPOSITION,  
POWERS,  
MEETINGS 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 incharge 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.
  - (c) The expert nominated by the Central Government to the Board of Governors, and
  - (d) The Principal of the Institute.
- (ii) 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 incharge of technical education whether in addition to other functions or otherwise shall be the Convenor of the Executive Committee.
  - (iii) Should any of the specified representatives of the Central Government be prevented from attending a meeting of the Executive Committee, he shall be at liberty to appoint and authorise as alternate for that meeting and such as alternate shall have all the rights and privileges of a member of the Executive Committee including the right to vote at the meeting only.
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 the 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 or 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 of any of its members.

23. (i) The Executive Committee shall meet as often as necessary and atleast 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 Government 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 Convenor 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 Ministry of Tourism and the Finance Ministry 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 whcih 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 had been passed in a meeting of the Committee; PROVIDED that at least three members of the Committee have recorded their views on the resolution.

PRINCIPAL

24. (i) There shall be a Principal of the Institute to be appointed by the Board with the prior approval of the Central Government in accordance with such qualifications and experience and methods of recruitment and under such terms and conditions of service as the Board may determine with the prior approval of the Central Government.
- (ii) The Principal shall be the 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 for the proper administration of the Institute and 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 Committees 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.

ACCOUNTS, AUDITED  
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 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 directions as the Central Government may issue in this respect.

SOCIETY TO BE  
USED IN THE NAME

26. 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 if the value of the contract is Rs.10,000/- or less and the Principal of the Institute and the convenor of the Executive Committee if the value of the contract exceeds Rs.10,000/-. The Board may also authorise any person to enter into contracts on behalf of the Society subject to such restrictions and conditions as the Board may impose.

ALTERATIONS ETC.

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 behalf by Act XXI of 1860.

(ii) These Rules may be altered with the consent of the Central 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 Central Government.

30. If on the winding up or the dissolution of the Societies 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.

**Institute of Hotel Management  
Catering Technology & Applied  
Nutrition  
Gwalior**

**BYE-LAWS**

INSTITUTE OF HOTEL MANAGEMENT  
CATERING TECHNOLOGY & APPLIED NUTRITION,  
(GWALIOR) SOCIETY, GWALIOR (M.P.).

BYE-LAWS

N.B:- The procedure prescribed and powers delegated in these bye-laws should be read with the obligations cast on the Society vis-a-vis the Central and State Governments in its memoranda and rules as well as in any instructions or directions issued by the Central and State Governments to the Society.

Definition:- In these bye-laws, except where the context indicates otherwise,

- (i) The expressions 'SOCIETY' 'BOARD' 'EXECUTIVE COMMITTEE' 'SECRETARY' 'INSTITUTE' 'STATE - GOVERNMENTS' AND 'CENTRAL GOVERNMENT' shall have the ~~same~~ meaning assigned to them in the memorandum and or the rules of the Food <sup>(IHM)</sup> Craft Institute (M.P) Society, and
- (ii) 'financial year' shall mean the financial year followed by the State and Central Governments.

I. Bye-laws relating to financial budgetary and Accounts matters.

Budget Procedure

- (1) The Budget estimates shall be prepared in the Annexure I of this bye-laws and shall be submitted by the Secretary with such explanatory notes and recommendations as may be necessary for consideration at a meeting of the Executive Committee to be held not later than 31st of July of the preceding financial year. The Executive Committee shall consider the budget estimates and may approve them or offer such comments or suggest such changes as it may consider necessary and appropriate.
- (2) The budget estimates of each financial year as approved by the Executive Committee, shall be placed before a meeting of the Board to be held before the 15th of August of the preceding financial year. The Board shall consider the budget estimates and may approve them or offer such comments or suggest such changes as it may consider necessary and appropriate.
- (3) Copies of the budget estimates and explanatory notes there on shall be sent to each members of the Executive Committee and the Board by registered post at least ten clear days before the meeting of the Executive Committee or the Board at which these estimates are to be considered.
- (4) The budget estimates of each financial year as approved by the Board and accepted by the State and Central Government shall be reviewed and revised estimates prepared at the time of preparation of the budget estimates for the ensuing financial year. These revised estimates shall be submitted to the executive Committee, the Board and the State and Central Governments successively as indicated in bye-laws I(1), (2), (3) and (4) along with the budget estimates of the ensuing financial year.

(5) While submitting the budget estimates to the Executive Committee and the Board the Secretary shall group the individual items in the estimates into a number of small groups. A specimen of grouping given in Annexure-II to these bye-laws. The approval by the Board of the budget estimates shall constitute an approval of such grouping also. After estimates have been approved by the Board, the Executive Committee shall have full powers to effect adjustments among the items within a group so long as the total expenditure estimate for the group is not exceeded. The Board shall have full power to effect adjustments between one group and another.

POWER OF EXPENDITURE:

(6) Subject to the availability of funds in the approved budget estimates, and subject further to such bye-laws, regulations or instructions as have been or may be laid down by the Board of Governor the procedure to be followed and the powers to be exercised by various authorities in regard to specific types or classes of cases such as the creation of posts, appointments, purchase of stores etc, expenditure out of the funds of the society, may be sanctioned by the following authorities to the extent indicated below:

Sl. No.	Nature of Expenditure	Sanctioning Authority	Extent of Power
1)	Capital Expenditure	Secretary Board	Rs.3000/-per item at a time with quotation. Full powers with quotation.
2)	<u>Revenue Expenditure</u>		
	a) Repetitive or recurring	Secretary Executive-Committee The Board	UptoRs.3000/-per month. Rs.10000/-per month. Full powers.
	b) Non-Repetitive or Non-recurring	Secretary Executive-Committee The Board	Upto Rs.3000/- in each item. Rs.10000/- Full powers.
	<u>c) Maintenance</u>		
	i) Major	Secretary	Rs.3000/-at a time
	ii) Minor	Secretary	Rs.1000/-at a time
	To sign cheques on account of Salaries of Staff	Secretary (Principal)	Full powers
	Payment of Electricity, Water/Telephone bills by cheques	Secretary (Principal)	Full powers

Explanation: The Expression 'repetitive' and 'non-repetitive' imply a distinction between sanctions which involve repeated payments of a fixed figure at definite intervals and sanctions which involve expenditure on one single item or a number of close by related items and which case to be effective as soon as this expenditure has been incurred. For instance, if furniture is hired or if a shed is taken on rent etc., the sanction once accorded is a standing for repeated payments of a stated amount every month, if on the other hand sanction is accorded to purchase of stores, stationery etc., each sanction can cover only a single item or a number of closely related items and sanction will expire as soon as the purchase has been completed.

Record of Sanctions:-

(7) The approval of the budget estimates by the Board shall be regarded as equivalent to financial sanction in respect of the following items in the respective recurring expenditure budget account.

- 1) Staff Salaries:  
(Salaries including D.A., C.C.A., H.R.A., contribution to the P.F. (Leave Salary and Pension contribution Travel Expenses and honoraria, medical charges and Uniforms).
- 2) Student activities.
- 3) Operational costs (All sub heads).
- 4) Expenditure on Training food.
- 5) Miscellaneous academic expenses (All sub heads).
- 6) Office Expense (Excluding advertisement and publicity).
- 7) Bank charges.

The remainder of the items of the recurring expenditure should be covered by sanctions given by the appropriate authorities and recorded before the expenditure is actually incurred. The sanction should be issued in the form annexure-III to these bye-laws. As regards salaries sanction will be accorded once in a year (Secretary of Food Craft Institute will distribute the same every month).

Bank Accounts and Withdrawals.

(8) The Bankers of the Society shall be the State Bank of India. All the moneys at the disposal of the Society, with the exception of the permanent advance referred to in bye-laws I (10) and money deposited in the fixed deposits or invested in accordance with such rules or bye-laws as may be laid down for the purpose shall be deposited into the Society's account in the Bank and shall not be withdrawn except on cheques signed by the Secretary of the Society provided that Cheques exceeding Rs. 3000/- (Rupees Three Thousand) shall be countersigned by District Collector, Gwalior except for those cheques for Staff salaries as mentioned in 7(1) and rent, electricity bills, water bills, Telephone bills and advances. The member who so countersigns will satisfy himself that the expenditure has been sanctioned by the competent authority and that the Secretary's pay order has been duly recorded. The cheque books and other documents relating



Permanent Advance:

(9) A sum of Rs.1000/- (Rupees One Thousand) shall be placed at the disposal of the Secretary as a permanent advance for meeting office contingencies, petty expenditure and miscellaneous or emergent payments, exceeding Rs.100/- (Rupees One Hundred) in amount shall as far as possible be made by cheque. The secretary may in turn place the permanent advance in the custody of a responsible administrative official of the Institute. The expenditure out of permanent advance shall be incurred in accordance with the relevant bye-laws. An account of such expenditure shall be maintained and the permanent advance shall be recouped as often as may be necessary and in any case not less frequently than once in a week.

Maintenance of Accounts.

(10) The accounts of the Society shall be maintained by the Secretary in accordance with the normal commercial principles of double entry book keeping, and all the necessary accounts documents and books shall be maintained in accordance with common commercial practice, with particular reference to the practice prevalent in catering establishments.

Audit:

11) The Accounts of the Society shall be got audited annually by a chartered Accountant to be appointed by the Board.

Submission of audited accounts to the Board.

(12) The audited accounts of the Society for each financial year together with the auditor's report thereon and accompanied by such documents notices, etc. as may be necessary shall be placed by the Secretary before the Board at a meeting to be held on such date or dates as may enable the Society to submit the said accounts and documents duly approved by the Board to the State and Central Governments by the date prescribed for such submission.

II-Creation of posts and appointments:

Creation of Posts:

(1) Subject to the availability of funds in the approved budget estimates power and of creation of posts should be vested solely on the Board of the recommendation of the Executive Committee and the appointment to posts so sanctioned shall be made by the following authorities to the extent indicated.

<u>Appointing authority</u>	<u>Extent of Powers</u>
The Secretary	Full powers in respect of the appointment to class IV.
The Executive Committee	Full powers in respect of the appointment to Class III posts.
The Board	Full powers in respect of Class I and II.

(2) The powers of creation of posts vested by bye-law II (1) above shall be exercised by the Board within the guiding lines provided by structure of posts and pay scales as approved by the Board.

Record of sanctions to posts.

(3) Sanctions to the creation of posts shall be recorded in one of the forms (as may be appropriate given in Annexure IV and these shall be filled in a register of sanctions for posts.

Appointments - Procedure

(4) When one or more appointments have to be made, the authority competent to make the appointments shall first lay down the requirements as clearly and in as detailed a manner as possible viz. the duties to be performed the requirements in terms of educational or other qualifications and practical experience the appropriate age limits etc. indicating whether and if so to what extent, these could be relaxed if the need arises, and shall then decide whether the appropriate method(s) of recruitment to the given post(s) would be recruitment from the open market, or the promotion of suitable persons already in the employment of the society, or the borrowing of the services of experienced persons or in the employment of the State or Central Governments or other organisations, or a selection from amongst suitable persons recommended by the members of the Board or the Executive Committee or brought other wise to the notice of the appointing authority or a combination or several of these methods.

(5) In the event of recruitment from open market the vacancies shall be given as wide a publicity as possible by means of advertisement in a number of prominent news papers, (all over India).

(6) In the event of promotion from amongst persons already in the employment of the society, the field of choice shall first be defined, i.e. the post or posts from which promotion to the given vacancy should be made, the length of service which the person to be selected should possess in capacities to be specified etc., and then a selection shall be made from amongst all the eligible candidates in the field of choice.

(7) For all appointments exceeding the power of the Secretary the Selection of candidates for appointment shall be made by a standing selection committee to be appointed by the Board. The selection committee may coopt others as advisers. The recommendations of the selection committee shall be placed before the authority competent to accord final approval to the proposed appointment or appointments.

Form of offer of appointment and joining report.

(8) After the competent authority's approval for appointment is accorded the actual offer of appointment shall be signed for and on behalf of the Society by the Secretary in the form given in Annexure VI to these bye-laws. After an acceptance of the offer is received from the selected candidates he or she should be required to fill in and sign a report of having joined duty in the form given in Annexure VI.

III. Purchase of equipment, Stores and supplies.

Purchase Powers:-

(1) The powers of various authorities in the Society for incurring expenditure on purchase of equipment, stores and supplies of all kinds shall be the same as the general powers of expenditure vested in them by bye-law I (7).

Methods:-

(2) Items of equipment, materials, furnishing linen fillings and fixtures, stationary, and other articles of stores required by the Society shall as far as possible be purchase by the system of open tender i.e. by advertisement through important news papers.

Provided that where the articles or stores sought to be purchased are know to be available only from a small number of reputed manufacturers, suppliers or dealers a limited tender enquiry may be addressed to all these manufacturers, suppliers or dealers instead of an advertisement in the news papers.

and Provided further that where the articles or stores to be purchased are of proprietary nature and are available only from a single ~~source~~ source the purchase may be made by means of direct negotiations with that single source of supply.

(3) The method of limited tender or direct negotiations with a single party may also be followed if (a) an urgents purchase has to be made and the time involved in the system of open tenders is not practicable for any reason. In such cases the purchasing authority should record its reason for an open tender.

Acceptance of tender:-

(4) Where purchase are made through open or limited tender, the lowest tender shall ordinarily be accepted, provided the tender is in accordance with the terms of the advertisement or enquiry issued by the purchasing authority.

If for any reason the purchasing authority de-

cides to accept tender other than the lowest the reason for doing so shall be recorded.

Form of tender enquiry:-

(5) Where tender enquiries are issued whether by means of advertisement or by means of a letter addressed to a limited number of suppliers. The following points shall be borne in mind.

- (a) enquiries shall be addressed by the Secretary for and on behalf of the Society and acceptances of tender shall be similarly signed.
- (b) a time-limit shall be set for a receipt of tenders (which shall be required to be submitted in sealed envelopes), and a time and place specified for the opening of tenders;
- (c) the enquiry shall clearly set forth the quantity and specifications of the articles or stores required the place and mode of delivery, the time by which delivery is required, the arrangements for the inspection of the articles or stores prior to acceptance (if considered necessary), the payment procedure etc. The form of enquiry given in Annexure V to these bye-laws may be used as a specimen (N.B. that form is only a specimen and may suitably be varied in accordance with the nature of the material required).

Contractual implications:-

(6) As the issue of letters of enquiry, the receipt of quotations and then acceptance will together amount to an agreement binding upon the Society, the bye-laws relating in contracts contained in Section IV of these bye-laws shall be borne in mind in inviting and accepting quotations and in placing orders for suppliers.

IV-Contracts.

Authorities competent to approve contracts.

(1) The form and substance of contracts involving financial consideration exceeding the expenditure powers of the Secretary shall require approval by the Executive committee, and the form and substance of contracts involving a financial consideration exceeding the expenditure power of the Executive Committee shall require approval by the Board.

Legal advice to be taken:-

(2) The drafts of all contracts involving a financial consideration exceeding Rs.3000/- (Rupees Three Thousand only) shall be shown to a Legal Advisor for advice as to the correctness of their form, before they are approved by the appropriate authority. In respect of contracts involving a financial consideration not involving Rs.3000/- (Rupees Three thousand only) the authority competent to approve the form and substance of the contracts shall at its discretion decide whether the advice of a Legal Advisor need to be taken.

General Principles to be borne in mind:- .....8.

(3) The following general principles should be observed while entering into contracts on behalf of the Society:-

(a) The terms should be precise and definite the quantity and quality of work to be done or supplies to be made, the specifications to be complied with, the time within which the work or supplies should be completed, the conditions to be observed, the security (if any) to be leged, the terms upon which the payment will be made and the penalties (if any) to be exacted for non-compliance with any of the terms and conditions should be stated clearly.

(b) The terms of the contract once entered into should not be materially varied with previous consent of the authority competent to approve the contract so varied.

(c) Provision must be made for safeguarding the properly of the society, if any interested to the contractor.

Execution:-

(4) All contracts shall be executed on behalf of the Society in the manner laid down in Rule 27 of the Rules of the Society.

V - Write off of losses etc.

Powers of specified authorities:

(1) Irrecoverable losses of stores of any kind belonging to the Society, as well as deficiencies in the value of stores included in the stock and other accounts may be written off by the following authorities to the extent indicated against each, providing that if the loss or deficiency discloses a defect in rules or procedures or if there has been serious negligence on the part of any employee of the Society the matter shall be brought to the notice of the Board for such action or it may consider necessary:-

Nature of loss	Authority	Monetary limit upto which the loss may be written off in each case.
Irrecoverable losses of stores or deficiencies in the value of Stores included in the Stock and other accounts.	a. Secretary	Rs. 300/-
	b. Executive Committee	Rs. 1000/-
	c. Board	Full powers.

Unserviceable obsolete or surplus stores:-

(2) In cases where the stores are bodily present and cannot be said to have been lost but have become unserviceable, obsolete or surplus a survey report should be prepared by the Secretary or under his direction, the stores should be declared unserviceable, obsolete or surplus as the case may be by the authority who should have been competent in times of bye-law V(1) to write off a loss equivalent their value, and the same authority shall also indicate in the same order the mode in which the stores in question should be disposed of, provided that where the said authority holds that the stores have become unserviceable, obsolete or surplus owing to negligence, fraud etc. on the part of any employees of the Society, the matter should be referred to the Board for such action as the Board may consider necessary.

Value of Stores to be written off:-

(3) The value of the stores to be written off or declared obsolete unserviceable or surplus shall be the book value where priced accounts are maintained, and the replacement value (i.e. the market value of a new article or items of stores of identical or similar nature) where no priced accounts are maintained.

-----10:-----:-----0:-----

**Institute of Hotel Management  
Catering Technology & Applied  
Nutrition  
Gwalior**

**STAFF  
REGULATIONS**

11/11

INSTITUTE OF HOTEL MANAGEMENT CATERING TECHNOLOGY &  
APPLIED NUTRITION (GWALIOR) SOCIETY, GWALIOR.

STAFF REGULATIONS

In pursuance of the relevant provision of the Memorandum of Association and Rules of the Institute of Hotel Management Catering Technology & Applied Nutrition (Gwalior) Society, Gwalior, the Board of Governors hereby makes the following regulations, namely:

CHAPTER-I

1. SHORT TITLE, COMMENCEMENT AND APPLICATIONS:

- (i) These regulations may be called the Institute of Hotel Management Catering Technology & Applied Nutrition (Gwalior) Society's Staff Regulations.
- (ii) They shall come into force at once and shall replace any other staff rules/regulations that may have been in force.
- (iii) They shall apply to all the employees of the Society. In respect of the persons employed by the Society on agreement/contract, the rules shall be those as may be specifically provided in the Contract or Agreement as the case may be. In respect of the persons appointed on deputation from the Central or State Government, all matters relating to such employees shall be governed by the terms of deputation and if on any specific matters there is no provision about the same in terms of deputation, reference should be made to the parent Government or Department as the case may be.

2. DEFINITIONS:

In these regulations, unless the context otherwise requires:-

- (a) 'Appendix' means an Appendix to these regulations;
- (b) 'Appointing Authority' means the authority prescribed in Regulation 5;
- (c) 'Board of Governors' means the Board of Governors of the Society;
- (d) 'Chairman' means the Chairman of the Board of Governors;
- (e) 'Secretary' means the Secretary of the Society;
- (f) 'Society' means the Institute of Hotel Management, Catering Technology & Applied Nutrition (Gwalior) Society;
- (g) 'Employee' means a person who is in the whole time service of the Society but does not include a person employed by the Society on daily wages;
- (h) 'Executive Committee' means the Executive Committee of the Society;



- (i) 'Institute' means the Institute of Hotel Management Catering Technology & Applied Nutrition, Gwallor.
- (j) 'Principal' means the Principal of Institute of Hotel Management Catering Technology & Applied Nutrition, Gwallor.
- (k) 'Central Government' means Ministry or Department in the Central Government dealing with the subject.

### 3. CLASSIFICATION OF POSTS:

The classification of the posts in the Society and the scales of pay attached thereto shall be as set out in Appendix II and shall be subject to such orders as may be issued by the Society from time to time in conformity with the orders/instructions issued by the Central Government from time to time.

## CHAPTER-II

### 4. STRENGTH OF STAFF:

The Board of Governors shall from time to time determine with the approval of the Central Government the strength of the staff both permanent and temporary under the various categories required for carrying out its functions subject to the norms, orders/guidelines prescribed by the Central Government from time to time.

### 5. APPOINTMENTS:

- (i) Appointments (from Appendix III) to posts in Group 'C' and 'D' shall be made by the Principal and appointments to posts in Groups 'A' and 'B' shall be made by the Board of Governors and by the Executive Committee respectively or by a duly constituted sub-Committee authorised by the Board to hold such selections provided that the appointment of the Principal shall be made in accordance with the provisions of Rule 24(i) of the Rules & Regulations of the Society.

#### (ii) Qualifications for appointments:

The qualifications for appointment to the posts in various cadres in the Institute shall be such as may be determined by the Principal/Executive Committee/Board of Governors from time to time in accordance with any orders/instructions issued by the Central Government in this regard.

#### (iii) Methods of Recruitment:

Recruitment to the posts may be made:-

- (a) by direct recruitment;
- (b) by promotion;

(c) by appointment of employees borrowed from Government Departments and other Institutes; and

(d) on contract.

Note:- Appointment to a post in any grade by promotion shall be made whether in a permanent or officiating capacity from amongst employees serving in posts in the next lower grade.

(iv) Adhoc appointment:

Notwithstanding anything contained in the above rules the Board of Governors/Executive Committee may by a general or special order and subject to such conditions as it may specify in such orders delegate to any authority the power to make adhoc appointments.

(v) Supperannuation:

(a) All employees of the Institute except Grade 'D' employees shall retire on attaining the age of 58 years provided that the Board of Governors may if satisfied that the interest of the Society so requires and in consideration of the outstanding nature of work done by an employee, extend by an order in writing, with the prior approval of the Central Government, the period of service of any employee beyond the age of superannuation on the existing terms and conditions or on re-employment or on contract service for any period not exceeding two years in aggregate. Subject to any instructions/orders issued by the Central Government in such matters, Grade 'D' employees shall retire on attaining the age of 60 years.

(b) Notwithstanding anything contained in Regulation (a) an employee shall, on invalidation by the appropriate medical authority, cease to be in service on account of complete and permanent incapacitation determined in accordance with the relevant rules applicable to comparable categories of Central Government employees from time to time.

(vi) Probation:

(a) Every employee shall, on appointment to any post (whether on promotion or otherwise) be on probation for a period of two years commencing from the date of regular appointment;.

(b) Nothing in this regulation shall apply to persons employed on deputation from Central/State Governments or an Institute.

(vii) Medical fitness:

Every person appointed for the first time to any post in the Institute shall, before joining duty in the post, be required to furnish a medical certificate of fitness in the form prescribed in Appendix-I from a competent medical authority or from an authority as may be prescribed by the Institute.

No such certificate need be furnished if;

- a) an employee has come on deputation,
- b) an employee is re-employed, provided break in the two appointments is less than 03 months;
- c) an employee has already been medically found fit.

Medical Certificate of fitness will have to be obtained by the employee concerned at his own cost. However, on production of valid receipt, the amount of fee may be reimbursed to him.

(viii) Termination of Services:

- (a) i) No employee other than a person on deputation from the Central Government or any State Government or an Institute shall leave or discontinue his service in the Institute except after giving one Month's notice in writing of his intention to do so to the Principal.
  - ii) Provided further that where an employee has completed the period of probation and stands confirmed, the period of such notice shall be three months.
  - iii) However, if an employee wants to leave service instantaneously, he may be permitted to do so by depositing with the Institute pay and allowances for the period of notice, as the case may be.
  - iv) Provided that the appointing authority may, for reasons to be recorded in writing, waive, either wholly or in part, the requirement as to payment of such an amount.
- (b) i) The Institute may at any time and without assigning any reasons, terminate the services of any employee who has not completed his probation, after giving one month's notice in writing or a month's pay and allowances in lieu thereof.
  - ii) The Institute may at any time and without assigning any reason terminate the services of an employee who has completed period of probation and stands confirmed by giving him three months notice or after paying and pay and allowances in lieu thereof.
- (c) In case of Group 'C' and 'D' employees the Principal shall be the competent authority while the Executive Committee for Group 'B' posts and above, shall be the competent authority. However, the Executive Committee will exercise this power only after the Board of Governors has accorded its approval on this behalf.
- (d) Nothing contained in these Regulations shall affect the right of the appointing authority to retire, remove or dismiss an employee without giving any notice or pay in lieu of notice in accordance with the provisions of relevant rules concerning 'conduct and discipline' of employees.

### CHAPTER-III

#### 6. GENERAL CONDITIONS OF SERVICE

In all matters relating to service conditions such as fixation of pay; increments; counting of service for increments; compulsory deductions; optional deductions; grant of special pay; personal pay; honorarium and fees; Dearness Allowance; Additional Dearness Allowance; Interim Relief; Leave Travel Concession; Compensatory Allowance; House Rent Allowance; Children Education Allowance; House Building Advance; Festival Advance; Advance for purchase of Conveyance Travel and Admissibility of Travel Allowance; Classification, Control and Appeal Rules; Conduct Rules; Contributions of Contributory Provident Fund; Joining Time; Leave Entitlement and conditions for grant of various kinds of leaves; Medical; Gratuity and Terminal Benefits; Counting of Past Services etc; the Central Government Rules on the subject, as applicable to comparable categories of Central Government Employees/Servants, shall Mutatis Mutandis be applicable to the corresponding categories of the employees of the Society subject to any orders/amendments instructions issued by the Central Government on the relevant subject from time to time, except that where the Board of Governors, with the approval of the Central Government adopts a specific provision/rule in respect of any specific service matters, the employees of the Institute shall be subject to those provisions in respect of such specified matters.

Note: (i) The above list is only illustrative and not exhaustive. All matters which may not have been spelt out above shall also be regulated in the same manner as in the case of Central Government servants of corresponding categories.

(ii) Employees of the Institute shall be eligible to contribute to GPF-cum-Pension-cum-Gratuity under the terms and conditions laid down vide Ministry of Tourism, Government of India, New Delhi letter No.1(21)/90-HMC dtd.01/01/92, as amended from time to time.

### CHAPTER-IV

#### 7. RESIDENTIAL ACCOMMODATION:

(i) Out of the residential accommodation owned by the Society, the Society may at its discretion make available such residential accommodation as it considers appropriate to pay, rank and status of an employee, and on such rate of monthly licence fee as it considers reasonable. The Society will not have any authority to hire accommodation and give it to staff members.

(ii) In deciding the suitability of such residential accommodation to an employee's pay, rank and status as well as in determining the licence fee to be recovered from the employee for such accommodation, the Society will bear in mind the scales of accommodation and the rates of house rent in force under the Central Government rules governing the allotment of residential accommodation to its employees, but the decision of the Society in regard to such questions shall be final.

(iii) If an employee refuses to accept the residential accommodation made available by the Society and if the Society does not consider his reasons for doing so adequate and acceptable, the Society may stop the house rent allowance payable to him in terms of relevant rules.

(iv) Accommodation of appropriate scale will be allotted to the employee strictly in accordance with the 'Rules' drawn up for allotment of such residential accommodation.

#### CHAPTER-V

General: Matters not covered by these Rules will be governed by Government of India's instructions in that behalf.

#### CHAPTER-VI

The following powers will be exercised by the authorities given against each:-

S. No.	Nature of Power	Extent of Power	Authority competent to exercise it
1.	<u>Matters regarding Medical Examination:</u> a) For appointment b) For grant of leave c) For any other purpose	FULL	Principal
2.	<u>Probation period:</u> a) Initial probation b) Extension of probation c) Completion of probation	FULL	Appointing Authority
3.	<u>Extension of Services:</u> Beyond Superannuation/ and re-employment/ contract employment.	FULL	Board of Governors subject to approval of the Central Govt.
4.	<u>Appointments:</u>	Group A Group B Group C&D	Board of Governors Executive Committee Principal
5.	<u>Termination of Services:</u>	Group A Group B Group C&D	Board of Governors Board of Governors Principal
6.	<u>Reduction in establishment:</u>	FULL	Board of Governors
7.	<u>Disciplinary Authority:</u>	Group C&D Group A&B	Principal Board of Governors/ Executive Committee
8.	<u>Pay fixation:</u>	FULL	Principal

S. No.	Nature of Power	Extent of power	Authority competent to exercise it
9.	<u>E.B.crossing:</u>	All Employees	Principal after approval by DPC
10.	<u>Grant of Special/Advance Increments:</u>	- do -	Appointing authority
11.	<u>Allowances-Admissibility of decision regarding</u>	- do -	Principal
12.	<u>Adoption of rate of pay and allowances</u>	All Employees	Board of Governors
13.	<u>Grant of leave - all kinds</u>	- do -	Principal
14.	<u>Detailing for duty during vacation</u>	- do -	Principal
15.	<u>Accommodation</u>	- do -	Principal
16.	<u>T.A./D.A.</u>	- do -	Principal
17.	<u>Travel by Air</u>	- do -	Executive Committee in the case of entitled officers and Board of Governors with approval of the Central Government in the case of non-entitled Officer.
18.	<u>Gratuity and other retirement benefits</u>	- do -	Appointing authority
19.	<u>Relaxation/Interpretation of any rule</u>	- do -	Board of Governors subject to approval of the Central Government.

Note: (1) In respect of any of the above matters concerning the Principal the decision will be taken at the level of the Board of Governors with the approval of the Central Government.

(2) For effecting better day-to-day administration, Principal may delegate his powers to any authority subordinate to him.

(3) Financial powers shall be exercised as per Bye-laws of the Society.

APPENDIX-I

Medical Certificate of Fitness for appointment

I, Dr. \_\_\_\_\_ hereby certify that I have examined Shri/Smt./Kum. \_\_\_\_\_ a candidate for employment in the Institute of Hotel Management Catering Technology & Applied Nutrition, Gwalior and could not discover that Shri/Smt./Kum. \_\_\_\_\_ has any disease (communicable or otherwise), constitutional weakness or bodily infirmity except \_\_\_\_\_.

I do not consider this a disqualification for employment in the Institute of Hotel Management Catering Tecnology & Applied Nutrition, Gwalior. His/Her age according to his/her own statement is \_\_\_\_\_ years and by appearance \_\_\_\_\_ years.

His/Her signature/Thumb impression are/is given below.

\_\_\_\_\_  
Name and designation of  
the Doctor.

Dated the \_\_\_\_\_.

**APPENDIX-II**  
( See Regulation 3 )

Classification of Posts and Scales of Pay

GROUP	NAME OF THE POST	NO. OF POSTS	SCALE OF PAY
A	Principal	One	Rs. 3700-5000/-
A	H.O.D.	One	Rs. 3000-4500/-
A	Senior Lecturer	Two	Rs. 2200-4000/-
A	Administrative Officer	One	Rs. 2200-4000/-
B	Lecturer	Four	Rs. 2000-3200/-
B	Office Superintendent	One	Rs. 1640-2900/-
C	Assistant Lecturer	Four	Rs. 1400-2600/-
C	Accountant	One	Rs. 1640-2900/-
C	PA to Principal	One	Rs. 1400-2300/-
C	Stenographer	One	Rs. 1200-2040/-
C	Store Keeper	One	Rs. 1200-2040/-
C	U.D.C.	Two	Rs. 1200-2040/-
C	Cashier	One	Rs. 1200-2040/-
C	L.D.C.	Two	Rs. 950-1500/-
C	Steno-typist	One	Rs. 950-1500/-
C	Maintenance/Foreman	One	Rs. 1200-2040/-
C	Electrician-cum-Mechanic	One	Rs. 1200-2040/-
C	Librarian	One	Rs. 1200-2040/-
C	Driver	One	Rs. 950-1500/-
C	Asstt. Store Keeper	One	Rs. 950-1500/-
D	Lab. Attendant	Five	Rs. 800-1150/-
D	Store Attendant	One	Rs. 750-940/-
D	Peon	Two	Rs. 750-940/-
D	Watchman	Two	Rs. 750-940/-
D	Sweeper/Safaiwala	Four	Rs. 750-940/-
D	Security Man	Three	Rs. 750-940/-
	Part-time Lecturer (English & French)	Two	Rs. 1000/- p.m.



APPENDIX - III  
(Form offer of Appointment)

INSTITUTE OF HOTEL MANAGEMENT CATERING TECHNOLOGY AND  
APPLIED NUTRITION, GWALIOR.

No. \_\_\_\_\_

Date \_\_\_\_\_

Dear Sir/Madam,

With reference to your application dated \_\_\_\_\_ the interview for which you appeared on \_\_\_\_\_, I have been authorised to offer you on behalf of the Institute of Hotel Management Catering Technology & Applied Nutrition (Gwallor), Society, Gwallor a post of \_\_\_\_\_ at the Institute.

The terms and conditions of this appointment will be as follows:-

- i) Pay: Rs. \_\_\_\_\_ per month in the pay scale of Rs. \_\_\_\_\_.
- ii) Allowances, leave, and other terms and conditions:  
These will be as laid down in the 'Staff Regulations' of the Society. The allowances etc. are comparable to those attached to similar posts under the Central Government.
- iii) Nature of appointment:  
The appointment will be on probation for a period of 24 months in the manner laid down in the 'Staff Regulations' aforesaid.
- iv) Notice of Termination:  
During the period of probation, the appointment may be terminated at any time by one months notice given by either side, viz., yourself or the Society without assigning any reasons. After your appointment is confirmed, the appointment may be terminated at any time by three months' notice given by either side without assigning any reasons. The Society, however, reserves the right of terminating your services forthwith or before the expiry of the stipulated period of notice by making payment to you of a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.
- v) You will be required to produce within one month of appointment a Medical Certificate of fitness at your own cost from a Medical Practitioner or authority nominated by the Society.

vi) Place of duty:

Your place of duty will be at the Institute of Hotel Management Catering Technology & Applied Nutrition, Gwalior or such other place as the Board of Governors of the Institute may decide.

vii) Documents to be produced:

The following original certificates should be produced for inspection and return:-

- a) Degrees, Diplomas or Certificates of Educational and other Technical qualifications.
- b) the Matriculation Certificate or other acceptable proof of your date of birth, and
- c) a Character Certificate from a Gazetted Officer of the Government of India.

If any declaration given or information furnished by you proves to be false or if you are found to have wilfully suppressed any material information, you will be liable to removal from service and such other action as may be deemed necessary.

If you accept the offer on the above terms, you should communicate your acceptance to the undersigned by \_\_\_\_\_. If no reply is received by the prescribed date, this offer will be treated as cancelled.

No travelling allowance shall be allowed for joining the appointment.

Please acknowledge receipt of this letter.

Yours faithfully,

for and on behalf of the  
Institute of Hotel Management,  
Catering Technology & Applied  
Nutrition (Gwalior) Society, Gwalior.