

CONSTITUTION



**NATIONAL INSTITUTE OF
PERSONNEL MANAGEMENT**

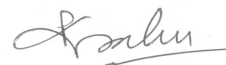
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FOREWORD

The Constitution of NIPM was adopted at the First Special General Meeting held on the 15th March, 1980 after the merger of the erstwhile IIPM & NILM. The new Constitution was printed and published immediately thereafter. Since then, the Constitution was amended sixteen times at the Special/Annual General Meetings held on 19.03.1983, 18.02.1984, 14.04.1988, 18.02.1989, 17.03.1990, 20.07.1991, 22.08.1997, 08.01.1999, 27.02.2003, 08.02.2008, 20.09.2009, 24.09.2011, 07.09.2012, 21.02.2015, 16.09.2017 and 21.07.2019. The amendments have been incorporated in this revised Edition of 2019 to facilitate easy and quick reference of the Members of NIPM.

Due care has been taken to avoid errors and omission while bringing out this revised Edition. Still, if any error or omission is noticed, we shall be grateful for bringing such errors and/or omissions to our notice for correction.

Date : 21st July, 2019



(Dr. P. K. Sahu)
Hon. General Secretary

NATIONAL INSTITUTE OF PERSONNEL MANAGEMENT
CONSTITUTION
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NATIONAL INSTITUTE OF PERSONNEL MANAGEMENT

MEMORANDUM OF ASSOCIATION

1. Name

The name of the Association shall be “**NATIONAL INSTITUTE OF PERSONNEL MANAGEMENT**” (hereinafter called the Institute).

2. Registered Office

The Registered Office of the Institute shall be situated at **Southend Conclave, Tower Block (3rd Floor), 1582, Rajdanga Main Road, Kolkata – 700 107**, but shall be transferable to any other place on the recommendation of the National Council and on approval by the General Body of members in accordance with the provisions of Regulation 56.

3. Objects

The objects for which the Institute is formed are :

- (i) To organize into an association of all persons engaged in or interested in or in connection with Human Resource Management, People Management, Personnel Management, Industrial Relations and Labour Welfare.
- (ii) To serve as a forum for exchange of ideas and experiences and collection and dissemination of information on management in general and personnel management industrial relations and labour and social welfare, in particular.
- (iii) To spread the knowledge on the principles, practices, techniques and methods regarding personnel management, industrial relations and labour and social welfare and industrial jurisprudence in all their bearings.
- (iv) To sponsor, promote, encourage, conduct and contribute to the study and research and to impart instructions in any subject touching any or all aspects of personnel management, industrial relations, labour and social welfare, industrial legislations and industrial jurisprudence, including their social, sociological, political and economic background and context.
- (v) To promote and safeguard the status and the interests of personnel management, industrial relations and labour welfare work and interests of those engaged therein.
- (vi) To pool the experience of the members to encourage and promote the development of cordial relations between employers and employees.
- (vii) To establish and maintain libraries and equip them with books on subjects concerning management in general, and in particular on personnel management, industrial relations, industrial laws and jurisprudence, labour and social welfare and all other allied and related subjects, and other publications, bulletins, records and journals.
- (viii) To promote, sponsor, submit, present deputations, memorials, petitions, representations to Local State, Union and other authorities for better laws and administration in all matters concerning any of the objects of the Institute and for healthy development of personnel management, industrial relations and labour welfare.

- (ix) To organize conferences, seminars, meetings discussions, debates, study courses, collection of statistics, exhibitions, shows, tours, trips and to establish trusts, endowments and scholarships for the promotion and furtherance of the aims and objects of the Institute.
- (x) To undertake special study of existing labour legislations with a view to suggesting improvements and indicating lines of future labour legislation.
- (xi) To represent the Institute and its interests before Local, State and Central authorities and other organizations, commissions, boards, enquiry bodies, etc. in India and abroad.
- (xii) To publish sell distribute free or otherwise, journals, magazines, publications, bulletins, books pamphlets, souvenirs and the like in furtherance of the objects of the Institute and in any event not for the purpose of carrying trade therewith.
- (xiii) To subscribe to, or affiliate, collaborate, co-operate and federate with any other society having these or similar objects either in part or in whole.
- (xiv) To conduct training courses and / or examinations in one or more aspects or personnel management, allied subjects and to award appropriate Certificates and/or Diplomas.
- (xv) To obtain any Charter, Provisional Order or Act of Parliament for enabling the Institute to carry on any of its objects into effect.
- (xvi) To acquire by purchase, taking on lease or otherwise, lands and buildings, and all other properties, movable and immovable which the Institute, for the purpose hereof, may think proper to acquire.
- (xvii) To sell, improve, manage, develop, exchange, lease or let under lease, sub-let, mortgage, dispose of, turn to account or otherwise deal with, all or any part of the property of the Institute.
- (xviii) To construct upon any premises required for the purpose of the Institute ay building or buildings for the purposes of the Institute and to alter, add to or remove any building or structure upon such premises.
- (xix) To raise any monies for the purposes of the Institute by way of special subscriptions, membership or entrance fees, donations, special fees, loans, debentures or in any other manner on such terms and conditions as may be determined.
- (xx) To create Trusts and /or Foundations out of the Institute's own funds or donations, grants, gifts or bequests made by any person or institution specifically in that behalf for any particular purpose not inconsistent with the objects of the Institute and to establish and aid in the establishments of funds for furthering the objects of the Institute.
- (xxi) To accept from the Government, organizations, institution and individuals, grants, donations, subscriptions gifts bequests, endowments, special fees, etc. for furtherance of the objects of the Institute.
- (xxii) To deposit any money or securities in the name of the Institute flit any Bank/Post Office and withdraw the same.
- (xxiii) To invest money belonging to the Institute in securities as permissible under the appropriate law.
- (xxiv) To execute, effect and do all such assurance, deed and things as may be required to perfect or complete any instruments or documents whatsoever and to register the same.
- (xxv) To demand, realize, recover, use for, receive and give effect to receipt and discharge for all monies, securities, debts, legacies, property and goods of or to which the Institute may become possessed or entitled to or which may become

due, payable or transferable to the Institute from any person or persons, entitles, organizations and authorities.

- (xxvi) To engage employees for the smooth and effective functioning of the Institute and to pay their remuneration and regulate their terms and conditions of employment or engagement.
- (xxvii) To make from time to time bye-laws for the control, conduct and regulation of the affairs of the Institute.
- (xxviii) To generally do all such things as are incidental to and/or conducive to the attainment of the above objects or any of them.
- (xxix) To take over the membership and activities of the Indian Institute of Personnel Management and the National Institute of Labour Management from the date of formation of the National Institute of Personnel Management, in terms of the Resolutions adopted by the General Bodies of the above named Institute on 17th March 1979 at Hyderabad.

4. **Indemnity**

Neither the office-bearers nor the members of the National Council and/or Chapter Executive Committees *or no* members of the Institute shall be answerable for any act done in good faith by them for the *sake* of conformity only, for any monies of the Institute other than such as shall come into their own hands or for any collection or receiver of monies appointed by the National Council/Chapter Executive Committee concerned for any misfortune, loss or damage happening to the Institute by reason or any deed executed by them as an office-bearer or a member of the National Council/Chapter Executive Committee or a member of the Institute or by reason of any error in judgment or mere indiscretion on their part in the performance of their duties or otherwise on any account, except for willful negligence or fraud. Every person being an office-bearer or a member of the National Council /Chapter Executive Committee or a member of the institute, his heirs, executors and administrators shall at all time be indemnified out of the funds of the Institute, from and against all costs, losses, damages and expenses whatsoever incurred or sustained by him in the execution of his powers of duties; and every person having been or being an officer-bearer or a member of the National Council/Chapter Executive Committee or a member of the Institute, his heirs, executors and administrators shall be indemnified and saved harmless out of the funds of the institute against him or them either severally or jointly in respect of any engagement of the Institute save such as may be incurred by his own personal willful neglect or default.



NATIONAL INSTITUTE OF PERSONNEL MANAGEMENT
REGULATIONS

Chapter I

DEFINITIONS

1. In these Regulations and the bye-laws that may be made under these Regulations unless there is anything repugnant in the subject or context :
 - (i) 'Bye-Laws' means bye-laws that may be in force from time to time under the Regulations of the Institute.
 - (ii) 'Institute' shall mean the 'National Institute of Personnel Management'.
 - (iii) 'Chapter' shall mean a branch of the Institute, formed in accordance with the provisions of Constitution of the Institute.
 - (iv) "Chairman" shall mean the Chairman of the Chapter.
 - (v) 'A Chapter Body' means the general body of members of the Institute whose names are borne in the respective Chapter Register or Membership and who have voting rights.
 - (vi) 'Member' shall mean the person who is a member of the Institute who has voting rights under Regulation 8 of the Constitution of the Institute.
 - (vii) 'Corporate Member' shall mean a corporate member admitted under Regulations 3(II) of the Constitution of the Institute and includes a Fellow and a Life member admitted under Regulations 3(I) and 3(III) respectively.
 - (viii) 'General Body' means the general body of members of the Institute whose names are borne in the Central Register of Membership and who have voting rights.
 - (ix) 'National Council' shall mean the council as defined under Regulation 12 of the Constitution of the Institute.
 - (x) 'Regional Council' means the regional council as constituted under Regulation 16.
 - (xi) 'The Executive Authority' shall mean the National Council in the case of the Institute and the Chapter Executive Committee in the case of a Chapter.

- (xii) 'Executive Authority' shall be the authorities to various offices of NIPM as contained under Chapter III of Constitution of NIPM.
- (xiii) 'Chapter Executive Committee' shall mean the committee as defined under Regulation 14 of the Constitution of the Institute.
- (xiv) 'National President' shall mean the National President of the Institute.
- (xv) 'General Secretary' shall mean the Hon. General Secretary of the Institute.
- (xvi) 'Secretary' shall mean the Hon. Secretary of the Chapter.
- (xvii) 'Prescribed' means prescribed by or under these Regulations or bye laws made under these Regulations.
- (xviii) 'Year' means a year commencing on 1st day of April and ending on 31st day of March of the succeeding calendar year.
- (xix) Words importing singular number and/or masculine gender include plural number and/or feminine gender and vice versa.

Chapter II

MEMBERSHIP

2. Classes of Members

There shall be the following classes of members :

- I Fellow
- II Corporate
- III Life
- IV Student
- V Institutional
- VI Honorary
- VII Any other class of members that may be recommended by the National Council and approved by the general body of members at a General Meeting of the Institute.

3. Qualifications for Membership

I. Fellow

- (i) A Life member who distinguishes himself by rendering meritorious and outstanding services to the profession and to the cause of the Institute may be admitted as a Fellow by the National Council.
- (ii) The manner of such admission shall be determined by the National Council and duly approved at a General Meeting.

II. Corporate

Any individual who undertakes to subscribe to the objects of the Institute may be admitted to Corporate membership, if, at the time of such admission, he –

Either

- A.(i). has a degree or diploma, the curriculum for which included, inter alia, personnel management or industrial relations or labour welfare and is recognized by the National Council for this purpose,

Or

has passed at least a degree examination or its equivalent and has thereafter acquired, in the opinion of the National Council, adequate knowledge of the principles, precepts and practices of personnel management or industrial relations or labour welfare,

and

- (ii) has at least three years' practical experience in any assignment in personnel management / general management / human resource management or industrial relations or labour welfare in case of the first alternative of the preceding sub-clause (i) or at least five year's practical experience in case of the second alternative.
- (iii) is/was holding any managerial or administrative or staff training position in any organization whether in public or private sector engaged in an industry, trade or commerce and was/is dealing with personnel management / general management / human resource management or industrial relations or labour welfare or any branch or any aspect of them.

Or

Is working as Adviser/Consultant/Officer to / of any Government or semi-Government undertaking or statutory corporation engaged in any industry, trade or commerce or employer's organization and is dealing mainly with personnel management or industrial relations or labour welfare or any branch or any aspect of them,

Or

is engaged as a full-time teacher in personnel management, industrial relations or labour welfare in an educational institution recognized by the National Council.

- B. has such training, knowledge and experience in personnel management, industrial relations or labour welfare that his admission would, in the opinion of the National Council be in the interest of the Institute.

III. Life

“Any individual who is eligible to become corporate Member may become a Life Member by Making a one time payment of Rs. 9000/-. If, however, any Member finds difficulty in Making one time payment of Rs. 9000/- he may pay it in two equal instalments within the same financial year only. If such a member fails to pay the full fees before the close of the financial year, the membership subscription received in instalments shall be adjusted towards his corporate Membership subscription. A Life Member shall not be required to pay any annual Subscription. It is also resolved that the revised Entrance fee / Annual subscription provided in Regulation 5 (i) and the revised one time payment provided in Regulation 3 III shall be effective from 1st April, 2015.”

IV. Student

Any individual, if he is undergoing any course either for a degree or diploma, the curriculum of which include, inter alia, personnel management, industrial relations or labour welfare, may be admitted to student membership with the approval of the concerned chapter in accordance with the rules framed by the National Council.

A Student Member having completed degree or diploma as above, if not employed, *his/her* student membership shall continue for a period of two years. If he does not secure any position in the industry within this period of two years, he will cease to be student member.

Student Fees: All matters related to admission of Student Members to be maintained by the concerned Chapters. All Student fees may be prescribed by the National Council from time to time.

V. Institutional

The Central or any State Government or any local self Government body or any of their departments or any statutory body or corporation, statutory or otherwise, or any organization or any institution or any association, whether incorporated or not, which subscribes to and is interested in furtherance of the objects of the Institute will be eligible for institutional membership.

VI. Honorary

Any individual may be admitted as an Honorary member by the National Council for its distinguished services to the Institute or to the cases which the Institute seeks to serve and/or whose admission as such is considered to be in the interest of

the Institute or useful to or beneficial for furtherance of the aims and objects of the Institute.

3(A) All members shall abide by the NIPM Code of Ethics as laid down by the Institute depicted in **Annexure-A** attached herewith.

4. Application for Admission to Membership

- (i)(a) Application for membership, in the prescribed form, duly filled in and signed by the applicant and proposed and seconded by Corporate members together with the annual subscription fee and entrance fee, if any shall be submitted to the General Secretary of the Institute through the Secretary of the concerned Chapter, if the applicant is within the territorial jurisdiction of any Chapter or through the Secretary of the nearby Chapter of his choice or directly if the applicant is outside the jurisdiction of any of the Chapters.
- (b) If the Secretary of a Chapter through whom an application has been submitted fails to forward the application within sixty days, duly processed by the concerned Chapter Executive Committee, the applicant may submit fresh application direct to the General Secretary, together with advice about the payments already made.
- (ii) The Chapter, after receiving the application for membership and after careful scrutiny in accordance with these Regulations may admit the applicant as a provisional member and communicate to the applicant his admission as provisional member within 30 days from the date of receipt of the application. Such admission as provisional member shall not have any bearing on the final decision of the National Council and provisional membership shall automatically cease if the National Council rejects his application. In that case, the provisional member shall not have any claim for membership or any other claim against the Chapter or the Institute nor shall he be entitled to sue the Chapter or the Institute in any Court of law or before any other authority making any claim against the Chapter or the Institute.
- (iii) The National Council after receiving the application for membership shall consider it and take decision thereon within sixty days from the date of receipt of the application.
- (iv) The National Council may reject any application for membership or admit the applicant to any other class of membership and such decision shall be final. On rejection, the monies received from the applicant shall be refunded forthwith. If such rejected application was sponsored by any Chapter, the Chapter concerned may be informed of the grounds of such rejection and the applicant will not be entitled to know the grounds of such rejection.
- (v) The applicant shall be deemed to be a member of the Institute from the date on which he is admitted as a member and his subscription will become due as in Regulation 6.

5. Entrance Fee and Annual Subscription

- (i) The entrance fee and the annual subscription for the various classes of members shall be as follows :

Class of Membership	Entrance Fee Rs.	Annual Subscription Rs.
Fellow	Nil	Nil
Corporate	500/-	1000/- (Annual)
Life	1000/-	9000/- (One time payment)
<u>Institutional</u>		
Category – A	8000/-	36000/- (For every 3 years)
Category – B	5000/-	24000/- (For every 3 years)
Category - C	3000/-	12000/- (For every 3 years)

Note : Please add GST @ 18% on Membership Fees.

- (ii) There shall be no entrance fee in case of upgradation from Corporate membership to Life membership as also in case of Institutional member.
- (iii) Persons who become members of the Institute shall pay full annual subscription, according to the financial year i.e. from 1st April to 31st March.
- (iv) An Honorary member shall not be required to pay any annual subscription.
- (v) The annual subscription payable by an Institutional member shall be determined by the National Council from time to time depending on the number or employees or turnover or the objects of the Institution concerned. It shall be within the right of the National Council to prescribe different rates of subscription for different classes of institutional members.

6. Payment of Annual Subscription

- (i) The annual subscription shall become due and payable before 1st April every year.
- (ii) Any member not clearing up his annual subscription within three months of the commencement of the year i.e. 30th June shall be treated as a defaulter.
- (iii) After the expiry of three months from the commencement of the year, the Hon. Treasurer shall send a reminder every month for the next three months requesting the defaulters to clear up their annual subscriptions.
- (iv) If the defaulters fail to clear up their subscriptions within six months of the commencement of the year i.e. 30th September, the Hon. Treasurer shall table a list of defaulters together with the amounts due from each of them at the meeting of the National Council held any time immediately after 30th September and the National Council may remove the names of the defaulters from membership by a resolution passed in that behalf.

7. Readmission to Membership

- (i) A person removed from the membership of the Institute under Regulation 6(iv), may be readmitted as a member in the same class to which he belonged previously, by the National Council on an application made by him in that behalf provided he clears up all his arrear subscriptions.
- (ii) In case a person is in arrears for more than two years excluding the current year and is unable to pay off all his arrears, he shall have to pay at least two years' subscriptions in addition to the admission fee at the current rate before he may be re-admitted by the National Council.
- (iii) In case a Corporate Member is in arrears for more than one year excluding the current year and is unable to pay off all his arrears, he shall have the option to apply to the National Council for upgradation to Life Membership by paying arrears for one year in addition to the Life Membership fee at the current rate before he may be granted Life Membership by the National Council.

It was further resolved that efforts shall be made to minimize defaulter's list.

8. Voting Rights

- (i) Every Corporate member including a Fellow and a Life Member shall have one vote in the meetings of the Institute and of the concerned Chapter. If any member fails to pay his annual subscription within 31st March of the concerned year, he will not be entitled to vote in any meetings or to participate in any elections of the Institute or the concerned Chapter until the expiry of six months from the date of his clearing up the arrear subscription. In case any member changed his address during the election period, his address will be changed for communication but Chapter will remain unchanged till the end of election process.
- (ii) All decisions in any meeting of the General Body or the Chapter Body and the National Council and the Chapter Executive Committee shall be by simple majority of votes of the members present and voting at the meeting concerned, unless otherwise provided for in these Regulations.
- (iii) A Student member or an Institutional member or an Honorary member shall have no voting right.

9. Suspension from Membership

The National Council may, by a resolution of three-fourths majority of its members present and voting at the meeting, after due investigation, suspend for any period/periods any member from the membership of the Institute for any act of omission or commission which is in violation of these Memorandum and Regulations or is against the interest the interest of the Institute or constitutes neglect or refusal to abode by any Regulations and Bye-Laws of the Institute or the concerned Chapter, or is likely to bring discredit to the Institute, provided, however, that no such resolution to suspend a member shall be passed unless the member concerned has been given an opportunity to explain his conduct. Any member suspended by the National Council shall cease forthwith to be entitled to the benefits and rights of membership; but he shall have a right of appeal against such

decision to the General Body of the Institute in a General Meeting immediately following such suspension provided he files the memorandum of appeal with the General Secretary within sixty days of his suspension.

10. Expulsion from Membership

Any member may be expelled from the Institute by the General Body, provided that such decision is taken by a two-thirds majority vote of members present and voting at a General meeting held for the purpose and the member proposed to be expelled has been given an opportunity to explain the charges leveled against him.

11. Cessation of Membership

A member shall, ipso facto cease to be a member of the Institute on his death, or if he is adjudged an insolvent or if he is adjudicated by a competent Court to be of unsound mind or is convicted of an offence involving moral turpitude, or if he withdraws his membership.

**Chapter III
EXECUTIVE AUTHORITIES**

12. National Council

Subject to overall control, direction and supervision of the General Body of the Institute, the governance, conduct and management of the affairs of the Institute shall be entrusted to the National Council which shall consist of the following :

National President

National Vice-President

Five Regional Vice-Presidents

Hon. General Secretary

Hon. Additional General Secretary

Hon. Treasurer

Ten Members, 2 each from the 5 Regions viz. Western, Eastern, Southern, Northern and Central

Immediate Past National President (Ex-Officio)

Immediate Past Hon. General Secretary (Ex-Officio) and

Upto four Members by Co-option, two members shall be female out of four members, and One nominee of each of the Chapters who must be a Corporate Member of the Chapter or the Chapter Chairman as the Executive Committee of the concerned Chapter may appoint.

13. Functions of the National Council

The National Council shall have the following powers, functions and duties :

- (i) to admit members;
- (ii) to remove the name of any member from membership;
- (iii) to suspend a member;
- (iv) to arrange, deal with and manage the finances and funds of the Institute;

- (v) to invest any monies of the Institute not immediately required for the purpose thereof;
- (vi) to appoint personnel for any work connected with the affairs of the Institute and to suspend/discharge/remove them and to define from time to time their remuneration and other terms and conditions of employment / engagement;
- (vii) to institute, defend or compromise any legal proceedings concerning the Institute;
- (viii) to execute and sign all deeds and documents and to enter into contracts or engagements on behalf of the Institute and to secure the fulfillment thereof;
- (ix) to appoint sub-committees and define their terms of reference, functions, duties and powers;
- (x) to appoint advisers, consultants and attorneys;
- (xi) to appoint Honorary Editor for the Institute's journal;
- (xii) to keep proper and up-to-date Central Register of Members;
- (xiii) to maintain minutes of the Institute's General Meetings – Annual and Special – National Council and other National Sub-Committee meetings;
- (xiv) to convene Annual General Meetings and Special General Meetings or the Institute either on requisition or suo moto;
- (xv) to prepare and present Annual Report and Balance Sheet and statements of Accounts of the Institute;
- (xvi) to purchase or otherwise acquire for the Institute any property, interests, rights, privileges, powers or concessions which the Institute is authorized to acquire at such price and on such terms and conditions, as it may think fit;
- (xvii) to fill in any casual vacancy in the National Council by co-option;
- (xviii) to accept donations, grants, gifts and bequests of money and property and rights to property;
- (xix) to exercise the borrowing powers of and obtain credits for the Institute and to exercise the same in the name and on behalf of the Institute;
- (xx) to make necessary rules or bye-laws for the conduct and management of the affairs of the Institute and to make amendments thereto;
- (xxi) to recommend for amendment of these Regulations;
- (xxii) to set aside out of the income or the capital of the Institute such sums as it thinks fit and proper as a reserve for purchase of land, buildings, and belongings for the Institute;
- (xxiii) to create Trusts and / or Foundations out of the Institute's own funds or out of donations, grants, gifts or bequests made by any person or Institutions specially in that behalf, for any particular purpose not inconsistent with the objects of the Institute and to execute Trust Deeds and to appoint Trustees to administer the Trust;
- (xxiv) to start provident fund, gratuity fund, pension fund and other funds in the interest of the employees of the Institute and to manage, deal with and dispose of the same;
- (xxv) to form Chapters and supervise the functioning of the Regional Councils and the Chapters;
- (xxvi) to provide a common seal of the Institute and to keep it in safe custody;
- (xxvii) to do all other acts and things for the fulfillment, furtherance and promotion of the interests of the Institute and its aims and objects, subject to the Regulations.

14. Chapter Executive Committee

- (i) Subject to the overall supervision of the National Council and subject to the control, direction and supervision of the Chapter body, the governance, conduct and

management of the affairs of a Chapter shall be entrusted to a Chapter Executive Committee.

The Chapter Executive Committee shall be composed of the following :

Chairman

Two Vice-Chairmen

Hon. Secretary

Hon. Additional Secretary

Hon. Treasurer

Five Members

Immediate Past Chairman (Ex-Officio)

Immediate Past Hon. Secretary (Ex-Officio) and

Up to Four Members by Co-option out of which preferably two Co-opted members should be female.

15. Functions of the Chapter Executive Committee

A Chapter Executive Committee shall have the following powers, functions and duties :

- (i) to recommend admission to membership;
- (ii) to carry out directives and advices from the National Council;
- (iii) to fill in any casual vacancy in the Chapter Executive Committee by co-option;
- (iv) to arrange, deal with and manage the finances and funds of the Chapter;
- (v) to invest any monies of the Chapter not immediately required for the purpose thereof;
- (vi) to appoint necessary personnel for any work connected with the affairs of the Chapter and to suspend/discharge/remove them and decide from time to time their remuneration and other terms and conditions of employment / engagement;
- (vii) to institute, defend or compromise any legal proceedings concerning the Chapter with the permission of the National Council;
- (viii) to execute and sign all deeds and documents and enter into contracts or engagements on behalf of the Chapter and secure fulfillment thereof with the concurrence of the National Council;
- (ix) to appoint Chapter Sub-Committees and define their functions, duties and powers;
- (x) to appoint advisers, consultants and attorneys;
- (xi) to work as a link between the National Council and the members in the Chapter and to collect fees, subscriptions and other payments from such members on behalf of the Institute;
- (xii) to maintain up-to-date and proper Chapter Register of Members;
- (xiii) to maintain minutes of the Chapter General Meetings – Annual or Special – Chapter Executive Committee and Chapter Sub-Committee meetings;
- (xiv) to convene Chapter Annual General/Special General Meetings either on requisition or suo moto;
- (xv) to prepare and present Chapter Annual Report, Chapter Balance Sheet and Chapter Statements or Accounts;
- (xvi) to purchase or otherwise acquire for the Chapter any property, interests, rights, privileges, powers or concessions which the Chapter is authorized to acquire at such price and generally on such terms and conditions as it may think fit and with prior approval of the National Council;

- (xvii) to accept donations, grants, gifts and bequests of money and property or rights therein with the prior approval of the National Council;
- (xviii) to report to the National Council about the affairs and activities of the Chapter and to maintain close communication for smooth functioning of the Institute;
- (xix) to recommend to the National Council for amendment of the Constitution;
- (xx) to set aside out of the income or the capital of the Chapter such sums as it thinks fit and proper as a reserve for purchase of land, buildings and belongings for the Chapter;
- (xxi) to start provident fund, gratuity fund, pension fund and other funds in the interest of the employees of the Chapter and to manage, deal with and dispose of the same;
- (xxii) to create Trusts and/or Foundations out of the Chapter's own funds or out of donations, grants, gifts or bequests made by any person or institution specifically in that behalf, for any particular purpose not inconsistent with the objects of the Institute and to execute Trust Deeds and to appoint Trustees to administer the Trusts;
- (xxiii) to do all other acts and things for the fulfillment, furtherance and promotion of the aims and objects and the interests of the Institute in general and the Chapter in particular, with the prior approval from the National Council.

16. Regional Councils

- (i) There shall be five Regional Councils for the five Regions, viz. North, South, East, West and Central. Geographical / territorial jurisdiction of each Region shall be defined by the National Council from time to time.
- (ii) The respective Regional Vice-President of the Institute representing the particular region shall be the Chairman of the Regional Council and the Chairmen of the constituent Chapters & National Council member falling within the jurisdiction of that Region, shall be its members.

17. Functions of the Regional Councils

- (i) To stimulate growth of membership in the Region;
- (ii) To represent the Institute, where necessary, at State levels covered by the Region, in consultation with the Chapter/Chapters concerned;
- (iii) To stimulate, assist and generally supervise the activities of the Chapters on behalf of the National Council;
- (iv) to render all possible assistance to such Chapter which is not able to organize sufficient activities;
- (v) to organize Regional Conferences;
- (vi) to issue Regional Newsletters, Bulletins, if agreed upon by the constituent Chapters;
- (vii) to assist in the formation of new Chapters in the Region;
- (viii) to see that periodic reports of activities in the Region/Chapters are submitted to the National Council;
- (ix) to ensure that Audited Accounts and Annual General Meetings are carried out regularly at the Chapter / Regional level;
- (x) to coordinate activities in the Region;

18. Electoral Constituencies

- (i) The Corporate members of the Institute including Fellows and Life Members whose names are borne on the Central Register of Corporate members and who have voting rights, shall constitute a single constituency for the election of the National Council.
- (ii) The Corporate members of the Institute including Fellows and Life members whose names are borne on the concerned Chapter Register of Corporate members and who have voting rights, shall constitute a single constituency for the election of the Chapter Executive Committee.

19. ELECTION RULES MANUAL OF NIPM**PART - I**

These Rules were made to prescribe the procedure and process of elections to the National Council and Chapter Executive Committees of National Institute of Personnel Management.

Short title :

These rules may be called **The NIPM Election Rules – 2008.**

20. Term of Office

- (i) The National President, the National Vice-President, the five Regional Vice-Presidents, the Hon. General Secretary, the Hon. Additional Secretary, the Hon. Treasurer and the ten Members in case of the National Council shall be elected biennially.
- (ii) In case of Chapter Executive Committee the Chairman, the two Vice-Chairmen, the Hon. Secretary, the Hon. Additional Secretary, the Hon. Treasurer and the five members shall be elected biennially.

21. Notification for Election :

- (i) The National President of the Institute in the Month of June the year in which election is due, shall issue notification appointing a Chief Returning Officer to conduct biennial election of Office Bearers of the National Council for the ensuing term. The General Secretary shall within seven days of the issue of notification, deliver the complete list of members having right and eligibility to vote, to the Chief Returning Officer.
- (ii) The Chairman of a Chapter in the Month of April the year in which election is due, shall issue notification appointing a Chief Returning Officer to conduct biennial election of Office bearers of the Chapter for the ensuing term. The Secretary shall within seven days of the issue of notification, deliver the complete list of members having right and eligibility to vote, to the Chief Returning Officer.”

22. **Returning Officers :**

The National President for the purpose of conducting biennial election of office bearers of the National Council shall designate or nominate two Returning Officers by rotation from two different Regions, to strengthen the election process.

(i) **Qualifications of Chief Returning Officer :**

The essential qualifications of Chief Returning Officer shall be :

- (a) He should be a Life Member of the Institute.
- (b) He should be a Past National President or past Hon. General Secretary or Fellow of the Institute or the Past Chairman or past Hon. Secretary of a Chapter, as the case may be.
- (c) He should not [for the specific purpose of conducting elections of the National Council] belong to the Chapter of the sitting National President or of the sitting Hon. General Secretary of the Institute.
- (d) Should not be present or past employee of the institute/chapter or DPM Trust or BOS.

(ii) **Qualifications of Returning Officer :**

Qualifications of Returning Officer :

The essential qualifications of a Returning Officer shall be :

- (a) He should be a Life Member of the Institute.
- (b) Should not be present or past employee of the institute/chapter or DPM Trust or BOS.

(iii) **Duties and Powers of Chief Returning Officer :**

The Chief Returning Officer shall :

- (a) do all such acts and things as may be necessary for conducting effectively the election under these Rules.
- (b) have powers to induct some of the active members of the Institute in reasonable number to his team for conducting effectively the election under these Rules. Every such member shall, subject to the control of the Chief Returning Officer/Returning Officer, be competent to perform all the functions as may be delegated to him by the Chief Returning Officer/Returning Officer, from time to time. Provided that no such member shall perform any of the functions of the Chief Returning Officer/Returning Officer which relate to the scrutiny of nominations unless the National Council in an emergent meeting called in this behalf is satisfied that the Chief Returning Officer / Returning Office is/are unavoidably prevented from performing the said functions.

PART II**CONDUCT OF ELECTIONS****23. Notice for Nomination :**

As soon as the notification declaring the elections under rule 21 is issued the Chief Returning Officer shall give notice to all the concerned members inviting nominations for election to the concern Executive Authority for the ensuing biennial election appointing :

- (i) the last date for making nominations, which shall be the twenty first day after the date of issue of notice for nomination, and duly specifying the manner and the place at which the nomination papers including e-nominations if deemed fit by CRO are to be delivered.
- (ii) the date for the scrutiny of nominations, which shall be the day immediately following the last date for making nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday.
- (iii) The last date for the withdrawal of candidature, which shall be the 15th day from the date of sending the list of valid nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday.
- (iv) The date by which a poll shall, if necessary be taken through availability of e-ballots through appropriate link in e-mode shall be the twenty first day after the date of making such availability of the e-ballot through e-mode, if that day is a public holiday, the next succeeding day which is not a public holiday.
- (v) the date of counting for the contested positions, and
- (vi) the date of declaration of results.

24. Nominations :

All nominations in the prescribed form, indicating the name of the candidate and the office for which he is nominated, together with signatures of the candidate (s) nominated, proposer and seconder, all being Corporate members/Life Members, shall be sent to the Chief Returning Officer, in the manner as prescribed. Provided that the members who have voting rights in terms of Regulation 8(i) of the Constitution of the Institute only can be nominated, can propose and or can second the nominations.

Provided further that a member nominated for the position of an office bearer of the National Council or Chapter Executive Committee, while putting his signature on the prescribed nomination form, shall give an undertaking that, if elected he / she shall devote adequate time and energy to effectively carry out the tasks and responsibilities attached to that office and shall not ask the Institute or its Chapters to bear his / her travelling and other expenses for attending the National Council's meeting or any other meeting or for any other purpose. Without such an undertaking the nomination filed by a candidate shall not be treated as valid. Nevertheless, in case of any special purpose visits, programs etc National President, in consultation with Hon. General Secretary, may

approve the reimbursement of the expenses borne by any National Council Member on such special purpose visits.

Provided further that a member with voting rights can file his nominations for not more than two positions in the National Council/Chapter Executive Committee, as the case may be, indicating his order of preference. *If the member does not indicate his/her said order of preference in the prescribed nomination form, his/her nomination shall not be treated as valid and shall get rejected during scrutiny of nominations.* In case the candidate gets elected to both the positions, he/she shall retain the position first preferred and resign from the other position forthwith.

A member will not be entitled to hold two positions concurrently in the National Council and Chapter Executive Committee, simultaneously. However, if a member is already holding the position of office bearer of the Chapter Executive Committee, he shall resign from the Chapter Executive Committee position immediately after if he is declared elected in the National Council and vice versa in the case of Chapter Executive Committee Elections.

25. **Scrutiny of Nominations :**

- (i) On the date fixed for the scrutiny of nominations the candidates, their representatives not more than one each duly authorized by the candidate in writing in this behalf and one proposer of each candidate may attend at such time and place as the Chief Returning Officer may appoint; and the Chief Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner as laid down in Rule 23 and Rule 24 above.
- (ii) The Chief Returning Officer shall then examine the nomination papers and shall decide all objections, if any, which may be made to any nomination and may, either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds :
 - (a) The candidate or his proposer/seconded does not have the rights in terms of Regulation 8(i) of the Constitution of the Institute.
 - (b) There has been a failure to comply with any of the provisions of Rule 23 and Rule 24, hereinabove.
 - (c) The proposer and or seconded has/have proposed and or seconded as many candidate/s for a particular position which exceeds the number of vacancies for various positions under Chapter III of the Constitution of the Institute, e.g. if a particular proposer and or seconded proposes and or seconds two different candidates for the single position of National President, both the nomination papers shall be rejected by the Chief Returning Officer.
 - (d) The signature of the candidate or the proposer on the nomination paper is not genuine.
 - (e) The candidate is holding the position of office bearer of the Chapter Executive Committee / National Council, as the case may be.
 - (f) The Chief Returning Officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character.

- (g) The Chief Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.
- (iii) Immediately after all the nomination papers have been scrutinized and decisions accepting or rejecting the same have been recorded, the Chief Returning Officer shall prepare a list of validly nominated candidates, that is to say, candidates whose nominations have been found valid, and send the same to all the candidates whose nominations have been found valid.

26. Withdrawal of Candidature :

- (i) Any candidate may withdraw his candidature by a notice in writing to the Chief Returning Officer, which shall contain such particulars as may be prescribed and shall be subscribed by him and delivered before three o'clock in the afternoon on the day fixed under rule 23(iii) hereinabove.
- (ii) No member who has given a notice of withdrawal of his candidature under sub-rule (i) shall be allowed to cancel the notice.
- (iii) The Chief Returning Officer shall, on being satisfied as to the genuineness of the notice of withdrawal, cause the notice to be affixed at some conspicuous place in his office and publish a list of contesting candidates.

27. E Ballot :

The Chief Returning Officer, within fifteen days of the last date of withdrawal, shall provide the e-ballot in e-mode containing all the offices contested, excepting those offices for which there is no contest, to all the members eligible to vote. The access to such e-ballot shall be through the registered email and mobile of the voter who will receive an OTP through his mobile and/or email which shall be used by him for opening the e-ballot and exercise his voting rights. In the rare case of no email access by any member the chapter shall provide assistance in presence of chapter Chairman & Secretary in a prescribed method to be devised by HR Tech committee. In any case such support shall not be provided in more than 10% of the eligible voters from the chapter in election to NC and in election to Chapter EC.

(i) Voting :

- (a) A voter exercising his voting right, shall do so by clicking a mark against the name of the candidate/candidates whom he/she wishes to elect on the e-ballot. The e-ballot shall be available in e-mode for exercise of the franchise by the voter for twenty one days in election to NC and in election to Chapter EC as well. National office shall provide IT support to chapter executive authority for e-voting in the chapter. A detailed guideline shall also be circulated by National office to all chapters in this regard for adherence. In case there is a failure in E-voting system, National Council can decide to revert to the prevailing paper ballot system for NC as well as such Chapter EC elections where it has failed, for only the year 2020-2022 election. Decision regarding such failure on this account shall be taken by concerned CRO/RO who will intimate to National Council immediately for appropriate action.

(ii) Appointment of Counting Agents :

A contesting candidate may appoint in the manner as may be prescribed by the Chief Returning Officer, only one member to be present as his counting agent to witness the counting of votes through system, and when any such appointment is made notice of the appointment shall be given by the candidate, in the manner as may be prescribed by the Chief Returning Officer.

(iii) Counting of Votes and Announcement of the Results of Election :

The counting of votes in the system shall be done, on the date as declared under Rule 23, by the Chief Returning Officer in presence of agents if any. The valid votes shall be counted through the system and the result shall be declared by the Chief Returning Officer along with the names of the candidates elected uncontested, on the date as specified under Rule 23.

(iv) Finality of Elections :

Announcement of elections results by the Chief Returning Officer shall be final and not open to question; provided however that in case of any tie between two or more candidates for election, elimination of one or more candidates shall be done by drawing lots at the Annual General Meeting concerned.

In case there is dispute or a complaint about the conduct of the election at some Chapter level, the same may be settled jointly by the Chairman and the Chief Returning Officer and the Regional Vice-President. Failing which the disputant/complainant may approach the National President who will himself try to settle the dispute /complaint or may appoint his representative to do so. If the report of the National President or the representative, if appointed for the purpose reveals that the elections were held in violation of these Rules, the National Council will declare the elections already held as null and void and direct the Chapter Executive Committee to hold fresh elections.

PART III

28. Assumption of Office by the Elected Body :

The Office-bearers and the members of the concerned Executive Authority will take office immediately after announcement of the election results on the date as stipulated in Rule 23. It will be the responsibility of the outgoing Authority to convene the Annual General Meeting within this period so as to hand over the charge on or before the specified date.

PART IV

Co-option etc.

29. Co-option

The newly constituted National Council consisting of its elected and ex-officio members, at its first or second meeting, may co-opt upto four other Life members who are eligible to vote as members of the National Council for the concerned years, out of 4 Co-opted members two shall be female members.

Similarly the newly constituted Chapter Executive Committee consisting of its elected and ex-officio members, at its first or second meeting, may co-opt upto four other Life members who are eligible to vote as members of the Chapter Executive Committee for the concerned years, out of 4 co-opted members two shall be female members.

(i) Casual Vacancies in the Executive Authority

The seat of an office-bearer or an ordinary member of the National Council/Chapter Executive Committee shall be deemed to have fallen vacant :

if such office-bearer or ordinary member ceases to be a member of the Institute,

or

if he absents himself from three consecutive meetings of the National Council/Chapter Executive Committee without previously obtaining leave of absence

or

if he resigns from the membership of the National Council/Chapter Executive Committee and his resignation is accepted by the National Council/Chapter Executive Committee.

If vacancy of an office-bearer or an ordinary member of the National Council/Chapter Executive Committee occurs, the National Council/Chapter Executive Committee shall be entitled to fill it up from amongst the Corporate members of the Institute /Chapter (who are eligible to vote) for the remaining term of the concerned Executive Authority.

In case of during the election to the concerned Executive Authority the number of valid nominations is found to be less than the number of vacancies to be filled, the election shall not be withheld nor shall be deemed to be invalid. The positions thus remaining vacant shall however be filled up by the remaining members of the concerned Executive authority from amongst the Corporate members of the Institute or the Chapter (who are eligible to vote) as the case may be.

(ii) Limitation on Holding Office in case of National Council/Chapter Executive Committee

No member shall hold the same office in the National Council/Chapter Executive Committee for more than two terms.

(iii) Removal from Office

The General Body or the concerned Chapter Body, may by a resolution passed by two-third majority of the members present in a concerned Special General Meeting, remove from office any office-bearer(s) or member(s) of the concerned Executive Authority before the expiry of the period of office.

PART V

Meeting of the Executive Authorities

30. Meeting of the Executive Authorities

The National Council shall meet and transact the business of the Institute normally at least once in two months and as often as may be necessary.

The Regional Councils shall meet to transact the business as entrusted to them under the Constitution at least once in two months and as often as may be necessary.

The Chapter Executive Committee shall meet to transact the business of the Chapter at least once in a month as often as may be necessary.

Fifteen days notice shall ordinarily be given for a meeting of the Executive Authorities except in case of emergency.

While sending notice to the National Council Members, the General Secretary shall forward detailed notes on the agenda items to be discussed at the meeting inviting the views of the National Council Members. The views received from them shall be taken into consideration in arriving at decisions on each of the items.

All business transacted at the meetings shall be recorded in a Minutes Book. Minutes of a meeting shall be confirmed at the next meeting.

The meetings of the concerned Executive Authority shall be presided over by the National President/Chairman concerned, and in his absence, by one of the Vice Presidents/Vice-Chairmen concerned or in their absence, by any member elected by the Members present to preside over the meeting.

In case of any emergency, any business to be transacted by the concerned Executive Authority, may be transacted by a circular containing a detailed note on the agenda item and a decision taken thereon on the basis of the views of the majority.

Quorum

- (a) The quorum for the meetings of the National Council and Chapter Executive Committees shall be five and of the Regional Councils the quorum shall be three.
- (b) Each member shall have one vote and in case of a tie, the National President/Chairman of the meeting shall have a casting vote.

PART VI

31. Powers, Functions and Duties of Executive Authorities

i) **Powers, functions and Duties of National President /Chairman**

In addition to the powers, functions and duties given elsewhere in these Regulations, the National President of the Institute and the Chairman of a Chapter subject to the control of the concerned Executive Authority, shall :

- (a) preside over and conduct the proceedings of the Annual General and Special General Meetings of the Institute/Chapter
- (b) preside over and conduct the meeting of the concerned Executive Authority;
- (c) exercise powers vested under Regulation 39;
- (d) supervise the work of the Institute/Chapter;
- (e) lead delegations on behalf of the Institute/Chapter;
- (f) represent generally the Institute /Chapter;
- (g) appoint a Chief Returning Officer / Returning Officer(s) to conduct biennial election of office bearers of the National Council/Chapter Executive Committee for the ensuing term.

ii) **Powers, Functions and Duties of the National Vice-President/Vice-Chairman**

The National Vice-President/Vice Chairman shall discharge the function of the National President / Chairman during his absence or during his inability to carry on his functions and such other functions as may be assigned to them by the National President /Chairman.

iii) **Powers, functions and Duties of General Secretary /Secretary**

The General Secretary / Secretary concerned, subject to the control of the concerned Executive Authority and general supervision of the National President / Chairman concerned, shall :

- (a) manage the office of the Institute / Chapter including matters pertaining to the employees of the Institute / Chapter;
- (b) institute and defend any legal proceedings in law courts and other places and sign and execute all deeds and documents of the Institute/Chapter, as and when specifically authorized in this behalf;
- (c) issue notices and convene all the concerned General Meetings-Annual and Special and meetings of the concerned Executive Authority and Sub-Committees and Special Committees, if any as required;

- (d) maintain Minutes book of the concerned General Meetings – Annual and Special and of the meetings of the Executive Authorities, Sub-Committees and Special Committees, if any;
- (e) maintain proper and up-to-date Register of member of the Institute/Chapter;
- (f) maintain proper and accurate records, books, files and paper regarding the working of the Institute /Chapter;
- (g) conduct generally all affairs of the Institute/Chapter;
- (h) discharge all such functions and have all such powers as may be conferred under these regulations and/or the bye-laws concerned and /or by the General Body / Chapter Body and/or by the conference Executive Authority.

iv) Powers, Functions and Duties of Hon. Treasurer / Chapter Hon. Treasurer

The Honorary Treasurer shall :

- (a) have custody of all funds of the Institute / Chapter which shall be deposited in an approved Bank or Banks or Post Offices subject to his retaining an imprest cash of not more than Rs. 5000/- at any point of time;
- (b) pass receipts for all monies received;
- (c) keep a correct and detailed account of all the income and expenditure of the Institute/Chapter;
- (d) make payment only when supported by a voucher signed by the General Secretary / Secretary and countersigned by himself;
- (e) prepare a statement of income and expenditure every month of the consideration of the National Council/Chapter Executive Committee;
- (f) submit to members at the Annual General Meeting a detailed income and expenditure account together with the balance sheet for the year, duly certified by the auditors appointed by the General Meeting.

v) Powers, Functions and Duties of Additional General Secretary/Additional Secretary

The Additional General Secretary / Additional Secretary shall discharge the functions that may be delegated to him and/or assigned to him by the General Secretary/Secretary from time to time. During the absence of the General Secretary / Secretary or during his inability the Additional General Secretary/Additional Secretary shall discharge all the functions of the General Secretary/Secretary.

Chapter IV

FUNDS AND AUDIT

32. Funds

- (i) The funds of the Institute shall comprise of all monies raised from entrance fees, subscriptions, fees, charges and special contributions from members, and donations, grants, gifts and bequests and all other monies received from any source or through any activity.
- (ii) The funds of the Chapter shall comprise of the subvention as also the share in the income arising from National Annual Conference and Regional Conference received from the Institute, fees, charges, special subscriptions, contributions and donations, grants, gifts, bequests and all other monies received from any source or through any activity.
- (iii)
 - (a) Subject to the approval of the National Council / Chapter Executive Committee, the funds of the Institute/Chapter shall be applied for carrying out the aims and objects of the Institute.
 - (b) All monies belonging to the Institute or a Chapter shall be deposited in Savings Accounts and/or Current Accounts, in any Bank//Post Office that may be decided upon by the concerned Executive Authority. The account/accounts shall be in the name of the Institute / Chapter, as the case may be,
 - (c) The accounts of the Institute/Chapter with the bank/Post Office shall be operated by any two of the following office-bearers jointly :
 1. National President/Chairman
 2. National Vice-President/Vice-Chairman
 3. General Secretary/Secretary
 4. Treasurer and
 5. Additional General Secretary/Additional Secretary.
 - (d) All expenditure of the Institute /Chapter shall be approved by the Executive Authority concerned and the expenses of management shall be chargeable and shall be debited to the general funds of the Institute or the Chapter, as the case may be.
 - (e) So much of the funds as may be deemed by the Executive Authority concerned as not needed for immediate use for meeting usual and accruing liabilities may, at the discretion of the Executive Authority concerned, be invested in securities specified in Section 20 of the Indian Trusts Act, 1882.

33. Audit

- (i) An Auditor to audit the accounts of the Institute/Chapter shall be appointed at the respective Annual General Meeting each year and his remuneration if any, fixed by it, provided however that in case of death or inability of the appointed Auditor to discharge his duties as such, the Executive Authority concerned shall have power to appoint another Auditor in his place and to fix his remuneration, if any.
 - (i) An auditor shall not be a member of the Executive Authority.

Chapter V

GENERAL MEETINGS

34. Annual General Meetings

The respective Annual General Meeting of the Institute and the Chapters shall be held within one hundred eighty days in case of the Institute and within ninety days in case of a Chapter, on the expiry of the year, subject to the proviso that the first Annual General Meeting of any new Chapter shall be held within fifteen months from the date of its coming into existence.

35. Business at the Annual General Meetings

The following business shall be transacted in the Annual General Meetings :

- (i) Confirmation of the minutes of the previous Annual General Meeting.
- (ii) Consideration and adoption of the Annual Report.
- (iii) Consideration and adoption of the Balance Sheet and the Audited Accounts for preceding year.
- (iv) Formal announcement of the election results of the concerned Executive Authority.
- (v) Appointment of Auditor for the ensuing year and fixation of his remuneration, if any.
- (vi) Any matter brought under Regulation 36.
- (vii) Any other matter allowed by the Chairman of the meeting (No resolution shall be considered or adopted under this item).

36. Resolution at the Annual General Meeting

Any member desiring to move any resolution or motion in the Annual General Meeting shall give notice along with a copy of the resolution/motion to the General Secretary/Secretary concerned so as to reach him at least sixty days before the date of such meeting.

On receipt of the proposed resolution the General Secretary/Secretary shall inform the National Council / Chapter Executive Committee about it and include the proposed resolution in the agenda for the Annual General Meeting.

If the National Council/Chapter Executive Committee is of the opinion that the proposed resolution is prejudicial to the interest of the Institute, it will direct the General Secretary / Secretary not to include it in the agenda of the Annual General Meeting and the member concerned shall be informed about the reason for its non-inclusion in the agenda of the Annual General Meeting.

37. Special General Meetings

- (i) Special General Meetings of the General Body and the Chapter Body of members shall be convened :
 - (a) on requisition of one-third of the total number of Corporate members with voting rights, or fifty such members, whichever is less ;

or

- (b) by the respective Executive Authority as and when considered necessary.
- (ii) A requisition for a Special General Meeting shall be in writing and signed by the requisitionists and sent to the General Secretary/Secretary concerned. The requisitionists shall clearly give the resolution proposed to be considered at the Special General Meeting along with the requisition.
- (iii) The General Secretary/Secretary under the Executive Authority concerned shall, within fifteen days of the receipt of the requisition, issue a notice to the Corporate members with voting right of the Institute or the Chapter, as the case may be, together with a copy of the requisition and the resolution as also solicit their views either in favour of or against the resolution, which shall be considered and counted at the time of voting if any, thereon.
- (iv) If no notice of a Special General Meeting on requisition is issued by the General Secretary/Secretary concerned within one month of receipt of the requisition, the requisitionists themselves may convene the Special General Meeting by giving thirty days notice to Corporate members with voting rights of the Institute or the Chapter, as the case may, together with a copy of the requisition. While giving notice they shall also solicit the views of the Corporate members with voting rights either in favour of or against the resolution, which shall be considered and counted at the time of voting if any, thereon. Any decision taken or resolution passed at such meetings, subject to Regulations 8, 56 and 57, shall be valid and the expenses incurred by requisitionists in convening such meeting shall be payable by the Institute or the Chapter, as the case may be.
- (v) No subject other than the subject specified shall be discussed at a Special General Meeting.

38. Notice for General Meetings

Notice of a General Meeting – Annual or Special – shall be issued by the General Secretary / Secretary concerned by the orders of the concerned Executive Authority, at least thirty days before the date of the meeting. Such notice shall state the place, date and time of the meeting and also the agenda of the meeting. Such notice shall be sent to all the members on the respective membership registers who are eligible to vote as on the date of issue of the notice, to their registered address, either by hand delivery or by post under certificate of posting. Any inadvertent omission to give notice to, or any non-receipt of such notice by any member, shall not invalidate the proceedings of the meeting. But if the Chairman of the General Meeting is satisfied that the complaint of such non-receipt is general, he may dissolve the meeting after fixing the place, date and time of a fresh meeting within four weeks and direct the General Secretary/Secretary to issue fresh notice to the members within one week from the date of dissolution of the meeting.

39. Conduct of the General Meetings

- (i) The Chairman for every General Meeting – Annual or Special – will be the National President / Chairman concerned and in his absence the National Vice-President/one of the Vice-Chairman concerned and in their absence, any member present in the meeting and elected to preside over such meeting.
- (ii) The Chairman may, if he considers necessary suspend the meeting and adjourn it to such date and/or time as he may deem fit subject to Regulation 41.

40. Quorum for General Meetings

The quorum for a General Meeting shall be one fourth of the total number of Corporate members or fifty Corporate members in case of the General Body and twenty Corporate members in case of a Chapter Body, whichever is less, on the roll of the Institute or the Chapter, as the case may be, on the date of issue of the notice of the meeting, and no business in any meeting shall be transacted unless there is quorum; provided that a member without voting right shall not constitute quorum.

41. Adjournment of General Meetings

- (i) If within half an hour from the time appointed for the meeting there be no quorum, the meeting – if convened on requisition shall stand dissolved and in any other case shall stand adjourned to the same day half an hour thereafter, at the same place and the members present at such adjourned meetings, whatever be their number, shall constitute the quorum.
- (ii) The Chairman may with the consent of the house adjourn a meeting from time to time and place to place, but no such adjournment shall be made for a period beyond forty–five days.
- (iii) No business shall be transacted in any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

42. Voting at the General Meetings

- (i) A resolution which is put to vote in the meeting shall be decided by simple majority by show of hands, unless a ballot is demanded by show of hands by a least one-third of the members present.
- (ii) In case of equality of votes, whether on show of hands or in a ballot, the Chairman of the meeting shall have a casting vote.

43. Minutes of the General Meetings

The Institute and the Chapters shall cause minutes of the proceedings of the General Meeting – Annual and Special – to be entered in the Minutes Book kept for the purpose. The minutes shall also contain the names of the members present and be signed by the Chairman presiding over the meeting. The minutes of the meeting shall be laid before the next concerned General Meeting.

Chapter VI

CHAPTERS

44. Formation of a Chapter

- (i) The Regional Council may, upon receipt of a request to that effect in writing in the form of a Resolution from at least 50 Corporate members residing in any local area, recommend to the National Council to set up a Chapter of the Institute in such area. The Resolution shall, inter alia, contain the names of the members of the Adhoc Executive Committee which shall run and manage the affairs and activities of the Chapter after the Chapter comes into existence till the election of the Executive Committee in the first Annual General Meeting of the Chapter.
- (ii) On receipt of the recommendation together with the Resolution, the National Council may, by a Resolution, approve the formation of a Chapter and may also sanction at their discretion, preliminary expenses in connection with the formal inauguration of the Chapter.
- (iii) The Chapter shall be deemed to come into existence from the date of receipt of approval from the National Council as laid down in the preceding clause and it shall be in order for the Chapter to commence its activities including the arrangements for the formal inauguration of the Chapter on and from the said date.
- (iv) From the date of the formation of the Chapter, all the members of the Institute in the area within the territorial jurisdiction of the Chapter shall be deemed to have become members of the Chapter and accordingly their names shall be entered in the Chapter Register of Membership and necessary endorsements shall be made by the National Council in the Central Register of Membership.
- (v) After the date of the formation of a Chapter, all the applicants for membership of the Institute from the area within the territorial jurisdiction of the Chapter shall be deemed to have consented to be members of the Chapter automatically on their being admitted to the membership of the Institute.
- (vi) It is resolved that all the Chapters of the Institute will invariably ensure sending duly audited accounts from Financial Year – 2009-10 onwards to the National Office, latest by 31st July of following Financial Year, for consideration, preparation and finalization of Final Accounts of the Institute.

45. Subvention to Chapters

- (i) After the date of a Chapter coming into existence and also in case of existing Chapters, entrance fee and annual subscription in respect of the concerned Corporate, Life and Institutional members, payable or paid to the Institute in respect of any financial year shall be divisible as under and the amount credited or creditable to a Chapter shall be deemed to be subvention to the Chapter from the Institute :

50% (fifty per cent) to the Institute.

50% (fifty per cent) to the Chapter.

25% amount of the Subvention due for payment to a Chapter be deducted where a Chapter has failed to submit annual audited accounts within the scheduled date announced by National Office every year.

- (ii) The subvention payable to a Chapter in respect of any member shall be pro-rata for the period during which such member is attached to such Chapter, provided, however, that if a member ceases to be a member of a Chapter after the first six months of the year, subvention in respect of him for the whole year shall be payable to the Chapter to which he was attached during the first six months of the year.
- (iii) The Institute shall pay to the Chapter which will host the Annual National Conference 50% of the net income; if any, arising out of such a Conference.
- (iv) The surplus from Regional Conferences conducted by the Chapters is to be shared between Host Chapter and National Office in the ratio of 75% and 25% respectively based on the audited accounts exclusively made for the said Regional Conferences.

46. Territorial Jurisdiction of the Chapters

The territorial jurisdiction of the Chapters may be determined from time to time by the National Council in consultation with the Regional Council and the Chapter concerned as also Chapters if any contiguous thereto.

47. Cessation of Membership of a Chapter

- (i) When any member ceases to be a member of the Institute he shall, ipso facto, cease to be a member of the Chapter as well.
- (ii) When any member of a Chapter leaves the area within the jurisdiction of the said Chapter and moves permanently (i.e. for a period of twelve months or more) to another area where a Chapter exists, the said member shall cease to be a member of the former and shall become the member of the latter Chapter from the date his name is transferred from the Chapter Register to another Chapter Register by the National Council.
- (iii) If a member from a Chapter moves to an area where there is no Chapter his name will be removed from the Chapter Register and shall be borne only in the Central Membership Register maintained by the National Council.

48. Supersession of an Executive Committee of a Chapter

If a Chapter Executive Committee fails to carry on any activity of the Chapter for a consecutive period of three months, or when a Chapter Executive Committee violates the directions of the National Council without assigning reasons and giving assurance to faithfully carry out such directions in future or when at least one-half of the Corporate members of the Chapter express loss of confidence in the Chapter Executive Committee, in writing and address to the General Secretary, the National Council may supersede the Chapter Executive Committee after opportunity to show cause has been given to the said Chapter Executive Committee; and on such supersession the National Council may, through its special representative, convene a Special General Meeting of the Chapter Body for election of a new Chapter Executive Committee for the unexpired period of the year during which the Chapter Executive Committee was superseded or, appoint and

Adhoc Chapter Executive Committee to carry on the affairs and activities of the Chapter for the unexpired period of the year.

49. Discontinuance of a Chapter

(i) (a) Discontinuance by Chapter General Body

When the Chapter Body at a Chapter Special General Meeting convened for the purpose, adopts a resolution by two-thirds majority of members present and voting, for discontinuance of the Chapter, the Chapter shall be deemed to have been discontinued from the date on which the National Council, after the receipt of the said resolution, notes the same.

(b) Discontinuance by the National Council

When a Chapter does not carry on any activity consecutively for a period of twelve months, the National Council may decide by a resolution to discontinue the Chapter, after hearing the view, if any, of the members of the Chapter, for which a clear notice of thirty days of proposed discontinuance of the Chapter shall have been given by the General Secretary.

- (ii) On the discontinuance of a Chapter, all the monies, assets movable and immovable, rights, including the right to receive any money from any member or non-member shall, *ipso facto*, vest in the Institute till a Chapter is reconstituted.

50. Autonomy of Chapters

Subject to these Regulations, a Chapter shall be deemed to be autonomous to carry on the affairs and activities of the Institute, subject to the overriding requirement that no such activity shall be carried on by a Chapter, expenses for which shall not be within the financial resources of the Chapter and which activity shall injure or harm the interest of any other Chapter or the Institute.

Chapter VI-A

GROUPS

50-A. Formation of a Group

- (i) Any ten Corporate and / or Associate Members residing and / or carrying on their avocation, in any area or in an area which, by the proximity of distances between the places of residence or avocation of the said members, may be deemed to be a compact one, may express their desire in a joint application addressed to the Chapter Secretary if such compact or deemed to be compact area is within the territorial jurisdiction of such Chapter, or to the General Secretary if such compact area or deemed to be compact area is outside the territorial jurisdiction of any Chapter, for the formation of a Group.
- (ii) The application shall be considered by the concerned Executive Authority who after taking into consideration the expediency, efficacy and desirability of forming a Group by the applicants, may, by a resolution, grant the application.

- (iii) A Group shall be deemed to have come into existence from the date on which the resolution granting formation of the Group is adopted by the National or Chapter Executive Authority, as the case may be and the name of the Group shall be such as may be determined by the concerned Executive Authority.

50-B. Group Committee

A Group shall, within thirty days of its formation, meet and select one Group Chairman, one Group Vice-Chairman, one Group Secretary and two Group Committee members collectively forming a Group Committee consisting of five, under the supervision of the concerned Executive Authority.

50-C. Powers, Functions and Duties of Group Committees

- (i) A Group Committee shall be free to carry on any and all activities which a Chapter can or is entitled to carry on, but under the direction, supervision, control and banner of the concerned Executive Authority; provided however, it shall not raise any money from Group members except voluntary contributions and all its programmes and activities shall be first approved by the concerned Executive Authority who at their sole discretion may grant, from time to time, subsidies from the concerned fund, for meeting the expenses of the Group Committee.
- (ii) The Group Committee shall submit report from time to time as the concerned Executive Authority may direct.

50-D. *Ipsa-Facto* Group Membership

Any member of the Institute residing and/or carrying on his avocation within a Group area shall be deemed to be *ipso-facto* member of the Group and an up-to-date list of Group members shall be maintained by the Group Committee as well as the concerned Executive Authority.

50-E. Supersession of a Group Committee

A Group Committee shall be subject to supersession at any time by the concerned Executive Authority, whenever, at its discretion it finds it expedient or necessary to so supersede. On such supersession the concerned Executive Authority may appoint any other ad-hoc Group Committee or have a new Group Committee selected by the Group members, under the supervision of the concerned Executive Authority.

50-F. Discontinuance of a Group

A Group shall be subject to discontinuance by the concerned Executive Authority when it appears that the said Group has not carried on any activity for a consecutive period of six months. Any fund with a Group at the time of its discontinuance shall vest in the Executive Authority concerned.

Chapter VII**MISCELLANEOUS****51. Honorary Service**

The services of all office-bearers of the Institute/Chapters and of the members of the National Council/Chapter Executive Committee shall be entirely honorary.

52. Representation

Any two of the following persons, namely, the National President / Chairman, National Vice-President /Vice-Chairman, General Secretary / Secretary, Additional General Secretary/ Additional Secretary and Treasurer or a member of the National /Chapter Executive Authority, as may be specifically authorized by the concerned Executive Authority, shall sign all deeds and documents creating, disposing of or otherwise negotiating the properties and all documents standing in the name of or held by the Institute or the Chapter, as the case may be, subject to prior consent or the respect Executive Authority.

53. Common Seal

The National Council shall provide a common seal for the purpose of the Institute/Chapter and the same shall be in the custody of the General Secretary/Secretary.

54. Bye-Laws**(i) Central Bye-Laws**

The National Council may make, adopt, amend, add, alter, modify, repeal and rescind such bye-laws as are not inconsistent with these Regulations and such bye-laws shall be binding on the members of the Institute, provided, however, that the bye-laws made by the National Council shall be laid before the General Body at the Annual General Meeting following such making of bye-laws and if any bye-law is not approved by the General Body by simple majority of votes, the same shall cease to have any effect thereafter.

(ii) Chapter Bye-Laws

A Chapter Executive Committee may, as far as it relates to the concerned Chapter, with prior consent of the National Council, make, adopt, alter, modify, repeal and rescind such bye-laws as are not inconsistent with these Regulations or bye-laws made by the National Council. Such bye-laws shall be binding on the members of the Chapter concerned, provided, however, that the bye-laws made by the Chapter Executive Committee shall be laid before that Chapter Body at the Chapter Annual General Meeting following such making of bye-laws, and if any bye-law is not approved by the Chapter Body by simple majority of votes, the same shall cease to have any effect thereafter.

55. Patron

Any individual/organization/corporate body subscribing to the objects of the National Institute of Personnel Management who/which pays a lumpsum donation of Rs. 500000/- (five lacs) may be enrolled as a Patron of the Institute at the sole discretion of the National Council.

56. Amendment to the Memorandum and the Regulations

Any of the Articles of the Memorandum of Association and any of the Regulations may be altered, amended, modified, repealed, rescinded or new Regulations added to the existing ones by a Resolution at a Special General Meeting of the General Body convened for such purpose and passed by the requisite number of members of the Institute, with voting right, in accordance with the provisions of the appropriate law.

57. Dissolution

If at any time, if it is found that the affairs of the Institute cannot be carried on, either because it has survived its usefulness, or because sufficient support is not forthcoming, or for any other reason, the National Council may, by a majority of three-fourths of its members, recommend the winding up of the Institute at its General Body Meeting specifically called for the purpose. The Institute shall not be wound up save by a clear majority of two-thirds of votes polled in favour of dissolution to be ascertained by a referendum. Should it be decided to wind up as aforesaid, if there shall remain any property whatsoever, the same shall not be paid to or distributed among the members, but shall be given to some other Institute having similar objects, to be determined by the votes of not less than three-fifths to be ascertained by a referendum.

58. General Clause

Any matter not covered or not provided for in these Regulations shall not governed by the provisions of the appropriate law.

Chapter VIII**NIPM-DPM Trust**

- 71.** The Institute ratifies “National Institute of Personnel Management – DPM Trust” created vide Registered Deed of Trust dated 15th January 1983 and further rectified by a Deed of Rectification dated 1st September 1983, both made at Calcutta.
- 72.** The affairs of the Trust shall be managed and administered by a Board of Trustee consisting of ten Trustee in accordance with regulation 73.
- 73.** The National President and the Hon. General Secretary of the Institute as also the Chairman and the Member-Secretary of the Board of Studies shall be ex-officio Trustee. In addition, six Corporate/Life Members of the Institute shall be appointed by the National Council as trustees, as far as possible at least one from each of the five regions.
- 74.** Fifty percent of the Trustees appointed by the National Council shall retire every three years but shall be eligible for reappointment only for one more term of three years.

75. The Chairman of the Board of Studies shall be the Chairman of the Board of Trustees and the Member-Secretary of the Board of Studies shall be the Executive Trustee of the Board of Trustees.
76. If at any meeting of the Trustees, the Chairman is not present within 15 minutes of the time appointed for holding the same or if there is no Chairman, the Trustees present at the meeting shall elect from amongst themselves a Chairman of the meeting. The Chairman shall preside over the meeting of the Trustees.
77. The quorum for the Trustees meeting shall be three.
78. Every power, authority or discretion conferred upon the Trustees shall be exercised or signified either by some instrument in writing to be signed by all the Trustees or such of them as may desire to vote or by resolution of the Trustees or such of them as may be present and vote at any meeting of the Trustees or by resolution by circulation passed by the Trustees as hereinafter provided.
79. No Resolution or decision shall be deemed to have been duly passed by circulation unless the Resolution has been circulated in draft form together with an explanatory note and relevant papers, if any, to all the Trustees and has been approved by the majority of the Trustees.
80. In the case of difference of opinion arising amongst the Trustees and in any matter wherein the Trustees have a discretionary power, votes of the majority of the Trustees for the time being voting in the matter shall prevail and be binding on the minority as well as on those Trustees who may not have voted. If the Trustees shall be equally divided in opinion, the matter shall be decided according to the casting vote of the Chairman of the Board of Trustees. This provision shall also apply to any exercise of the power, authority or discretion of the Trustees by instrument in writing as mentioned in Regulation 78.
81. The Board of Trustees shall pay to the Institute five percent of the registration fees and examination fees collected from the students appearing for the DPM Examination.
82. The Board of Trustees shall pay twenty per cent of the registration fees and examination fees collected from the students of DPM Examination to the concerned Chapter which hold the DPM Examination in respect of such students, in accordance with the rules framed for the purpose by the National Council.
83. The Trustees shall keep or cause to be kept a Minute Book of their proceedings and proper books of accounts and the accounts shall be audited annually by Chartered Accountants and Auditors. The audited Statement of Accounts of the Trust shall be placed before the members in the AGM of the Institute every year for their information and approval.
84. In order to implement the objects of the Trust as mentioned in Clauses (a) to (da) of the Schedule "A" of the Trust Deed dated 15th January 1983 as rectified by the Deed of Rectification dated 1st September 1983, a Board of Studies shall be set up consisting of twelve members out of whom six shall be Corporate/Life members of the Institute and the remaining six shall be academicians from reputed national institutions imparting

education in General Management or Human Resource Management preferably from amongst the members of the Institute.

85. The members of the Board of Studies shall be appointed by the National Council.
86. The members of the Board of Studies may from time to time elect from amongst themselves a Chairman and a Member-Secretary of the Board of Studies who must be Corporate/Life Member of the Institute, and determine the period for which they shall hold the respective offices.
87. 1/3rd of the members of the Board of Studies shall retire every 3 years, but shall be eligible for reappointment only for one more term of 3 years.
88. The board of Studies shall decide rules of examination including examination fees, prepare syllabus & make such changes therein as are necessary from time to time, appoint paper setters and examiners, decide their honorarium and take steps for recognition of the Diploma by the Central Government and the State Governments.
89. The Board of Studies shall arrange for holding of the examinations, announcement of results, etc. and perform all other functions in respect of the DPM Examination. The Diploma will, however, be awarded by the Institute.
90. The members of the Board of Studies shall take decisions by consensus.
- 90A. The quorum for the Board of Studies meeting shall be four.
91. The Board of Studies shall discharge such other functions as may be assigned to it by the National Council.
92. The Board of Trustees and the Board of Studies shall make rules and regulations for their smooth functioning.
93. The Board of Trustees and the Board of Studies shall function independently and autonomously. They shall, however, be responsible for their functions to the National Council of the Institute.

Enclo : Annexure-A

Annexure-A**National Institute of Personnel Management****Code of Ethics**

As a member of the National Institute of Personnel Management, I declare that I shall :

- Subscribe to the aims and objects of the National Institute of Personnel Management and be bound by its Constitution;
- Recognise and accept the dignity of an individual as human being, irrespective of religion, language, caste or creed;
- Maintain high standard of integrity and behaviour demanded by the profession;
- Conduct myself as a responsible member of the management team committed to the achievement of the organisational goals;
- Take keen interest in the establishment of healthy Human Resource practices and development of the profession;
- Try to win confidence and gain respect of the employers, employees and all stakeholders and make myself available to them to provide formal and informal intervention to resolve industrial conflicts;
- Endeavour to enhance the good name of my profession in dealing with other professional bodies, government departments, and employers' and employees' organisations;
- Cooperate in maximising the effectiveness of the profession by exchanging freely information and experience with other members;
- Not allow any interest other than professional to interfere with my official work;
- Not interfere with the right of association of the employees;
- Not disclose any information of a confidential nature that I may acquire in the course of my professional work without obtaining the consent of those concerned and shall not use confidential information for personal gains;
- Not accept or offer any improper gratification in any form or manner whatsoever in connection with or in the course of my professional work; and
- Not take or acquiesce in any such action which may bring the Institute and/or the profession into disrepute.
