

## THE RULES & REGULATIONS OF THE ASSOCIATION

1. The name of the Association shall be 'ASSOCIATION OF COST ENGINEERS (INDIA)' hereinafter referred to as "ACE" or "Association."

### 2 MEMBERSHIP

- 2.1 The membership of the ACE is open to any person residing in India or Abroad who is graduate in Engineering from any recognized Institution & practicing Cost Engineering or have worked for 5 years in the field of Cost Engineering or a student regularly enrolled in a college or university and have interest in the field of Cost Engineering without discrimination of the religion, caste, creed or colors, subject to the approval of the Governing Body.
- 2.2 The membership grades may consist of Honorary Members, Distinguished Members, Fellows, Life Members, Members, Associate Members and Student Members. The Governing Body may create additional membership categories as required to promote ACE's interests. The criteria to each grade of Membership to be laid down by the Governing Body of the Association as required in keeping with the aims and objectives of the Association.
- 2.3 All grades of Members excluding Student members shall have the privilege of holding elective office, voting, petitioning for and voting on changes to the Rules & Regulations (Bylaws), and nominating candidates for office.
- 2.4 Student Members shall have all the privileges and prerogatives of a Member except that they have no voting rights in elections.
- 2.5 A Student Member may retain that status until the end of the calendar year in which the Student Member ceases to be a regularly enrolled student. However, the Student Member on becoming a graduate in Engineering may, upon request, be transferred to Associate Membership. If request for transfer is not made by the end of the calendar year in which the degree is granted, application must be made as provided for in this Article.
- 2.6 Any membership shall be deemed only upon approval of application duly made and in accordance with procedures established by the Governing Body and expressed in the Rules & Regulation of the Association. The approval shall be





President



General Secretary



Treasurer

by majority vote of the Governing Body upon recommendation by the Vice President / General Secretary of the Association.

- 2.7 The Governing Body may refuse any person for the membership, provided reasons for refusal shall be communicated to the person concerned in writing.
- 2.8 Members who fail to pay their dues by the expiration date of their current dues shall have a grace period of 30 days after which they cease to be members.
- 2.9 A member whose membership has ceased because of non-payment of dues may be restored the membership by paying in full annual dues for the year in which he or she requests reinstatement plus a reinstatement fee to be decided by the Governing Body.
- 2.10 A member may resign by submitting a resignation in writing to the Vice President / General Secretary.
- 2.11 A member who has resigned may have his membership restored by paying dues for the year in which the member requests reinstatement.
- 2.12 Members of the Association of any grade shall abide by the Rules & Regulations (Bylaws) of the Association. Any member who violates the Rules & regulations of the Association or is guilty of conduct prejudicial to the best interests of the Association or of the engineering profession or practices may be expelled by a two-thirds vote of the Governing Body. However, charges against a member shall be prepared and served to him in writing and the charged member will have to submit his reply in writing within 15 days. If the charges are deemed substantive by the Governing Body, a hearing shall be held upon reasonable advance notification to the member but in any case, within 60 days after receipt of member's reply of the charges. The member shall have the opportunity of presenting an answer to the charges at the hearing.
- 2.13 Every such expelled member shall have right to appeal to the Governing Body of the Association which may or may not be accepted. All the appeals shall be referred to the Governing Body of the Association; the decision of the Governing Body shall be final and binding. The reason of rejection shall be communicated to the concerned member in writing.
- 2.14 In case an expelled / terminated member is re-admitted by the Governing Body the same person / member shall have to pay all dues up to date. The decision of



President



General Secretary



Treasurer

the Governing Body shall be final and binding.

2.15 Admission Fee for all the members shall be Rs. 500/- per member irrespective of the grade / category excluding Honorary Members. The annual subscription shall be as decided by the Governing Body for each category including Life Membership which can be further revised in future by the Governing Body as required and which all the members will be required to pay.

**3 GENERAL BODY OF THE ASSOCIATION & ITS QUORUM**

3.1 **General Body:** There shall be a general body of the Association consisting of all the members and shall be the supreme body. The meeting of the general body shall be held once every year and requires 2/3<sup>rd</sup> quorum as per Society Registration Act 1860. No business shall be transacted at any general meeting unless the quorum of members is complete at the time when the meeting proceeds to business. No quorum shall be required in the adjourned meeting after adjournment for half an hour. The notice period of the general meeting of the general body shall be 15 days but emergence meetings can be convened at a notice of 07 days.

3.2 An emergent meeting of the general body may also be summoned on receiving the written request of 2/3<sup>rd</sup> members, with 15 days prior notice for such meetings.

**DUTIES OF GENERAL BODY**

3.3 The following business shall be transacted in these meetings: -



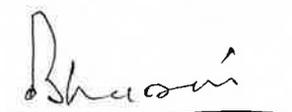
3.3.1 To prepare annual programs and policies.

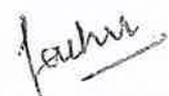
3.3.2 To discuss and to decide all such matters and issues which are directly or indirectly related to the betterment of affairs of the Association.

3.3.3 To conduct elections of the Governing Body.

3.3.4 To pass annual budget of the Association including annual income and profit & loss statements.

  
**President**

  
**General Secretary**

  
**Treasurer**

- 3.3.5 To appoint a qualified auditor for conducting annual audit of the Association.
- 3.3.6 To consider any other business brought forwards by the governing body, with the permission of chair.

#### 4 GOVERNING BODY, ITS STRUCTURE & QUORUM OF MEETINGS

- 4.1 **Governing Body:** The Governing Body of the Association shall be required to look after and to manage the day-to-day affairs. It shall consist of minimum 7 and maximum 21 members including the office bearers. The meetings of the governing body shall be held preferable every month with 2/3rd quorum as per Society Registration Act 1860. No business shall be transacted at any Governing Body meeting unless the prescribed quorum of members is present. No quorum shall however be required in the adjourned meeting, if adjourned for half an hour and can be proceeded thereafter. The notice period of the governing body meeting shall be 07 days.
- 4.2 An emergent meeting of the governing body may also be summoned on the written request of 2/3<sup>rd</sup> members with 15 days' notice of the meeting.
- 4.3 The Governing Body shall be empowered to employ an Executive Director/Chief Executive Officer to manage a headquarters office and to perform such other duties as the Governing Body may direct within the powers vested in the Governing Body. The Executive Director/Chief Executive Officer shall be an ex-officio member of the Governing Body without vote.



#### DUTIES OF THE GOVERNING BODY

- 4.4 The following business shall be transacted in the Governing Body meetings: -
- 4.4.1 To take necessary steps for the implementation of all the programs and policies drawn by the general body.

President

General Secretary

Treasurer

- 751C
- 4.4.2 To approve the necessary expenditure to meet the day-to-day requirements of the Association.
- 4.4.3 To take decisions on application for membership
- 4.4.4 To appoint committee for disposal of any business of the Association or for advice on any matter pertaining to the Association.
- 4.4.5 To arrange finance if required from other bank(s), institutions or individual on reasonable terms and conditions and the governing body as a whole is liable for its return.
- 4.4.6 To appoint, terminate and fix duties of any staff.
- 4.4.7 To receive, to have custody of and to expand the funds of the Association and manage the properties of the Association.
- 4.4.8 To sue and defend all legal proceedings on behalf of the Association.
- 4.4.9 To take all such other legal steps which may appear beneficial for the smooth and better management of Association.
- 4.4.10 To make such regulations consistent with the Rules & Regulations as shall be necessary for the protection of the property of the Association and for the preservation of good order in the conduct of the affairs
- 4.5 The following shall be the structure / strength of the governing body
- |   |                   |   |                       |
|---|-------------------|---|-----------------------|
| • | President         | : | One                   |
| • | Vice President    | : | One                   |
| • | General Secretary | : | One                   |
| • | Joint Secretary   | : | One                   |
| • | Treasurer         | : | One                   |
| • | Executive Members | : | Four, maximum Sixteen |
- 4.6 A Governing Body shall be eligible to serve maximum two successive two-year terms. The maximum allowable time to be served in these offices, whether by reason of appointment or otherwise, shall not be more than four consecutive years.





President



General Secretary



Treasurer

- 4.7 If the office of President becomes vacant, the Vice President shall become President for the remainder of the term of the vacated office as President.
- 4.8 In the event a vacancy occurs in the positions other than the post of President, the President shall recommend a candidate for Governing Body for the remainder of the term.

**5 POWERS & DUTIES OF THE OFFICE BEARERS**

**5.1 President:**

The President is the Head of the Association and shall be responsible for administering the affairs of the Association according to the policies and regulations established by the Governing Body. His main duties shall be as under:

- 5.1.1 He / She shall preside all the meetings of general body and the Governing Body.
- 5.1.2 In case of equality of votes in any meeting, he/she shall tender his/her casting vote.
- 5.1.3 He / She shall supervise work of other office bearers from time to time.
- 5.1.4 To approve expenses up to INR 50,000/- (INR Fifty Thousand only)

**5.2 Vice President:**

The Vice President shall act as the President whenever he / she is not in the office and shall perform his or her duties for administering the affairs of the Association according to the policies and regulations established by it. Additionally, the Vice President shall chair the meetings of all Committees.



**5.3 General Secretary:**

The General Secretary shall be Corporate Secretary and legal officer of the Association, shall be responsible for membership services, keeping minutes for the meetings of the Association and the Governing Body, maintaining a roll of members, conducting all official correspondence of the Association, organizing ballots required

President

General Secretary

Treasurer

to be submitted to the membership, and overseeing the administrative functions of the headquarters office. Followings shall be his main duties:

- 5.3.1 He / She shall represent the Association in public and private offices
- 5.3.2 He / She shall keep all types of records of the Association including the register of members containing their names, addresses and other brief particulars.
- 5.3.3 He / She shall undertake all types of correspondence on behalf of the Association.
- 5.3.4 He / She shall convene the meetings of general body and governing body and inform every member regarding time, date and venue of the meeting through a written notice.
- 5.3.5 To approve Expenses up to INR 10,000/-.

**5.4 Joint Secretary:**

The joint Secretary shall act on behalf of the General Secretary when he is not in office and shall be responsible jointly for all acts and services to be performed by the General secretary.

In the absence of the General Secretary, the Joint Secretary shall enjoy all powers and duties which are entrusted to the General Secretary. He / She will also assist to the General Secretary in his / her duties from time to time.



**5.5 Treasurer:**

The Treasurer shall have charge of the funds and maintain the accounts of the Association, shall disburse same upon the authorization of the Governing Body, and shall arrange for the annual audit of the Association accounts.

He / She shall collect subscription, gifts, grants-in-aid and donations from the members and the general public and shall be responsible for keeping and maintenance of a true and correct accounts of the Association's fund.

**President**

**General Secretary**

**Treasurer**

5.6 Executive Members:

Executive Members shall assist in the day-to-day work of the Association as desired by the President and General Secretary

6 COMMITTEES AND ASSOCIATE GOVERNING BODYS

- 6.1 The Committees and Governing body of the Association shall consist of Standing Committees and Associate Governing Bodies and such other committees as deemed necessary by the Governing Body to manage the affairs of the Association.
- 6.2 In addition to above there shall be a Technical Committee consisting of three (3) or more members who will hold the responsibility of review, audit and approval of all the Technical Papers, Practices and Procedures prior to publication for ACE Members.

7 STUDENT SECTIONS

- 7.1 Student Sections will be established by the Governing Body upon suitable evidence of interest brought by a Member qualified to sponsor such a section.
- 7.2 A Member is deemed qualified for the purpose of sponsoring a Student Section if the Member is a faculty member of a college or university and has authorization from such institution to sponsor a Student Section of ACE.



8 RECORDS:

A roll of members shall be maintained by the Association's Head office which shall include the name, address, membership grade, and date of admission of each member in good standing.

President

General Secretary

Treasurer

## 9 LIMITATION & DISTRIBUTIONS

- 9.1 No part of the net earnings of ACE shall benefit its members, trustees, officers, or other private persons. ACE may, however, make reasonable payment for services rendered for purposes listed in Memorandum of Association.
- 9.2 No part of ACE activities may attempt to influence legislation. ACE shall not participate or intervene in the political campaign of any candidate.
- 9.3 ACE shall not carry on any other activities prohibited by Indian Income Tax act or any other Indian Laws.

## 10 INDEMINITY

- 10.1 Every officer of the Association shall be indemnified out of the assets of the Association against any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted or in which relief is granted to him by the court or the Tribunal.
- 10.2 ACE shall indemnify each person (or heirs, executors, and administrators) made a party to an action or proceeding (criminal or civil) because of service as an officer, trustee, or employee of ACE or as a member of an ACE Governing Body or committee. At the discretion of the Governing Body, ACE may also indemnify those threatened with such action because of such service.
- 10.3 Indemnification shall not apply to proceedings by or for ACE to procure a judgment in its favor. Indemnification applies to judgments, fines, amounts paid in settlement and reasonable expenses (including attorney's fee resulting from such proceedings or any appeals), provided the person acted in good faith in what was believed to be the best interest of ACE and had no cause to believe the conduct to be unlawful. This right of indemnification shall not exclude other rights to which such a person may be entitled by law.



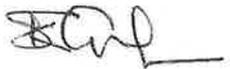
*[Signature]*

President

*[Signature]*  
General Secretary

*[Signature]*  
Treasurer

- 11 **Financial Year:** The financial year of the Association shall be from 1st April to 31st March, of every year.
- 12 **Source of Income and Utilization of Funds:** Subscriptions, donations, grant-in-aid and gifts from the members and the general public shall be the source of income of the Association. All the income of the Association shall be utilized towards the aims and objectives of the Association.
- 13 **Operation of Bank Account:** The funds of the Association shall be kept in a scheduled bank. The bank account of the Association shall be operated by the Treasurer and any one of the President, Vice President or General Secretary
- 14 **Audit of Accounts:** The accounts of the Association shall be audited by the qualified auditor every year to be appointed by the Governing Body.
- 15 **Filling up Casual Vacancies:** The Casual vacancies may be filled up by the resolution passed by majority of votes by both the Governing Body and General Body up to the next election.
- 16 **Election:** The Governing Body of the Association shall be elected for a term of 2 years in the general body meeting. The raising hands or ballot vote shall be the mode of election. The newly elected governing body list should be attested by three outgoing office bearers and it will be filed with registrar of the societies, Delhi. The procedure to be followed for nomination and elections shall be finalized by President, General Secretary and approved by the Governing Body
- 17 **Annual list of Governing Body:** (Section 4 of the Act) Once in the month of April every year a list of the office bearers and members of the governing body of the Association shall be filed with the Registrar of Societies, Delhi as required under section 4 of the Societies Registration Act, 1860.
- 18 **Legal Proceedings (Section 6 of the Act):** The Association may sue or be sued in the name of the President / General Secretary as per provision laid down under section 6 of the Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi.
- 19 **Amendment (Section 12 & 12A of the Act):** Any amendment in the Memorandum of Association or rules will be carried out in accordance with procedure laid down under section 12 and 12A of the Societies Registration Act, 1860.



President



General Secretary



Treasurer

- 20 **Dissolution and Adjustment of Affairs (Section 13 & 14 of the Act):** If the Association needs to be dissolved it shall be dissolved as per provision laid down under section 13 & 14 of the Societies Registration Act, 1860 as applicable to the National Capital Territory of Delhi.
- 21 **Application of the Act:** All the provisions under all the sections of the Societies Registration Act, 1860 as applicable to the National Territory of Delhi.
- 22 **Essential Certificate:** Certified that this is the correct and true copy of Rules and Regulations of the Association.



President

General Secretary

Treasurer