

BYE-LAWS

(As amended by the Corporate Members at the Extraordinary General Meeting held at Jaipur on 26 May 2010 and effective from 27 May 2010)

INTERPRETATIONS

1. In these Bye-Laws, unless the context otherwise requires, expressions shall have the same meaning as in the Charter, words importing males shall include females and words implying the singular number shall include the plural number and *vice versa*, and words importing individual person or persons shall include body or bodies corporate. Furthermore,

- (a) 'The Institution' means The Institution of Engineers (India) incorporated by Royal Charter dated 9th September 1935.
- (b) 'The Charter' means the Royal Charter of the Institution dated 9th September 1935.
- (c) 'The Bye-Laws' means the Bye-Laws of the Institution for the time being in force.
- (d) 'The Council' means the Council of the Institution constituted under these Bye-Laws.
- (e) 'The President' means the President of the Institution.
- (f) 'The Secretary and Director General' means the Secretary and Director General of the Institution as may be appointed by the Council from time to time.
- (g) 'Regulations' means the Regulations of the Council for the time being in force, made pursuant to Bye-Law 26.
- (h) 'Financial Year'/'Year' means the twelve months commencing on the 1st day of April of a calendar year ending with the 31st day of March of the following calendar year.
- (i) 'Session' means the period of time between the date of one Annual General Meeting and the date of the succeeding Annual General Meeting.
- (j) 'The Roll' means the register of members of the Institution.
- (k) 'Recorded Address' means the address of a member as given in the proposal for his election or transfer, or subsequently varied by notice in writing to the Secretary and Director General and as recorded in the Roll.
- (l) 'The Statutes' means the rules formulated for each autonomous Organ and Forum of the Institution made pursuant to Bye-Laws 99 and 100 and relevant Regulations.

- (m) 'Academically Admissible Discipline' means the discipline being taught and pursued at undergraduate level in several engineering institutions.
- (n) "Casual Vacancy" means a vacancy occurring by death, resignation, bankruptcy or un-designed act and not by efflux of time.
- (o) "Norms & Rules" means Norms & Rules for the functioning of the Institution as approved by the Council from time to time.

Note : An "academically admissible discipline" has to be an engineering discipline, so that the qualification attained by a person by passing the examination in the discipline is equivalent to that attained by passing Sections A and B examinations of the Institution and such a person, if elected as a Corporate Member, can justifiably be designated as a "Chartered Engineer".

HEADQUARTERS

2. The Headquarters of the Institution shall be situated in Kolkata. The Headquarters may be shifted to any other place as may be decided by the two-thirds majority of Corporate Members on the Roll by postal ballot.

MANAGEMENT

3. The government and control of the Institution and its affairs shall vest with its Council and the Council shall exercise all the powers of the Institution and do all duties of the Institution with intent to give effect to the provisions of the Charter and the Bye-Laws for the time being of the Institution except so far as the same are by the Charter or by the Bye-Law for the time being expressly required to be done in General Meetings of Corporate Members or by the President or the Secretary and Director General of the Institution.

THE COUNCIL

4. (a) The Council shall consist of :
 - (i) The President;
 - (ii) The two immediate Past Presidents;
 - (iii) One Corporate Member from each of the State Centres, whose Corporate Membership is not less than one and half per cent of the total strength of Corporate Members on the Roll as on 31st day of March of the year immediately preceding the year in which the election falls due, elected by the Corporate members attached to the respective State Centres from amongst themselves;
 - (iv) The representative of the Divisions elected by the Corporate Members attached to the respective Divisions from amongst themselves as per following norms :

- | Strength of Corporate Members attached to Divisions as a percentage of total Corporate membership strength of the Institution as on 31st March preceding the year in which the election is due | Number of Representatives |
|--|---------------------------|
| upto 2% | 1 |
| above 2% but upto 5% | 2 |
| above 5% but upto 10% | 3 |
| above 10% but upto 20% | 4 |
| above 20% but upto 40% | 6 |
| above 40% | 5 |
- (b) The following shall be *ex-officio* members of the Council:
- (i) The Chairmen of the State Centres.
 - (ii) The Chairmen of the Local Centres whose Corporate Membership is not less than one percent of the total strength of Corporate Members on the Roll as on 31st March immediately preceding the Annual General Meeting of the Corporate Members of the Institution.

Note : *Total Corporate membership strength shall be rounded off to the nearest hundred as per IS:2-1960 and thereafter the required percentage be arrived at and compared with the respective strength of Corporate Membership either of State or Local Centre or Division, as the case may be, to determine the eligibility.*

- (c) The Council may, if considered necessary, also co-opt not more than four outstanding engineering personalities upon the recommendation of the Committee comprising five Past Presidents of the Institution as may be appointed by the Council for the purpose.
- (d) The Chairman of the Governing Council of Autonomous Organ and the Chairman of the Board of Governors of each autonomous Forum or his nominee shall be special invitees to the Council providing a coordinating linkage between the Council and the Organ/Forum.
- (e) No act of the Council or any body set up under the Bye-Laws or Regulations of the Council shall be invalid merely by reason of :
 - (i) any vacancy in or defect in the constitution thereof;
 - (ii) any defect in the election, nomination or appointment of a person acting as a member thereof.

5. The Council shall in its last meeting prior to Annual General Meeting, elect the President from amongst the Fellows in the Council excluding the Past Presidents and the members co-opted under Bye-Law 4(c), 12(a), 12(b) and 13. The term of the office of the President shall be for one session only.

The co-opted/nominated members in the Council shall be eligible to vote for the office of the President.

6. The term of the elected members of the Council, other than the President and two immediate Past Presidents shall be for four Sessions, provided that if the strength of Corporate Members of a State Centre gets reduced below 1.5% of the total strength of Corporate Members of the Institution as on 31st March of the year for any reason whatsoever representation by one Corporate Member from the State Centre as per Bye-Law 4(a)(iii) shall cease to exist with effect from the next Annual General Meeting of the Institution when the Member elected under the said Bye-Law 4(a)(iii) shall also cease to be Member of the Council.

7. (a) The term of the President shall be for one session only and he shall retire at the Annual General Meeting of the Corporate Members at the termination of his period of office and after completion of his period of office he shall not be eligible for re-election at any time.

(b) The President may nominate two Vice-Presidents from amongst the Fellows in the Council but excluding the Past Presidents. The term of office of such Vice-Presidents shall be for one session only and they shall not be eligible for re-nomination at any time. To make the office of the Vice-Presidents functional and effective, the President shall assign each of them such functions and responsibilities and may delegate such powers as he may deem fit. Further, for any function and assignment given to a Vice President, the concerned Vice President shall be responsible to the President and through him to the Council.

8. The term of the members co-opted in accordance with the provisions of Bye-Laws 4(c) and 12(a) and 12(b) shall be of one session only and they shall retire at the Annual General Meeting of the Corporate Members on termination of session. They shall, however, be eligible for co-option to the Council for further session.

9. In the event of the President being unable to perform the duties of his office due to death, resignation or any other cause, or in the case of his prolonged absence from India for any reason, the seniormost member of the Council shall assume all the duties of the President till the Council elects a President from amongst themselves in accordance with the provisions of Bye-Law 5 for the residual part of the session provided however, that the residual part of the session is not less than two months. The seniority of members of the Council shall be based upon the continuous number of years that the members concerned have been on the Roll as Corporate Members.

10. The President shall be ex-officio member of all Boards and Committees of the Institution.

11. The Secretary and Director General shall, soon after the 31st March of the year in which the elections under Bye-Law 4(a)(iii) is due, notify the Honorary Secretaries of the State Centres about the members of Council who will retire at the Annual General Meeting and shall call upon the State Centres to hold election under Regulation 13 to fill the vacancies in the Council.

12. (a) The Council may fill by co-option any casual vacancy arising from death or resignation or any other cause of an elected member of the Council which may occur between one Annual General Meeting and the succeeding Annual General meeting. Resignation from the Council including resignation from Chairmanship of a State Centre and Local Centre, shall become effective from the date of resignation and shall not be withdrawn except by special permission of the Council.

(b) The Council may also fill by co-option the vacancies caused by election of one member of the Council as President under Bye-Law 5 and by reason of one or two of the elected members of the Council being member or members of the Council as immediate Past President under Bye-Law 4(a)(ii).

13. If a Chairman of a State or Local Centre is also otherwise a member of the Council, then the Council shall co-opt one Corporate Member attached to the State or Local Centre as the member of the Council during the period of office of the Chairman upon the recommendation of the State or Local Centre as the case may be.

POWERS, PROCEDURES AND DUTIES OF THE COUNCIL

14. Pending the election of a Council according to the provisions of these Bye-Laws, the existing Council shall be the Council of the Institution and shall exercise all powers of the Institution subject to the provisions of the Charter.

15. The Council shall direct and manage the affairs and property of the Institution, subject to the provisions of the Charter, the Bye-Laws and the Resolutions of General Meetings of Corporate Members which have been duly summoned and held in accordance with the Charter and the Bye-Laws and duly recorded in the Minutes of the meeting. Subject as aforesaid, the Council shall further exercise all powers of the Institution not otherwise specifically provided for, provided such powers are not by the Charter or the Bye-Laws required to be exercised by the Corporate Members at a General Meeting.

16. The decisions of the Council on all matters dealt with by it in accordance with the provisions of the Charter, the Bye-Laws and the Regulations, and such Resolutions of General Meetings of Corporate Members as aforesaid, shall be final and binding on all classes of members.

17. The Council may appoint Committee or Committees and may delegate any of its powers to any such Committees except as stated in Bye-Law 18. The Council may, in addition, delegate any of its powers to the President, the Chairmen of State or Local Centres, the Chairmen of the Governing Council of Autonomous Organ and Board of Governors of the Autonomous Fora, the Chairmen of the Divisions, the Secretary and Director General or such other person or persons or bodies as it may appoint or constitute from time to time for the efficient working of the Institution. All such Committees or persons shall in the exercise of powers delegated to them by the Council and in the transaction of business conform to any directions that may be given to them by the Council and subject thereto may regulate their proceeding as they think fit.

18. None of the powers or functions of the Council under Bye-Laws 74 and 75 shall, however, be delegated to a Committee save only the hearing of any explanation or defence given orally.

19. The Council shall meet as often as the business of the Institution may require, but not less than four times a year. At every meeting of the Council twenty members shall constitute a quorum and at a meeting of the Council held after adjournment partly or wholly, members present shall form the quorum. A meeting of the Council at which a quorum is present shall be competent to exercise all or any of the powers or discretions vested in or exercisable by the Council, notwithstanding any vacancy in the body. If at any meeting there is no quorum, the Council shall stand adjourned for twenty-four hours and shall meet at the same place on expiry of twenty-four hours and transact the business of the meeting with the members present as the quorum.

The President when present, shall be the Chairman at all meetings of the Council. In his absence, the Chair shall be taken by immediate Past President. In absence of immediate Past President, the Chair shall be taken by the preceding Past President. In absence of preceding Past President also, the Chair shall be taken by one of the Vice Presidents in order of seniority in the Council. In absence of all of them, the Chair shall be taken by a member of the Council (Fellow) present at the meeting in order of seniority as a Corporate Member. The seniority of member of the Council shall be based upon the continuous number of years that the member concerned has been on the Roll as Corporate Member.

20. To summon a meeting of the Council, the Secretary and Director General shall issue the notice of meeting to each member of the Council together with the agenda not less than fourteen days before the date of the meeting. This period of fourteen days shall be exclusive of the day on which the notice is issued, but inclusive of the day for which the notice is given. This period shall not apply to supplementary agenda which may be issued as the exigencies of the case may require.

21. The Secretary and Director General shall summon a special meeting of the Council on receipt of a written requisition which shall contain the specific matters desired to be discussed at the special meeting and shall be signed by at least ten members of the Council and within thirty days of the receipt of the requisition. The notice of such special meeting shall state the purpose for which the meeting is called, and its period shall be the same as in Bye-Law 20. At such meeting no business other than specified in the requisition shall be transacted.

22. At any meeting of the Council, each member of the Council present in person shall have one vote. Except as provided in Bye-Laws 74 and 75 all questions shall be decided in the Council by a majority of those present and having a right to vote. In the case of equality, the President or other person presiding shall have a second or casting vote. A postal vote of the Council shall, however, be taken whenever :

- (a) Any six present in person at the meeting shall demand it; or,
- (b) Any twelve, whether present at the meeting or not, shall by notice in writing delivered to the Secretary and Director General before the hour fixed for the meeting, demand it; or,
- (c) The meeting of the Council shall so direct.

23. The Council shall cause a statement of the funds of the Institution, and of the income and expenditure during the past year, terminating 31st March, to be made and verified and signed by the Auditors. The Council shall cause such accounts to be presented at the Annual General Meeting.

24. The Council shall draw up an Annual Report of the Council on the state of the Institution, and shall present it at the Annual General Meeting.

25. The Council may make, amend or rescind Bye-Laws provided that the same be not repugnant to the Charter and no such addition, amendment or rescission shall come into operation until the same has been approved by an Extraordinary General Meeting of Corporate Members.

26. The Council may make, amend or rescind Regulations provided that the same be not repugnant to the Charter and the Bye-Laws, and no such addition, amendment or rescission shall come into operation until the same has been approved by a Special General Meeting of Corporate Members.

27. The Council may, upon receipt of a request to that effect from any society with objects kindred to those of the Institution, arrange for the amalgamation of such society with the Institution, and may also extend such concessions as it thinks fit to members of such society at the time of amalgamation to facilitate their admission into the Institution. But no such amalgamation shall be effective until it is approved by a Special General Meeting of Corporate Members.

SECRETARY AND DIRECTOR GENERAL

28. The Secretary and Director General of the Institution shall be appointed by the Council at such remuneration and on such other terms and conditions as it may think fit.

29. (i) The Secretary and Director General shall function as the Chief Executive of the Institution, carry out all his duties under the directions of the Council and under supervision and control of the President. He shall devote his full-time to the business of the Institution and shall not engage in any other business or profession.

(ii) He shall be in administrative charge of all the employees of the Institution at the Headquarters and at the State and Local Centres of the Institution. He shall appoint, subject to approval of the Council, all employees of the Institution and allot their work and duties. He shall be responsible for the conduct of correspondence and office work of the Headquarters, maintain the Roll of all classes of members and their addresses; he shall attend all meetings of the Council and shall have the business transacted thereat correctly and fully recorded and reported; he shall supervise the publications and the examinations of the Institution; he shall have the charge of the libraries/information centres of the Institution; he shall have the charge of all the properties of the Institution save only the funds and moneys in the custody of banks and he shall conduct the ordinary business of the Institution in accordance with the Charter, the Bye-Laws, the Regulations and the directions of the Council and the President.

(iii) He shall be responsible for preparation of the Headquarters budget for approval of the Finance Committee and the Council, for keeping all accounts of the Institution, for having them duly audited at the end of the Financial Year in compliance with the Finance Manual and Rules framed by the Finance Committee and the Council from time to time. He shall also be responsible for management of the finances and other business of the Institution in accordance with the Charter, the Bye-Laws, the Regulations and Laws and Statutes of the country and as per direction and decision of the Council. During the period between two consecutive meetings of the Council, he shall act as per the direction of the President and subsequently report such actions to the Council. He shall immediately report any violation or irregularities, whether financial or otherwise, which comes to his knowledge to the President and subsequently to the Finance Committee and the Council and shall be accountable for failure to do so.

- (iv) The Council may vary from time to time the responsibilities and the powers of the Secretary and Director General.

COMMITTEE MEETINGS

30. Any Board/Committee of the Council, State Centre and Local Centre shall meet as and when necessary or as stipulated.

The Chairman when present, shall preside over the meetings of the Board/Committee. In his absence, the members of Board/Committee present shall elect from amongst themselves a member to be the Chairman for presiding over the meeting.

GENERAL MEETINGS

31. The General Meetings of the Corporate Members shall be of the following classes:

- (a) The Annual General Meeting of Corporate Members only for the business prescribed in the Charter and Bye-Laws, as detailed in Bye-Law 32(a).
- (b) Special General Meeting of Corporate Members for the purpose of :
 - (i) considering addition, amendment, rescission of the Regulations made by the Council under the provisions of Bye-Law 26;
 - (ii) considering any resolution duly passed by the Council other than those in respect of addition, amendment or rescission of Bye-Laws, and requiring the confirmation of the Corporate Members; and
 - (iii) considering the specific matters to be moved at such Special General Meeting pursuant to any requisition signed by not less than five hundred Corporate Members and submitted to the Secretary and Director General.
- (c) Extraordinary General Meeting of Corporate members for the purpose of making, amending or rescinding any Bye-Law of the Institution or approving the resolution of the Council under Bye-Law 25 in respect of addition, amendment or rescission of any Bye-Law of the Institution.

32. (a) (i) The Annual General Meeting shall be held at such place as the Council shall determine, but in the month of November or December in every year. But if not held due to unavoidable reasons, the Council shall have the power to hold the Annual General Meeting in any other month, and the reasons for the postponement shall be announced at the Annual General Meeting. Only Corporate Members shall be entitled to attend such Annual General Meeting. The business of the Annual

General Meeting shall be to receive the Audited Accounts of the Institution and the Annual Report of the Council for the preceding financial year and the report on the elections to the Council and to appoint Auditors and fix their remuneration.

- (ii) In case the Council fails to lay the Audited Accounts of the Institution at a duly convened Annual General Meeting, the Annual General Meeting shall be adjourned and shall take place at a later date for the purpose of laying the said Audited Accounts and the place, date and time for such adjourned Annual General Meeting shall be decided by the Chairman of the Annual General Meeting and declared along with the announcement for adjournment and no business of the Corporate Members performed at the Annual General Meeting shall be invalid merely by reason of adjournment of the Annual General meeting for not laying Audited Accounts.
- (b) (i) A Special General Meeting of the Corporate Members may be called at any time by the Council at such place as the Council may decide for the purpose.
- (ii) The Council shall also be bound to call a Special General Meeting whenever a requisition signed by at least five hundred Corporate Members is made and delivered to the Secretary and Director General specifying the matter to be moved at such Special General Meeting and shall cause the notice of the Special General Meeting to be issued within ninety days of the receipt of the requisition by the Secretary and Director General. At such Special General Meeting only the special matters of which notice has been given or such questions as necessarily arise thereof shall be considered.
- (c) (i) An Extraordinary General Meeting of Corporate Members may be called at any time by the Council at such place as the Council may decide for the purpose.
- (ii) The Council shall also be bound to call an Extra-ordinary General Meeting whenever a requisition signed by at least five hundred Corporate Members is made and delivered to the Secretary and Director General specifying the matter to be moved at such an Extraordinary General Meeting and shall cause the notice of the Extraordinary General Meeting to be issued, within ninety days of the receipt of requisition by the Secretary and Director General. These provisions shall not, however, apply to Bye-Law 2 which shall be operated only according to its own provisions.

33. Notice of the making, amending or rescinding of any Bye-Law or Regulation shall be published in the appropriate publication of the Institution as soon as it is reasonably practicable after the same shall have been passed in accordance with the provisions of the Charter and the Bye-Laws.

34. At least twenty-five days notice shall be given of all General Meetings of Corporate Members. This period of twenty-five days shall be exclusive of the day on which the notice is deemed to be given, but inclusive of the day for which the notice is given. In the case of a Special General Meeting and an Extraordinary General Meeting convened the instrument for appointing a proxy as described in Bye-Law 41 shall accompany the notice.

35. Service of a notice shall be deemed to be effected by properly addressing, pre-paying and posting the letter containing the notice. The accidental omission to give notice of a General Meeting of Corporate Members to or the non-receipt of notice of such a meeting by any Corporate Member entitled to receive notice shall not invalidate the proceedings of that meeting.

PROCEEDINGS OF GENERAL MEETINGS

36. The President, when present, shall be the Chairman at all General Meetings, and in his absence the Chair shall be taken by a member of the Council in order of their seniority. But if no member of the Council is present and willing to act, the meeting shall elect a Chairman from the Corporate Members present at the meeting.

37. No business shall be transacted at any General Meeting of Corporate Members unless a quorum is present when the meeting proceeds to business. The Corporate members present shall be the quorum for the Annual General Meeting, fifty Corporate Members for a Special General Meeting, and one hundred Corporate Members for an Extraordinary General Meeting.

38. If within thirty minutes after the time appointed for a Special General Meeting or an Extraordinary General Meeting, or at any point of time during a Special General Meeting or an Extraordinary General Meeting, the requisite quorum is not present, the meeting shall be dissolved and the Chairman with the consent of the meeting, and if so directed by the meeting, shall adjourn the meeting by twenty-four hours. The adjourned meeting shall be held at the same place on expiry of twenty-four hours and the Corporate Members present at the adjourned meeting shall form the quorum. No business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which adjournment took place. It shall not be necessary to give any notice of an adjournment or of the business to be transacted at any adjourned meeting.

39. (a) At all General Meetings of Corporate Members, questions shall be decided according to the majority of votes properly given thereat by show of hands :

(i) Unless a poll is, before or on the declaration of the results by the show of hands, demanded by at least ten Corporate Members present, provided no poll shall be demanded on the election of a Chairman or on a question of adjournment, and

(ii) Unless instruments of proxy have been deposited with the Secretary and Director General in accordance with the provisions of Bye-Law 42 in which case due account shall be taken of them.

(b) In the case of an equality of votes the Chairman of the meeting shall both on a show of hands and at a poll have a casting vote. The acceptance or rejection of votes by the Chairman shall be conclusive for the purpose of the decision of the matter in respect of which the votes are tendered.

40. Votes may be given at a General Meeting of Corporate Members either personally or by proxy. Each Corporate Member present in person or by proxy shall have one vote. No person shall be appointed a proxy to vote at any meeting who is not a Corporate Member entitled in his own right to vote at such meeting.

41. The instrument appointing a proxy shall be in writing under the hand of the appointer and shall, as nearly as circumstances will admit, be in the form or to the effect following :

The Institution of Engineers (India)

I of being a Corporate Member of the above Institution hereby appoint of or failing him of as my proxy at Special General Meeting/Extraordinary General Meeting of the Institution to be held on theday of20 and at any poll held in connection therewith. As witness my handday of 20.....

Signature
Class of Membership of IEI No

42. The instrument appointing a proxy shall be deposited with the Secretary and Director General not less than seventy two hour before the hour fixed for the meeting at which the person named in the proxy proposes to vote, but no instrument appointing a proxy shall be valid after expiration of three calendar months from its date.

43. A poll shall be taken by means of postal voting papers and shall be a poll of all Corporate Members who at the time of despatch of such papers shall be entitled to receive notice of a meeting :

- (a) When Corporate Members demand it under the provisions of Bye-Law 39(a)(i), and
- (b) When in its opinion, the Council considers it in the interest of the Institution that an appeal should be made on any question to the whole body of Corporate Members.

The form and contents of the voting papers shall specify the subject matter to be voted upon and the date of return thereof, and shall be issued at least thirty days, exclusive of the day on which the papers are deemed to be issued, but inclusive of the day of return, prior to the date of return.

MEMBERSHIP

44. The Institution shall consist of members in the following orders : Honorary, Corporate and Non-Corporate. The Honorary Member shall comprise the classes of Honorary Fellows and Honorary Life Fellows. Corporate Members shall comprise the classes of Fellows, Members, Associate Members and Non-Corporate Members shall comprise the classes of Associates, Affiliate Members, Member Technologists, Associate Member Technologists, Senior Technician Members, Technician Members, Institutional Members and Donor Members. The names and addresses of all members shall be entered on the Roll of the Institution.

QUALIFICATIONS FOR MEMBERSHIP

Honorary Fellows

45. Honorary Fellows shall be the President of India, the Vice-President of India, the Prime Minister of India and Governors of States or equivalent Heads of States and Union Territories as may be invited by the Council to be Honorary Fellows for the period of their respective tenures of office.

Honorary Life Fellows

46. 'Honorary Life Fellow' of the Institution may be conferred by the Institution on persons in India and abroad for their high eminence in engineering or the sciences or who have contributed to the industrial advancement or development of engineering profession. All such conferment shall be by invitation and shall be announced at the next Annual General Meeting of the Institution. The number of the Honorary Life Fellows shall not be more than fifty at any time. The Council, however, shall be competent to regulate the number as required from time to time. The Council shall prescribe procedures for the purpose and the manner of bestowing the honour on them.

Fellows

47. Every candidate for election as a Fellow or for transfer to the class of Fellows shall satisfy the Council that he possesses the following qualifications:

- (i) *Age*: He shall have attained the age of forty years on the date of his application for election or transfer.
- (ii) *Occupation*: He shall be engaged in the profession of engineering in a position of high responsibility or shall have retired from the profession after having held, before his application for election or transfer, a position of high responsibility.
- (iii) *Attainments*: He shall either be a Member or shall have fulfilled the conditions necessary for Membership; and he shall have had at least fifteen years employment in the aggregate in a position of responsibility in the design or execution of important engineering works.

For the purpose of this Bye-Law, employment as a senior member of the engineering staff in an engineering college or institute which has regular courses of study leading to an educational qualification recognised by the Council as exempting from Sections A and B of the Institution Examinations or employment in a responsible position on important engineering research may be accepted by the Council in place of employment in the design or execution of important engineering works.

Members

48. Every candidate for election as a Member or for transfer to the class of Members shall satisfy the Council that he possesses the following qualifications:

- (i) *Age*: He shall have attained the age of thirty-two years on the date of his application for election or transfer.
- (ii) *Occupation*: He shall have been engaged in a position of responsibility in the design and execution or operation of engineering works. For the purpose of this Bye-Law, employment as a teacher of engineering or in a likewise capacity in an engineering college or institute which has regular courses of study leading to an educational qualification recognised by the Council or employment in engineering research may be accepted by the Council in place of employment in the design and execution or operation of engineering works.

At the discretion of the Council, occupation may also include teaching an engineering subject in an institute/college which does not confer/award degree in engineering.

- (iii) *Examination:* He shall have passed Sections A and B of the Institution Examinations prescribed by the Council or possesses an educational qualification recognised by the Council as exempting therefrom.
- (iv) *Training:* He shall have received engineering training in a regular course of study in an engineering college or institute leading to an educational qualification recognised by the Council as exempting from Sections A and B of the Institution Examinations or as a pupil or apprentice or assistant in an engineering office or works as would provide him with engineering training to the satisfaction of the Council.
- (v) *Experience:* He shall have had further at least ten years professional engineering experience in a position of responsibility. In the case of a candidate who has passed Sections A and B of the Institution Examinations, the Council may, at its discretion, take into account periods of responsible employment prior to his passing Section B.

Associate Members

49. Every candidate for election as an Associate Member or for transfer to the class of Associate Members shall satisfy the Council that he possesses the following qualifications :

- (i) *Age:* He shall have attained the age of twenty-six years on the date of his application for election or transfer.
- (ii) *Occupation:* He shall have been engaged in a position of responsibility in the design and execution or operation of engineering works. For the purpose of this Bye-Law, employment as a teacher of engineering or in a likewise capacity in an engineering college or institute which has regular courses of study leading to an educational qualification recognised by the Council or employment in an engineering research may be accepted by the Council in place of employment in the design and execution or operation of engineering works.

At the discretion of the Council, occupation may also include teaching an engineering subject in an institute/college which does not confer/award degree in engineering.
- (iii) *Examination:* He shall have passed Sections A and B of the Institution Examinations prescribed by the Council or possesses an educational qualification recognised by the Council as exempting therefrom.

- (iv) *Training:* He shall have received engineering training in a regular course of study in an engineering college or institute leading to an educational qualification recognised by the Council as exempting from Sections A and B of the Institution Examinations, or as a pupil or apprentice or assistant in an engineering office or works as would provide him with engineering training to the satisfaction of the Council.
- (v) *Experience:* He shall have had further at least five years professional engineering experience in a position of responsibility. In the case of a candidate who has passed Sections A and B of the Institution Examinations the Council may, at its discretion, take into account periods of responsible employment prior to his passing Section B. The Council may, at its discretion, arrange for candidates for election as Associate Members to be examined by a written or an oral test or both in order that they may be satisfied that such candidates have acquired during their practical training and professional engineering experience adequate engineering knowledge.

Associates

50. Every candidate for election as an Associate or for transfer from Technician Member or Senior Technician Member to Associate shall satisfy the Council that he possesses the following qualifications :

- (i) *Age:* He shall have attained the age of twenty-one years on the date of his application for election or transfer.
- (ii) *Occupation:* He shall have engaged in the engineering profession and shall in the opinion of the Council be making satisfactory progress in the acquisition of qualifications for Associate Membership provided that temporary unemployment is no bar to his election.
- (iii) *Examination:* He shall have the qualifications of Grad IE (having passed Sections A & B of the Institution's Examinations) prescribed by the Council or possesses an educational qualification recognised by the Council as exempting therefrom.
- (iv) *Training:* He shall have received engineering training in a regular course of study in an engineering college or institute leading to an educational qualifications recognised by the Council as exempting from Sections A and B of the Institution Examinations, or as pupil or apprentice or assistant in an engineering office or works as would provide him with engineering training to the satisfaction of the Council.

Affiliate Members

51. Every candidate for election as an Affiliate Member or for transfer from any other grade to Affiliate Member shall satisfy the Council that he possesses the following qualifications :

- (i) *Age:* He shall have attained the age of twenty six years on the date of his application for election or transfer.
- (ii) *Occupation:* He shall have engaged as a teacher in a recognised technical institute or engaged in engineering or allied profession.
- (iii) *Qualification:* He shall have passed degree in science from a recognised institution.
- (iv) Affiliate Membership would be open to those with minimum five years post qualification experience.

Member Technologists

52. Every candidate for election as a Member Technologist shall satisfy the Council that he possesses the following qualifications :

- (i) *Age:* He shall have attained the age of thirty two years on the date of his application for election or transfer.
- (ii) *Occupation:* He shall have been engaged in engineering or industrial profession at least for a period of ten years in a position of responsibility to the satisfaction of the Council.
- (iii) *Qualification:* He shall have passed graduation degree in Applied Science, Technology, Computer Science and Computer Application or equivalent.

Note :*The Member Technologists will enjoy all the benefits and rights of Corporate Members except that they shall not have voting rights and shall not hold any elected office of the Institution.*

Associate Member Technologists

53. Every candidate for election as an Associate Member Technologist shall satisfy the Council that he possesses the following qualifications :

- (i) *Age:* He shall have attained the age of twenty six years on the date of his application for election.
- (ii) *Occupation:* He shall have engaged in engineering or industrial profession at least for a period of five years and shall, in the opinion of the Council, be making satisfactory progress in a position of responsibility.
- (iii) *Qualification:* He shall have passed graduation degree in Applied Science, Technology, Computer Science and Computer Application or equivalent.

Note :*The Associate Member Technologists will enjoy all the benefits and rights of Corporate Members except that they shall not have voting rights and shall not hold any elected office of the Institution.*

Senior Technician Members

54. Every candidate for election as a Senior Technician Member or for transfer from Technician Member to Senior Technician Member shall satisfy the Council that he possesses the following qualifications :

- (i) *Age:* He shall have attained the age of eighteen years on the date of his application for election or transfer.
- (ii) *Examination:* He shall have passed (a) either accredited diploma examination in engineering or technology or its equivalent as recognised by the Council, or (b) such other examination recognised by the Council as exempting from passing Section A of the Institution Examination in non-diploma stream.

Technician Members

55. Every candidate for election as a Technician Member shall satisfy the Council that he possesses the following qualifications :

- (i) *Age:* He shall have attained the age of seventeen years on the date of his application for election.
- (ii) *Examination:* He shall possess an educational qualification recognised by the Council.

Institutional Members and Donor Members

56. The Council may, at its discretion, attach to the Institution as a Institutional or Donor Member any Public or Local Body, Registered Company or Firm, or an individual who may desire to be so attached.

ELECTION AND TRANSFER

57. (a) Any person desirous of election as a Corporate Member or transfer to any class of Corporate membership shall be proposed and recommended from personal knowledge in the prescribed form by (a) three Fellows in case of application for election as Fellow or for transfer to the class of Fellow, (b) two Corporate members one of whom shall be a Fellow in case of application for election as Member or for transfer to the class of Member; and (c) two Corporate Members of any class in case of application for election as Associate Member or for transfer to the class of Associate Member.

- (b) Any person desirous of election as Affiliate Member shall be proposed and recommended from personal knowledge in the prescribed form by at least two Corporate Members. The proposal form shall be accompanied by such fees as are prescribed in the Regulations and shall be delivered to the Secretary and Director General.
- (c) Any person desirous of election as a Member Technologist and Associate Member Technologist shall be proposed and recommended from personal knowledge in the prescribed form by two Corporate Members one of whom shall be a Fellow. The proposal form shall be accompanied by such fees as are prescribed in the Regulations and shall be delivered to the Secretary and Director General.

58. Any person desirous of election as Associate, Senior Technician Member or Technician Member shall be proposed and recommended from personal knowledge in the prescribed form by one Corporate Member. The proposal form shall be accompanied by such fees as are prescribed in the Regulations, and shall be delivered to the Secretary and Director General.

59. Any applicant desirous of attachment as Institutional Member and/or Donor Member shall deliver his application direct to the Secretary and Director General with such fees as are prescribed in the Regulations.

- 60. (a) On each proposal form received from an applicant for election to the class of Fellow, the Secretary and Director General shall record his opinion as to whether or not the qualifications of the candidate appear to be in accordance with the provisions of the appropriate Bye-Law.
- (b) The Secretary and Director General shall place the proposals to the Membership Committee as constituted under Bye-Law 60(c) for decision, and then shall declare the proposal as approved or as not approved by the Membership Committee on behalf of the Council, as the case may be and report to the Council.
- (c) The Council shall constitute the Membership Committee comprising the President and three Members of the Council from three divisions to be nominated by the Council and the Secretary and Director General.

The Membership Committee shall have the powers to deal with all aspects of election of members, membership promotion and services to members.

The Membership Committee shall act and exercise powers of the Council, to decide on the election to any class of members and may constitute Sub-Committees from amongst members of the Committee for the purpose and may delegate all or some of its powers to the Sub-Committees.

61. On each proposal form received from an applicant normally resident abroad for election to the class of Fellow, the Secretary and Director General shall record his opinion as to whether or not the qualifications of the candidate appear to be in accordance with the provisions of the appropriate Bye-Law and then place the proposal to the Membership Committee for final decision.

- 62. (a) Each proposal form for Member, Associate Member, Associate, Member Technologist, Associate Member Technologist, Senior Technician Member or Technician Member shall be scrutinised by the Secretary and Director General as to whether or not the qualifications of the candidate are in accordance with the appropriate Bye-Laws.
- (b) The Secretary and Director General shall then on behalf of the Council declare the proposal as approved by the Council or as not approved by the Council as the case may be and report to the Council.
- (c) If the candidate has the requisite educational qualification, but the nature of his training is such as can be best verified by the State Centre within the boundaries of which he resides, the Secretary and Director General shall follow the procedure set out in Bye-Laws 60(a), (b), (c) and 62(b).
- 63. (a) Each proposal form for Affiliate Member or Institutional Member or Donor Member shall be scrutinised by the Secretary and Director General as to whether or not it is desirable to attach the applicant to the grade applied for.
- (b) If the applicant in the opinion of the Secretary and Director General is suitable, the Secretary and Director General shall on behalf of the Council declare the proposal as duly approved by the Council, or if not suitable, as not approved by the Council.

64. Every candidate for the class of Fellow, Member, Associate Member, Associate, Affiliate Member, Member Technologist, Associate Member Technologist, Senior Technician Member or Technician Member shall on his election or transfer, be forthwith notified of the fact by the Secretary and Director General. But no person although duly elected in accordance with the Bye-Laws, shall be entitled to any of the rights and privileges of the Institution nor shall his name be entered on the Roll, until he shall have signed and delivered to the Secretary and Director General an undertaking in the prescribed form that he will be governed by the provisions of the Bye-Laws and the Regulations in force from time to time and that he will accept as final and binding the decisions of the Council.

65. Every applicant for the class of Institutional Member or Donor Member shall on his attachment, be forthwith notified of the fact by the Secretary and Director General.

66. The Secretary and Director General shall give notice of every such election or attachment to the Honorary Secretary of the State Centre within the boundaries of which the candidate or applicant resides or practices or carries on business.

RIGHTS AND PRIVILEGES

67. Subject to the provisions of the Charter and to the restrictions contained in the Bye-Laws :

- (a) Fellows shall enjoy all the rights and privileges of the Institution, but in accordance with the provisions in the Charter, Bye-Laws and the Regulations.
- (b) Members and Associate Members shall enjoy the rights and privileges of the Institution, but in accordance with the provisions in the Charter, Bye-Laws and the Regulations and save that they shall not be eligible to hold office as President, Chairman of a State Centre or Chairman of a Local Centre in accordance with the provision in Regulation 7(a).
- (c) Associates, Affiliate Members, Member Technologists, Associate Member Technologists, Senior Technician Members and Technician Members shall enjoy the rights and privileges of the Institution, but in accordance with the provisions in the Bye-Laws and the Regulations and save that they shall not be eligible to hold office and shall not have any right of voting except in cases as may be provided in the rules framed by the Council for the time being.

68. The rights and privileges of every Fellow, Member, Associate Member, Associate, Affiliate Member, Member Technologist, Associate Member Technologist, Senior Technician Member or Technician Member shall be personal to himself as such and shall not be transmissible by his own act or by operation of law.

69. (i) Every Fellow, Member and Associate Member is, and is entitled to describe himself as a Chartered Engineer, and in using that description after his name as C.Eng.(I) shall place it before that designation of the class in the Institution to which he belongs, stated in accordance with the following abbreviated forms, namely, F.I.E., M.I.E., A.M.I.E.

- (ii) A Fellow or Member or Associate Member practising in partnership with any person who is not a Fellow or Member or Associate Member under the title of a firm shall not use or permit to be used after the title of such firm the designation Chartered Engineer or Chartered Engineers, or described or permit the description of such firm in any way as Chartered Engineers.
- (iii) A Fellow or Member or Associate Member practising or acting in a professional capacity under the title of, or as a director, officer or employee of a company, whether such company shall be authorised or not to carry on the profession or business of an engineer in all or any of its branches shall not use or permit to be used after the title of such company the designation of Chartered Engineer or Chartered Engineers, or describe or permit the description of such company in any way as Chartered Engineers.
- (iv) Every Associate, Affiliate Member, Member Technologist, Associate Member Technologist, Senior Technician Member and Technician Member shall be entitled to place, after his name the designation of the class in the Institution to which he belongs, stated in accordance with the following abbreviated forms, namely A.I.E., Aff.I.E., M.T.I.E., A.M.T.I.E., Sr. Tech I.E. and Tech. I.E. respectively.
- (v) Every member entitled to describe himself as a Professional Engineer can use that description after his name as P.Eng.
- (vi) 'Chartered Engineer' Certificate shall be issued by the Secretary and Director General only upon an application by a Corporate member and provided he has compounded his annual subscription for life or made full payment of the Composite Subscription as applicable and on payment of such fees as may be prescribed by the Council from time to time.

RESIGNATION, REMOVAL AND REINSTATEMENT

70. Every person elected to any class of membership shall cease to be a member in case of death or under the conditions as provided in Bye-Laws 71 and 72.

Provided further that every person elected to the class of Associate, Senior Technician Member or Technician Member shall cease to be a member of that class on qualifying himself for election or transfer to the next higher class of membership.

71. (a) Every Fellow, Member, Associate Member on the Roll of the Institution as on the 31st day of March 1989 shall be liable to pay his appropriate annual subscription as indicated in Table I of the Regulation 30.
- (b) Every person elected to the class of Fellows, Members, Associate Members, Associates, Member Technologists, Associate Member Technologists, Senior Technician Members and Technician Members shall be liable to pay to the Institution the appropriate sum of money as composite subscription in the manner as prescribed in the Regulation 32.
72. (a) If any member of any class liable to pay annual subscription as per Bye-Law 71(a) shall leave his subscription in arrear for two years, and shall fail to pay such arrears within three months after a notice has been sent to him by the Secretary and Director General, his name shall be removed from the Roll, and he shall thereupon cease to have any rights or privileges, but he shall nevertheless continue to be liable to pay the arrears of subscription due at the time of his name being removed from the Roll. The Diploma or Certificate of every such person shall be returned to the Secretary and Director General.
- (b) If any member of any class liable to pay composite subscription shall fail to pay full amount of composite subscription within the period stipulated in the Regulations, his name shall be removed from the Roll and he shall thereupon cease to have any rights or privileges. The Diploma or Certificate of every such person shall be returned to the Secretary and Director General.
- (c) Every Corporate Member elected before 31st March 1989 shall be liable to pay his appropriate annual subscription until he shall have signified in writing to the Secretary and Director General his desire to resign, having previously paid all arrears including the current year's subscription, or until he has forfeited his right to remain in the Institution; provided that a letter of resignation may, with the consent of the Council, be cancelled at the request of the sender within six months of its receipt by the Secretary and Director General but on payment of all sums which he would have been liable to pay had his connection with the Institution not been interrupted. He shall thereupon recover all his former rights and privileges without re-election.

- (d) If a member of any class elected on or after 1st April 1989 shall have signified in writing to the Secretary and Director General his desire to resign or he has forfeited his right to remain as a member of the Institution, his name shall be removed from the Roll of the Institution and the amount of Composite subscription paid by him to the Institution in part or in full shall be forfeited by the Institution. Provided, however, that a letter of resignation may, with the consent of the Council, be cancelled at the request of the sender within six months of its receipt by the Secretary and Director General but on payment of all sums which he would have been liable to pay had his connection with the Institution not been interrupted. He shall thereupon recover all his former rights and privileges without re-election.

73. The Council may, if they find good reason to do so, reinstate on such conditions as they may deem fit, any person who has been a member of any class and whose name has been removed from the Roll on account of resignation or non-payment of subscriptions. These cases shall be considered and reported upon to the Council by a Committee appointed by the Council for the purpose.

EXPULSION AND DISCIPLINARY ACTION

74. (i) The Council shall have the right to expel from the Institution any member who shall have, in the opinion of the Council, willfully acted in contravention of the Charter, the Bye-Laws, the Regulations or Rules from time to time in force under the Bye-Laws, or who, in the opinion of the Council, shall have been guilty of violation of the Code of Ethics as framed by the Council under the provision of Regulation 29 or such conduct as shall render him unfit to remain a member of the Institution, provided that :
- (a) The meeting of the Council at which the resolution shall be passed shall be specially convened for the purpose, and the person concerned shall have been given clear thirty days' notice that his conduct is to be enquired into, and is given an opportunity of stating his case to the Council, in person.
- (b) The resolution shall be passed by a majority of two-thirds of those present.

- (ii) Upon the resolution of expulsion being passed, the name of the person concerned shall be removed from the Roll and he shall cease to have any connection with the Institution. Neither the Council collectively nor any member of the Council individually shall be made liable for anything done under this Bye-Law. Every candidate applying for election to the Institution shall be deemed in so applying to agree to accept as final any decision of the Council under this Bye-Law.
- (iii) Every person who has ceased to belong to the Institution shall be called upon by the Secretary and Director General to return immediately his Diploma or Certificate to the Secretary and Director General, and he shall not be entitled any longer to make use of any designation implying past connection with the Institution.

75. The Council shall also have the right to take any disciplinary action against any member who shall have, in the opinion of the Council, acted in such a manner as to warrant disciplinary action, but not expulsion. The procedure laid down in the Bye-Law 74 shall be followed in such cases also, and the decision of the Council shall be final and binding upon the member concerned.

76. The Council shall constitute a Standing Committee for dealing with the cases of violation of Code of Ethics. The Standing Committee shall frame necessary rules for processing such cases and these Rules shall be widely publicised for general information of all concerned.

PROFESSIONAL ENGINEERS

77. In the light of the authority vested by the Royal Charter for certifying the competency of engineers, the Council of The Institution of Engineers (India) may, at its discretion, approve that a person fulfilling the educational, technical and other experience criteria as prescribed by it, shall be entitled to describe himself as a 'Professional Engineer'. The procedure and methodology of certification of competency of such a Professional Engineer shall be as formulated and approved by the Council from time to time.

STATE CENTRES AND LOCAL CENTRES

78. The Council shall establish one State Centre of the Institution in each State/Union Territory. The boundaries of the State Centre shall be the geographical boundaries of the State/Union Territory as notified by the Government of India and all members of the Institution normally and ordinarily residing or being in employment or practicing or carrying business within such boundaries will comprise the membership of that State Centre. The location of the office of the State Centre shall be in the capital of the State/ Union Territory.

Provided that where a Local Centre has already been established and functioning in the capital of the State/Union Territory, the Local Centre will automatically get re-designated as State Centre and the existing Committee of the Local Centre shall continue as Committee of the State Centre till end of its original term of two sessions. With the establishment of a new State Centre, the President shall

nominate the first Committee in accordance with Regulation 3 or shall form an ad-hoc Committee of not more than five Corporate members depending upon the number. Annual General Meeting of the State Centre shall be convened by the Secretary and Director General. The term of such Committee shall be for two sessions and the State Centre shall have the same powers and responsibilities as if it had been duly elected in the ordinary course.

shall stand abolished if the total strength of Corporate Members and Associates of the Centre does not grow to a minimum of one hundred or more.

Corporate Members and Associates is not less than 1% of total Corporate Members and Associates of the Institution as on 31st March immediately preceding the Annual General Meeting of the Institution as members of the Institution shall be ex-officio members of the Council.

members in the Council shall continue.

79. Each State Centre shall be constituted and its affairs shall be managed and carried on in accordance with the provisions laid down in the Bye-Laws, Regulations and other rules duly framed and approved from time to time by the Council.

80. Notwithstanding anything contained in the Bye-Laws 78 and 79 the State Centres which are in existence on the day on which these Bye-Laws come into force shall continue functioning as State Centres.

81. (a) The Council may also establish one or more Local Centres of the Institution within the geographical boundaries of a State Centre on the recommendation of the State Centre provided the total strength of the Corporate Members and the Associates residing or practising or carrying on business within the geographical boundaries of the proposed Local Centre is not less than three hundred out of which the strength of the Corporate Members shall not be less than two hundred.

With the establishment of a new Local Centre, the first Annual General Meeting of the Local Centre shall be convened by the State Centre. The State Centre shall nominate the first Committee in accordance with provisions of Regulation 3. The term of such Committee shall be for two Sessions and such Committee shall have the same powers and responsibilities as if they had been duly elected in the ordinary course.

Notwithstanding anything contained in this Bye-Law, the second and subsequent Annual General Meeting of the said Local Centre shall be held as per provisions of Regulation 6.

- (b) The State Centre while making recommendation for establishment of a Local Centre shall indicate the proposed geographical boundaries of such Local Centre.

In case a Local Centre is proposed to be established carving out of an existing Local Centre, the consent of the Local Centre so affected shall be obtained by the concerned State Centre prior to placing its recommendation before the Council for establishment of the new Local Centre.

- (c) The Council shall also review the necessity of continuing or abolishing a Local Centre if, after four years from its establishment the total strength of Corporate Members and the Associates attached to that Local Centre is less than two hundred out of which Corporate Members are less than one hundred.
- (d) The Council, if it deems necessary in the interest of the Institution, shall have the powers to authorise the Secretary and Director General to assume direct charge of administration of a State Centre or a Local Centre.

TECHNICIANS' CHAPTERS

82. (a) (i) The Council may establish on the recommendation of a State Centre one or more Technicians' Chapters within the geographical boundaries of a State Centre with geographical boundaries of such Chapters defined and notified.
- (ii) All Senior Technician Members and Technician Members of the Institution having their recorded addresses within the geographical boundaries of a Technicians' Chapter shall be attached to the Technicians' Chapter.
- (b) The Council may also establish Technicians' Chapters at engineering and technical establishments recognised by the Council provided the total number of Senior Technician Members and Technician Members engaged or employed in the said establishment is not less than twenty.
- (c) The affairs of the Technicians' Chapters shall be managed in accordance with the rules framed and approved by the Council from time to time.

- (d) The activities of the Technicians' Chapters established within the geographical boundaries of State /Local Centre shall be guided, coordinated and overseen by a "State/Local Centre Technicians' Committee", which shall be constituted as here below :

- (i) One Corporate Member nominated by the Committee of the State/Local Centre from amongst themselves as the Chairman;
- (ii) One Corporate Member nominated by the Committee of the State/Local Centre from amongst themselves as the Convenor;
- (iii) Four Corporate Members nominated by the Committee of the State/Local Centre as members;
- (iv) The Chairman and the Honorary Secretary of the State/Local Centres and the Chairmen of the Technicians' Chapters established within the geographical boundaries of the State/Local Centre shall be ex-officio members of the State/Local Centre Technicians' Committee.

83. The Council shall cause formation of an All India Technicians' Committee, with a Chairman who shall be a member of the Council nominated by the Council from amongst themselves and members not exceeding ten in number nominated or elected in accordance with the rules framed and approved by the Council from time to time.

STUDENTS' CHAPTERS

84. (i) The Council may establish Engineering College Students' Chapters or Polytechnic Students' Chapters at engineering colleges or polytechnics conducting courses recognised by the Institution with the concurrence of the managing authorities of the respective engineering colleges or polytechnics and notify the establishment to the State Centre within the geographical boundaries of which such Chapter will be located.
- (ii) All Students who are students of such an engineering college or a polytechnic shall be eligible for attachment to such Chapter and the affairs of such Chapter shall be managed in accordance with the rules framed and approved by the Council from time to time under the guidance of the Adviser who shall be a member of the faculty nominated by the managing authorities of the respective engineering colleges or polytechnics.

85. The Council shall cause formation of an All India Students' Committee with a Chairman who shall be a member of the Council nominated by the Council from amongst themselves and members not exceeding fifteen in number nominated or elected in accordance with the rules framed and approved by the Council from time to time.

OVERSEAS CHAPTERS

86. The Council may establish Overseas Chapters in overseas countries with which India has diplomatic relationship for the benefit of the members residing or practising profession in those countries. The affairs of such Overseas Chapters shall be carried on in accordance with the Rules framed and approved by the Council from time to time and the Law of the Land where such Chapter is located.

DIVISIONS

87. The Council may, if deemed fit, establish Divisions in academically admissible disciplines of engineering for the advancement of the respective branches of engineering provided the strength of Corporate Members as on 31st day of March of the preceding year likely to be attached to the proposed Division is not less than one per cent of the Corporate Members on the Roll of the Institution on that same date.

88. The Council may also establish Groups of Engineering within any Division established in accordance with the provisions of the Bye-Law 87 for the advancement of the respective disciplines of engineering.

89. The Council shall review once in two years the strength of any Division or Group and may abolish the Division or Group if the strength of Corporate Members attached to the Division or Group as on the 31st day of March of the year fall below two hundred.

90. Corporate Members and Associates shall be attached to one Division only based on their educational qualifications approved by the Council and the field of engineering in which they practice at the time of their admission to the Institution, but if so qualified for attachment to more than one Division, a Corporate Member or an Associate shall be allowed to select and change to the Division to which he would like to be attached. The Council may, however, at its discretion, allow the transfer of a Corporate Member or an Associate from one Division to another provided he establishes to its satisfaction that he deserves such transfer on account of change in the field of his practice of engineering subsequent to his election as a Corporate Member or as an Associate.

91. No member of any class other than those who are Corporate Members in terms of Bye-Law 44 or Associates shall be attached to any Division.

92. The affairs of each Division shall be carried on by a Division Board constituted as per provision of the Bye-Law 93 in accordance with the rules laid down from time to time by the Council. The Council shall have the power to vary the same as they may deem fit, subject always to the provisions of the Charter and the Bye-Laws.

93. Members of the Council attached to a particular Division shall constitute the Division Board. If the number of members in any Division Board is less than three, then the President in consultation with the available member in that Division may co-opt additional Corporate Member attached to that Division to make up that number. Such co-opted members shall not, however, be members of the Council, but shall be members of the Division Board.

94. (a) The Council shall nominate a Chairman for each Division from amongst the members attached to the Divisions for a period as the Council may deem fit but not exceeding two sessions.

(b) The Council may, if thought necessary, nominate a Chairman for a Division Board whose number of members is less than three from amongst the Members or Fellows attached to that Division and in such event the Member or Fellow so elected shall be a member of the Division Board.

95. Any casual vacancy of a Chairman of a Division arising from death or resignation or any other cause, which may occur between one Annual General Meeting and the succeeding Annual General Meeting, shall be filled by the Council.

ADVANCEMENT OF TECHNOLOGY AND ENGINEERING

96. Whilst the affairs of each Division pertaining to that Division shall be carried on by the Division Board, their efforts in common and interdisciplinary aspect shall be supplemented by continuous and special attention to the advancement of Science, Technology and Engineering.

97. For carrying out the above activities the Council shall constitute a Committee for the Advancement of Technology and Engineering (CATE), and shall frame rules for the constitution, define the powers and functions of the Committee and shall have power from time to time to add to, vary or rescind any such rules. The strength of the Committee shall not exceed five excluding the Chairmen of the Division Boards, Chairman of All India Technicians Committee and the Chairman of All India Students Committee, who will be *ex-officio* members. The Chairmen of the Governing Council of Engineering Staff College of India and the Board of Governors of the Fora duly established by the Council shall be permanent invitees. The Committee shall have the power to co-opt experts for specific purposes.

98. The Committee for the Advancement of Technology and Engineering shall give particular attention to : Promotion of Research; Promotion of Development; Promotion of Appropriate Technology; Building up Design Talent; Development and Promotion of Engineering Information Services; Formulation and Implementation of norms and Standards for Technical Activities including publications of the Institution; Continuous vigilance on behalf of the Institution on Science and Technology Policies of the Nation; Coordination of Technical Education with Research and Industrial Development; and Coordination of Interdisciplinary work.

ENGINEERING STAFF COLLEGE OF INDIA

99. The Engineering Staff College of India (ESCI), established by the Institution as its autonomous organ, shall operate under the control of the Institution and shall play a dominant role in advancement of learning, continuing education and training in engineering including emerging technologies at national and international levels. ESCI shall be accountable to the Council and shall play supplemental role in attaining objectives and purposes of the Institution.

The Council shall frame Rules for its effective functioning as may be appropriate from time to time.

AUTONOMOUS FORA OF THE INSTITUTION

100. (a) The Council may establish an autonomous Forum for specific purposes as determined by the Council such as the National Design and Research Forum (NDRF), the Rural Development Forum (RDF), the Safety & Quality Forum (SQF), the Sustainable Development Forum (SDF) and the Water Management Forum (WMF). The location of such autonomous Forum shall be as determined by the Council.

The Council shall, from time to time, review the activities and necessity of a Forum and if deemed necessary, may abolish a Forum or merge one or more Fora.

(b) The affairs of each of the autonomous Fora as may be established by the Council shall be managed and carried on by the respective Board of Governors duly appointed as per their relevant Statutes. The Statutes of such autonomous Fora shall be framed in conformity with the Bye-Laws and the Regulations of the Institution as may be amended from time to time by the Council. As the various Fora established by the Council develop and progress, the Council may consider and make amendments to their Statutes from time to time on the basis of either those proposed by the Board of Governors of the respective Forum or otherwise considered necessary by the Council in consultation with the concerned Board of Governors.

EDUCATION, EXAMINATIONS AND ACCREDITATION

101. (i) The Council shall cause the Institution Examinations in Sections A and B to be held for election as a Corporate Member of any class or Associate.
- (ii) Further, the Council may also cause other programmes including post-graduate studies to be conducted.

102. The Council shall cause formation of an Education, Examinations and Accreditation Committee with the President as its Chairman and six members nominated by the Council from amongst the members of the Council for a period not less than two sessions and shall define the powers and functions of the Committee. The Chairman of AITC shall be an ex-officio member of the Committee. The Council shall have authority to add, vary or rescind any such powers and functions from time to time.

103. The Council shall on the recommendation of the Education, Examinations and Accreditation Committee frame rules in respect of such examinations, the syllabi, list of recommended text and other books for study of the candidates, define the places and programmes for holding such examinations, the fees to be paid by the candidates, select the paper-setters and the examiners of different subjects, define the conditions under which the candidates may be admitted to such examinations.

104. The Council shall on the recommendation of the Education, Examinations and Accreditation Committee have the power to recognise such university degrees and collegiate or other diplomas or certificates as after scrutiny they may deem to prove a sufficient standard of attainment in the subjects referred to; and may exempt graduates or holders of such diplomas or certificates from passing in whole or in part the aforesaid examinations appointed and directed by the Council.

FINANCES

105. (a) The revenue of the Institution shall form the general funds of the Institution and all its property, income and effects, of whatsoever kind, are vested in the Corporate Members for the furtherance of the objects of the Institution as defined in the Charter.
- (b) All income derived from any source through any individual, body, activities of the Institution, State Centre or Local Centre and any expenditure incurred therefrom shall be accounted for and form a part of the accounts of the Institution.

- (c) The Institution shall not mortgage or create any charge on its assets with a view to secure a loan or overdraft or for any other purpose and shall not borrow or take any loan or create any over draft except as provided in Bye-Law 108(iii)(b).
- (d) The Institution shall not carry on any trade or business or engage in any transaction with a view to the pecuniary gain or profit of the members thereof. No member shall have any personal claim on any property of the Institution and no part of the income or property of the Institution shall be paid or transferred directly or indirectly by way of dividend or bonus or otherwise howsoever by way of profit to the members of the Institution except in the case of and as a salaried officer of the Institution.

106. Under no pretence whatever shall any such property, income, revenue or effects of the Institution, derived howsoever, be paid or transferred directly or indirectly, by way of dividend or bonus or otherwise by way of profit to the members of the Institution except in the case of and as a salaried officer or employee of the Institution. Provided always that nothing herein contained shall prevent -

- (a) the payment by the Institution in good faith of reasonable and proper remuneration to any member of the Institution for any services rendered to the Institution;
- (b) the payment by the Institution of interest on money lent to the Institution by any such member or reasonable or proper rent for premises demised or let by any such member to the Institution; or
- (c) the giving by Institution to any such member of prizes whether in cash or otherwise and scholarships for the furtherance of the objects of the Institution.

107. (a) The Council shall cause formation of a Finance Committee with the President as its Chairman and five members nominated by the Council from amongst the members of the Council for one session. The two immediate Past Presidents in the Council shall be permanent invitees to all its meetings. Every vacancy that arises shall be filled by the Council by nomination from amongst its members.
- (b) The Finance Committee shall have the powers to cause preparation of Institution's budget for the approval of the Council, to exercise budgetary control, to sanction expenditure within the approved budget, to regulate investments of the funds, to cause preparation of the accounts of the Institution, to supervise, control and

manage the finances, to have the accounts scrutinised, and to give directions for compliance with the provisions in the Finance Manual and Rules framed by the Finance Committee and the Council, to give directions in respect of the decisions of the Finance Committee and the Council and to recommend to the Council action in case of non-compliance or violation thereof.

108. (i) All compounding fees, composite subscription and journal fees shall be regularly invested as soon as possible after the receipt thereof in short-term deposit or in fixed deposit with one or more Scheduled Banks as defined in the Bye-Law 113 or in one or more forms or modes of investing or depositing the moneys as per provisions of the Income Tax Act, 1961 as amended from time to time and only the interest accruing therefrom shall be available for the general expenditure of the Institution. Such moneys and investments shall form the Permanent Reserve Fund (Corpus Fund).
- (ii) All entrance fees and transfer fees shall be treated as Capital receipts and shall only be spent for Capital expenditure.
- (iii) The Council shall be at liberty :
- (a) to vary the investment at its discretion either in fixed deposit or in short-term deposit with the State Bank of India or with one or more scheduled banks as defined in Bye-Law 113 or in approved securities;
 - (b) to deposit all or any of the securities representing the Permanent Reserve Fund (Corpus Fund) with the bankers of the Institution to secure an overdraft of Current Account not exceeding Rs.50,000 at any time.
- (iv) The Council shall also be at liberty to withdraw a portion not exceeding twenty percent of the Permanent Reserve Fund (Corpus Fund) under extraordinary circumstances with prior approval of the Corporate Members upon the recommendation of the Council.
- (v) Notwithstanding anything contained in Bye-Law 108(iv) the approval of the Corporate Members on Roll shall be obtained in the manner as provided in Bye-Law 108(vi). The recommendation of the Council shall be valid provided three-fourth of the members of the Council present at its meeting where the proposal shall be placed for consideration shall vote in favour of the proposal.

Further the recommendation on the proposal by the Council and its approval by the Corporate Members made under Bye-Law 108(iv), shall stipulate the period by which the sum withdrawn shall be deposited to the Permanent Reserve Fund (Corpus Fund).

- (vi) Save as aforesaid, no portion of the Permanent Reserve Fund shall be alienated without the consent of the Corporate Members to be obtained by a postal vote on which vote the majority shall be not less than three-fourth of the effective votes received.
 - (vii) The Council shall have the power to make from time to time such additions as they consider desirable to the Permanent Reserve Fund from the general funds of the Institution and the provisions of the Bye-Law shall apply to these additions exactly as if they had formed part of the receipt required by the Bye-Laws to be invested for forming that fund.
109. (a) All the securities and moneys forming the assets of the Institution shall be lodged with the Institution's Bankers in the name of the Institution. Any surplus funds not required for the current expenditure and not carried by the Council to the Permanent Reserve Fund shall be invested from time to time.
- (b) The Institution shall not invest any moneys, surplus fund or funds, permanent reserve funds or other reserves in any speculative instruments or bonds not guaranteed by a Government, even though it may be permissible under any Act.
110. (i) The Institution shall keep proper books of accounts with respect to :
- (a) All sums of money received and expended by the Institution and the matters in respect of which the receipts and expenditure take place;
 - (b) the assets and liabilities of the Institution.
- (ii) For the purpose of Bye-Law 110(i) proper books of accounts shall not be deemed to be kept with respect to the matters specified therein if there are not kept such books as are necessary to give a true and fair view of the state of affairs of the Institution and to explain its transactions.
- (iii) The accounts of receipts and payments shall be considered at regular intervals by the Finance Committee.
- (iv) The accounts shall be audited once in a year by the Auditor/Auditors of the Institution to be appointed as per provision of Bye-Law 114.

- (v) The audited accounts of the preceding Financial Year shall be presented by the Council for the consideration of the Corporate Members at the Annual General Meeting and they shall comprise :

- (a) Balance Sheet as on 31st March,
- (b) Income and Expenditure account for the year ended 31st March,
- (c) Cash flow statement for the year ended 31st March, and
- (d) Separate accounts of Endowment and Trust Funds created for specific purposes.

111. (a) The short-term deposit accounts and the fixed deposit accounts or any account with any scheduled bank shall be opened and operated only after authorisation by a resolution of the Finance Committee or the Committee of State Centre or of Local Centre.
- (b) The Finance Committee in adopting the resolution shall authorise such persons as it deems fit to jointly open and operate the accounts. The Committee of State Centre or of the Local Centre in adopting the resolution shall authorise the Honorary Secretary to open and operate the accounts jointly with either the Chairman or the Immediate Past Chairman of the State Centre or the Local Centre as the case may be.
- (c) No payments from the moneys or funds of the State Centres and Local Centres shall be made except under the expressed or implied sanction of their respective Committees.
- (d) Payments against expenditure including Capital Expenditure shall be made only out of the funds in the accounts opened under Bye-Law 111(a) & (b).

112. The Institution may accept moveable or immoveable property goods, bequests or moneys from sources other than members, provided those sources have been approved by the Council.

BANKERS

113. The Bankers of the Institution and its State Centres, Local Centres, Autonomous Organ, Fora and similar Centres of activities of the Institution shall be one or more Scheduled Bank (as defined by the Reserve Bank of India Act, 1934) in India as may be determined by the Council, Committee of the State Centres and Local Centres, Governing Body of Autonomous Organ, Fora and Committees of other Centres of activities of the Institution as the case may be.

AUDITORS

114. (i) At each Annual General Meeting shall be appointed one or more properly qualified auditor or Auditors to hold office until the next Annual General Meeting.
- (ii) Every such Auditor or Auditors shall be a member of the Institute of Chartered Accountants of India, and shall hold a Certificate of Practice granted by that Institute.
- (iii) The Council may fill any casual vacancy in the office of Auditor to hold office until the next Annual General Meeting, but while any such vacancy continues the surviving or continuing Auditor or Auditors (if any) may act.
- (iv) The remuneration of the Auditors shall be fixed at the Annual General Meeting at which they are appointed except that the remuneration of any Auditor appointed to fill any causal vacancy may be fixed by the Council.

SUBSCRIPTION AND OTHER FEES

115. (a) While the scales of subscriptions to be paid by various classes of members and of various other fees shall be defined in the Regulations of the Council, the Council shall have the powers to increase any or all of such subscriptions and other fees in one or more instalments provided that the sum total of all such increases so made by the Council shall not exceed fifty percent of the corresponding amounts specified in the Regulations of the Council provided further that the increases in a year shall not exceed twenty percent of the said amount.
- (b) None of the provisions of these Bye-Laws shall have effect of restricting the powers of the Council to reduce or waive the entrance and/or registration fee on special occasions.

NOTICE

116. A notice may be served by the Council or the Secretary and Director General upon any member of any class either personally or by sending it whether as a separate communication or included in or with one of the publications of the Institution, prepaid through the post addressed to such person at his recorded address.

117. Any notice served personally or sent by post or through approved regular courier services of the Institution/Centres or through e-mail shall be deemed to have been served or delivered at the expiration of 96 hours after it was so despatched.

118. A member whose recorded address is not in India shall not be entitled to any notice, and all proceedings may be had and taken without notice to such a member in the same manner as if he had received one such notice.

COPYRIGHT

119. Copyright of each paper published in Institution journals or proceedings in full or in abstract at its Centres shall lie with the Institution. The Council, in such cases as they may think fit, shall have power to release or surrender the rights of the Institution in respect of any such paper or the copyright thereof.

INDEMNITY

120. Each member of the Council and the Secretary and Director General Shall be indemnified out of the funds of the Institution and to such extent as the Council shall approve from and against such costs, charges, damages and expenses as he may sustain by reason of his acting in execution of the duties or powers imposed upon or given to him by the Charter or the Bye-Laws.

121. Each member of the Council, Committee of the Centres, Organs and Fora shall not be accountable and shall not incur any personal liability in respect of any loss or damage incurred through any inadvertent act, matter or thing done, authorised or suffered, being done in good faith for the benefit of the Institution, although in excess of his legal powers or incurred any omission, error of judgement or oversight on his part

COMMON SEAL

122. The Council shall provide a Common Seal of the Institution. The Seal shall be in the custody of the Secretary and Director General and be affixed to such documents as in law are required to be sealed, but only in the presence of the President or a member of the Council. The Secretary and Director General and the President or a member of the Council shall sign every instrument to which the seal of the Institution is so affixed.

INSTITUTION BADGE

123. The Council shall approve the design of a badge to be worn by all Corporate and non-Corporate Members.

JURISDICTION

124. Only an appropriate Court in Kolkata shall have jurisdiction to adjudicate any dispute between the Institution and a member of any class involving interpretation or operation of the Bye-Laws, Regulations of the Institution and decisions of the Council.