

Asiatic Society Rules, 1987

G.S.R. 889 (E), dated 3rd November, 1987.¹—In exercise of the powers conferred by Sec. 15 of the Asiatic Society Act, 1984 (5 of 1984), the Central Government hereby makes the following rules, namely:

1. Short title and commencement.—(1) These rules may be called the Asiatic Society Rules, 1987.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.—In these rules, unless the context otherwise requires,-

- (a) "Act" means the Asiatic Society Act, 1984 (5 of 1984) ;
- (b) "Chairman" includes any person appointed by whatever designation to conduct the proceedings of the Committee;
- (c) "Committee" means a Committee constituted under Sec. 9 or the Committee constituted under Sec. 10;
- (d) "Council" means the Council of the Asiatic Society, Calcutta;
- (e) "Member" means a member of the Committee;
- (f) "President" means the President of the Asiatic Society, Calcutta and its council;
- (g) "Section" means a section of the Act; and
- (h) "Society" means the Asiatic Society, Calcutta.

3. Term of office of the members of the Committee.—The terms of office of a member shall be such as in the opinion of the Central Government is necessary for preparation and submission of statements mentioned under Sec. 9 and completion of the tasks mentioned under Sec. 10 and the Central Government may, at the time of constitution of a Committee, fix such terms and may, from time to time, extend it as circumstances may require.

4. Filling of casual vacancies.—When a casual vacancy arises in the membership of a Committee other than an ex officio membership, for any reason, the person appointed to fill the vacancy shall hold office for the residual portion of the term of the outgoing member.

5. Staff.—(1) The Central Government may appoint a Secretary to the Committee and such other staff as it may think necessary, and fix the salaries and allowances payable to them and specify their conditions of service.

¹ Published in the Gazette of India, Extraordinary, Pt. 11, Sec. 3 (i), dated 3rd November, 1987.

(2) (i) The Secretary shall be the Chief Executive Officer of the Committee. He may attend the meetings of such Committee but shall not be entitled to vote at such meetings.

(ii) The Secretary shall assist the Chairman in convening meetings and shall keep a record of the minutes of such meetings and shall take necessary measures to carry out the decisions of the Committee.

6. Eligibility for re-appointment of the members of the Committee.—An outgoing member shall be eligible for re-appointment for the membership of the Committee.

7. Resignation of the Chairman and members of the Committee.—A member other than the Chairman, may, by giving notice in writing to the Chairman, resign his membership. The Chairman may resign by a letter addressed to the Central Government.

8. Cessation of membership.—A member appointed by name shall cease to hold office as such:

- a) if he becomes of an unsound mind and stands so declared by a competent Court,
- b) if he becomes an undischarged insolvent;
- c) if, without permission of the Chairman of the Committee, he is absent from three consecutive meetings ; or
- d) if he leaves the country with no intention of returning.

9. Notice of meetings.—The Chairman shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars alongwith a list of business to be conducted at the meeting shall be sent to each member at least 15 days before the date fixed for such meetings.

10. Chairman.—(1) The Chairman shall preside at the meetings of the Committee.

(2) In the absence of the Chairman at any meeting, the members shall elect from amongst themselves by a majority of votes, a member, who shall preside at such meetings.

11. Members.—There shall be a minimum of five and a maximum of eleven members of the Committee.

12. Quorum.—No business shall be transacted at any meeting unless at least onethird of the members, subject to a minimum of three, are present.

13. Disposal of business.—All business shall be considered at a meeting of the Committee and shall be decided by a majority of the votes of members present and voting. In the event of an equality of votes, the Chairman shall have a casting vote.

14. Method of voting.—Voting shall ordinarily be by show of hands but if any member asks for voting by ballot or if the Chairman so decides, the voting shall be by secret ballot and shall be held in such manner as the Chairman may decide.

15. Proceedings of the meeting.—The proceedings of each meeting showing, inter alia, the names of the members present thereat shall be forwarded to each member and to the Central Government as soon as after the meeting as possible and, in any case, not less than seven days before the next meeting.

16. Calling of witnesses and production of documents.—The Committee may call any person to appear as a witness in the course of an enquiry. Such calling may require a witness to appear before it on a date specified therein and to produce any books, papers or other documents and things in his possession or under his control relating in any manner to the enquiry.

17. Expenses of witnesses.—Every person who is called and appears as a witness before the Committee shall be entitled to an allowance for expenses by him in accordance with the scale for the time being in force for payment of such allowances to witnesses appearing in the Civil Courts in the State.

18. Travelling and daily allowances.—(1) A member performing journeys in connection with any work relating to the Society shall be entitled to such travelling and daily allowances as are specified in these rules.

(2) Every member who is an officer of the Government shall be entitled to such travelling and daily allowances as are admissible under the rules applicable to him for journeys performed on official duty.

(3) A non-official member shall be entitled to travelling allowance in respect of his journeys to attend meetings from his usual place of residence to the place of meeting, at the highest rate admissible to the Central Government servants of the First Grade:

Provided that where such member is a resident of the place of the meeting he shall be entitled only to the actual cost of conveyance charges, subject to a maximum of Rs.50.00 per day:

Provided further that the payment of travelling allowance and daily allowance to a member who is a Member of Parliament or a Member of a State Legislature shall be regulated in accordance with the Salary, Allowances and Pension of Members of Parliament Act, 1954 or the respective provisions of law pertaining to the members of the concerned State Legislature.

(4) A non-official member shall be entitled to daily allowance at the highest rate admissible to the Central Government servants of the First Grade for the respective localities. The manner and rate of payment of DA shall be regulated as per Central Government orders in force for payment of DA to non-official members.

19. Amendment to Memorandum/ Rules/ Regulations/ Bye-laws.—(1) The Society shall implement the directions given by the Central Government from time to time in exercise of the powers conferred on it under Sec. 10 (6) and Sec. 12 of the Act.

(2) Any such direction shall be addressed to the President.

(3) Notwithstanding anything contained in Regulation 69 of the Regulations of the Asiatic Society, on receipt of a direction of the Central Government, the President shall place the matter before the Council within 10 days of the receipt of such direction, if necessary, by calling an emergency meeting, for adoption of the said direction of the Central Government.

(4) The President shall arrange to communicate to the Central Government the decisions of the Council before the expiry of the deadline indicated in the said direction of the Central Government.

(5) In case the Council adopts the said Government direction, it shall be deemed that any provision of the Memorandum/Rules/Regulations/Bye-laws has been amended or any priorities about the work directed under the said Central Government direction have come into operation on the date such direction is adopted by the Council.

(6) In case no communication is received from the Society on or before the expiry of the time limit stipulated in the direction, the said amendment will be deemed to have come into force on the expiry of the date indicated in the said direction of the Central Government.

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