Haj Committee of India
(Constituted under the Act of Parliament No. 35 of 2002)
Haj House, 7-A, M.R.A. Marg, Mumbai 400 001.

NOTIFICATION

S.O…-. In exercise of the powers conferred by sub-section (1) of section 45 of the Haj Committee Act, 2002 (35 of 2002), and having been confirmed by the Central Government, the Committee hereby makes the following bye-laws, namely:

PART – I

1 **Short title and commencement.**

(1) These bye-laws may be called the Haj Committee Bye-Laws, 2005.
(2) They shall come into force on the date of their publication in the official gazette.

2 **Definitions.**

In these Bye-Laws, unless the context otherwise requires,-

(1) "Act" means the Haj Committee Act, 2002 (35 of 2002);
(2) "Chairperson", "Vice-Chairperson" and "Member" mean the Chairperson, Vice-Chairperson or Member, as the case may be, of the Committee;
(3) "Committee" means the Haj Committee of India constituted under section 3 of the Act;
(4) "Ministry" means the Ministry of External Affairs in the Government of India;
(5) "presiding officer" means the person presiding over a meeting of the Committee;
(6) "rule" means Haj Committee Rules, 2002 framed under Section 44 of the Act;
(7) "section" means section of the Act;
(8) "sub-committee" means a Sub-Committee appointed under sub-section (2) of section 11 of the Act;

Part-II

3 **Powers and duties of Vice-Chairpersons.**

(1) In the absence of the Chairperson, the Vice-Chairperson, who is heading the Standing Committee (Haj Arrangements) and in his absence the Vice-Chairperson heading the Standing Committee (Finance), shall perform such duties of the Chairperson as are delegated to him by the Chairperson.

(2) The Vice Chairpersons shall also perform such other duties as may be delegated to them by the Chairperson from time to time.

PART – III

4. **Procedure regarding transaction of business at committee's meetings.**

(1) Every meeting of the Committee shall be held on such day and time as may be fixed by the Chairperson in terms of sub-section (1) and (2) of Section 10 of the Act read with sub-

rules (1) and (2) of Rule 6 of the Rules and a meeting shall be held at the headquarters of the Committee at Mumbai:

Provided that a meeting of the Committee may be held at such other place outside Mumbai with the approval of the Central Government.

(2) The Chief Executive officer shall notify, to every member, of every meeting, either by hand, telegram, registered post or by courier to his last known address at least fifteen days before the date of the meeting.

(3) The Chief Executive officer shall send the agenda to every member, of every meeting either by hand, telegram, registered post or by courier to his last known address at least seven days before the date of the meeting.

(4) The members shall communicate to the committee their new address, in the event of change of address.

(5) The Chief Executive Officer shall, notify either by hand, or telegram, or by courier, of a meeting convened by the Chairperson as provided in the proviso to clause (ii) sub-rule(2) of rule 6, at least thirty six hours before the scheduled meeting.

(6) The Chief Executive Officer shall, in case of an adjourned meeting of the Committee convened by the Chairperson referred to in clause (i) of sub-rule (2) and sub-rule (3) of Rule 6, notify either by hand or telegram or by courier at least thirty six hours before the resumption of the adjourned meeting.

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(7) Notice of every meeting shall specify the place, time and date of the meeting.

(8) The proceedings of a meeting shall be conducted in Hindi or in English or in Urdu.

(9) (1) The meeting of the Committee shall be presided over by the Chairperson.

(2) In the absence of the Chairperson, the Vice-Chairperson, who is heading the Standing Committee (Haj Arrangements) and in his absence the Vice-Chairperson heading the Standing Committee (Finance) and in the absence of both the Vice-Chairpersons, any member elected by the members, present and voting, shall preside over the meeting.

(10) (1) No such business shall be transacted at a meeting, which is not included in the agenda for the said meeting.

(2) A meeting may with the consent of the majority of members present and voting, be adjourned to some other hour of the day or some other day and the items left indisposed shall be moved and discussed at such adjourned meeting:

Provided that no fresh proposal or alteration in the proposal shall be made except when any budget estimates or revised estimates are under consideration.

5**. Conduct of meeting.**

(1) Order of business to be transacted at a meeting shall be as notified in the Agenda:

Provided that if a member desires priority to be given to any item and a majority of the members present so decide, the presiding officer shall grant such priority.

(2) A resolution moved to vote at a meeting shall be decided by show of hands or by secret ballot or as may be, decided by the presiding officer.

(3) **Minutes of the Proceedings.**

(i) The Chief Executive Officer and in his absence the person authorised in the meeting shall record all the proceedings of a meeting in English, in a book maintained for this purpose and he shall record such minutes on the day of the meeting or as soon thereafter as may be practicable.

(ii) Every page of the minutes shall be dated and signed by the presiding officer of the meeting.

(iii) The minutes shall be a fair and correct record of the proceedings, including the names of the members present and all proceedings conducted in the meeting.

(iv) Copies of the minutes of the meeting shall be sent to the members within fifteen days from the date of the meeting.

(v) Minutes of every meeting shall be placed before the next meeting and unless the majority of members present require them to be read and shall be approved and signed by the presiding officer of such meeting, it shall be presumed that the minutes are correctly recorded:

Provided that if any member objects that the minutes have been incorrectly or incompletely recorded, the presiding officer shall after assessing the opinion of the meeting make such amendments therein as he thinks proper.

(vi) The minute book of the Committee shall be open to inspection free of charge by any member of the Committee during office hours at the office of the Committee.

PART – IV

6 **Standing committees, its members, powers & functions and conduct of its Meetings**

(1) The Committee in its meeting, shall choose a Vice-Chairperson as the head of the Standing Committee (Haj Arrangements) and a Vice-Chairperson as the head of the Standing Committee (Finance) by a majority of the members present and voting and in the event of equality of votes, the Chairperson shall have a casting vote.

(2) (i) The Standing Committee, that is Standing Committee (Haj Arrangements) and the Standing Committee (Finance) shall consist of five members namely, a Vice-Chairperson and four members elected by the Committee from amongst its members by a majority of the members present and voting in a meeting of the Committee and in the event of equality of votes, the Vice-Chairperson of the respective Standing Committee shall have a casting vote.

Explanation For removal of doubts, it is hereby clarified that the aforesaid four

Standing Committee.

(ii) The composition of the Standing Committee so constituted shall remain for the full term of the Haj Committee.

(3) A joint meeting of the Standing Committees namely, Standing Committee (Haj Arrangements) and the Standing Committee (Finance) may be convened by the Chairperson and in his absence by the Vice Chairperson (Haj Arrangements) as and when decided by the Committee to facilitate Haj Work.

(4) **Powers and Functions of Standing Committee (Haj Arrangements)**

The Standing Committee (Haj Arrangements) shall –

(i) prepare the draft annual action plan and to submit it to the Committee for finalisation and for the approval of the Central Government.

(ii) coordinate with the Central Government including Ministries of External Affairs, Civil Aviations, Home Affairs, Railways, for the purpose of securing travelling facilities for the pilgrims, in coordination with the sub-committee, if any, formed for the said specific purpose.

(iii) advise the Ministry in matters relating to accommodation for the pilgrims.

(iv) do such other acts as the committee may require it to perform regarding Haj arrangements in India.

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(5) **Powers and Functions of Standing Committee (Finance)**

The Standing Committee (Finance) shall –

i) examine and propose budget estimates of the income and expenditure of the committee at least four months before the starting of the financial year commencing on the 1 st day of April, to be placed by the Chairperson before the Committee.

(ii) prepare the annual and supplementary estimates of income and expenditure of the Committee to be incurred for the each financial year.
(iii) monitor the issues of refund of foreign exchange, passage fare or any other deposit received from or on behalf of pilgrims, refund from airlines on account of air fare, etc..

(iv) monitor and ensure that proper accounts and other relevant records of the Committee are maintained as per the provisions of the Act and the rules.

(v) do such other acts as the committee may require it to perform regarding the financial aspects of the Haj Committee.

(6) **Meetings of the Standing Committee**

(i) All meetings of the Standing Committees shall be held on such day, time and place as may be fixed by the respective Vice-Chairperson.

(ii) The Chief Executive Officer shall notify at least seven days before the meeting either by hand, fax, registered post or by courier to his last known address.

(iii) The Chairperson of any Standing Committee may call an urgent meeting, if required.

(iv) The Chief Executive Officer shall notify the urgent meeting to every member either by hand or fax or registered post or by courier at least twenty four hours before the scheduled meeting.

(v) Every notice of meeting shall specify the place, time and date of the meeting.

(vi) All proceedings of the Standing Committee shall be conducted either in Hindi or in English or in Urdu.

(vii) All the meetings of the Standing Committees shall be presided over by the Vice-Chairperson concerned and in his absence the person elected by the Standing Committee.

(viii) The quorum for the meeting shall be three members.

(7) **Minutes of Proceedings**

(i) The Chief Executive Officer and in his absence the person authorised to do so shall record the minutes of all proceedings of the meeting of the Standing Committee in English in a summary manner in a book maintained for this purpose.

(ii) The minutes shall be dated and signed by the presiding officer of the meeting.

PART – V

7 **The members of the sub-committee, its powers and functions.-**

(1) The Committee may appoint Sub-Committees for such specific purpose and for such period and shall consist of such number of members as may be decided by the Committee.

(2) The sub committee shall consist of the members of the Committee with or without non members of the Committee depending upon the purpose of the said sub-committee, as the Committee thinks fit.

(3) Except where a Chairperson of the sub-committee is appointed by the Committee, the following order of preference shall be observed for appointing a presiding officer for any of the sub-committee, namely:

(a) Chairperson of the Committee if he is a member of that Sub-Committee,
(b) Vice-Chairperson (Haj Arrangements)
(c) Vice-Chairperson (Finance)
(d) Any member of that sub-committee elected by its members provided that, if required, the members of the sub-committee may invite the Chairperson or any

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Vice-Chairperson as an invitee but they shall not have any voting right in the said sub-committee.

(4) All bye-laws in respect of the meeting of the Committee shall, as far as possible, apply to the meetings of sub-committees.

(5) A sub-committee shall report to the Committee, any question referred to it, within such period as may be specified by the Committee.

(6) The sub-committee shall stand dissolved on the fulfillment of the purpose for which it was established or on the expiry of the period for which it was created.

PART – VI

8 **Publication of manuals etc..**

(1) The Committee may publish the Haj programme, its action plan and schedule of Haj arrangements in newspapers and magazines after being confirmed by the Central Government.

(2) The Committee may issue press note and press release with regard to Haj flying programme, alteration in flight schedules, prevailing rules and regulations concerning foreign exchange, export and import rules, restriction on pilgrims' health and booking of pilgrims with alterations and additions etc. for the information of pilgrims.

(3) The Committee, with the approval of the Central Government, may produce films and documentaries, publish manuals, booklets, pamphlets or handbills and release other electronic media for the purpose of informing and educating the pilgrims in matters relating to pilgrim traffic.

(4) These publications may be published in different languages understood generally by the public in different parts of the country.

(5) The Committee shall conduct orientation and training course for the pilgrims and hold seminars, discussions and other programmes to create Haj awareness.

PART – VII

9 **Welfare of pilgrims**

The Committee shall look after the welfare of the pilgrims in India while proceeding to and returning from the Haj.

PART – VIII

10 **General.**

The Chief Executive Officer shall be the ex-officio secretary of the committee, every Standing Committee and Sub- Committee:

committee, every Standing Committee and Sub- Committee:
Provided that he shall not have the right to vote in the Committee or any Standing Committee or Sub Committee.

11 (1) The official year shall be reckoned from 1 st day of April and ending with the 31 st day of March.
(2) The Committee shall declare a list of the holidays and may generally apply the holidays declared by the Government of India for its offices.

12 **Records.**
(1) The following registers and records shall be maintained in the office of the Committee and every member shall have access to them for reference, namely:

REGISTERS.

(i) minute book.

(ii) dead stock register.

(iii) outward correspondence register.

(iv) inward correspondence register.

(v) stamp account register showing:-

(a) monthly account,

(b) stock and

(c) daily account

(vi) stationery register

(vii) forms register

(viii) intestate property register (Pilgrims' Estates)

(ix) unclaimed property register

(x) register of pilgrims' passes issued

(xi) register of visitors' airport entry passes

(xii) register of petty supplies

(xiii) register of attendance of staff

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(xiii) register of attendance of staff

(xiv) register of registered private tour operators

RECORDS

(i) letters containing resolutions or any other matter sent by members.

(ii) letters addressed by non-members pertaining to matter within the purview of the Committee.

(iii) replies sent by the Committee to members of the public

(iv) resolutions of the Committee forwarded to the Government

(v) miscellaneous

(vi) advertisements and notifications, publications published by the Committee for the information of pilgrims

(vii) replies received to the resolutions referred to in serial number (iv)

(viii) office standing orders

(ix) acts and rules

(x) Correspondence papers regarding-

(a) pilgrim passes

(b) airport entry passes

(c) estates of pilgrims

(d) pilgrim deposits

(e) pilgrim passage money

(f) immunisation against meningitis

(g) outgoing and incoming pilgrim flights

(h) enquiries regarding pilgrim season

(i) complaints regarding thefts, cheating, etc.,unsatisfactory arrangement of pilgrim flights at the point of embarkation, disembarkation, and railways.

(xi) claims for refund of deposits and passage money

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(xi) claims for refund of deposits and passage money

(xii) lists and correspondence regarding pilgrims' repatriation

(xiii) correspondence with Musafirkhana authorities

(xiv) correspondence regarding appointment of medical officer for pilgrims and sick pilgrims sent to hospitals as also medical stores supplied for treatment of pilgrims residing in the Musafirkhanas.

(xv) correspondence with State Haj Committees, Standing Committees and sub-committees

(2) **Preservation and destruction of records.**

For the preservation and destruction of records, registers, any paper relating to accounts or administrative work, the rules contained in the Civil Account Code and appendices of Government of India may be followed.

(3) No record, register, accounts or administrative work shall be destroyed except with the permission of Chief Executive Officer and a list of records destroyed shall be maintained.

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PART – IX

13 **Addition and alteration etc.**

The Committee shall have powers to add, amend, delete any of these Bye-laws subject to confirmation by the Central Government.

(Saeed Ahmed Patel)
Offg. Chief Executive Officer.
Mumbai, 11th August, 2005 [File No.HC-I-(1)-2004/BYE-LAWS]

Haj Committee of India
(Constituted under the Act of Parliament No. 35 of 2002)
Haj House, 7-A, M.R.A. Marg, Mumbai 400 001.

HAJ COMMITTEE OF INDIA had published a Notification in the Maharashtra Government Gazette, Part IV-C, on page Nos.69 to 78, dated 8th September 2005.

1. In Part III on page No. 70 Clause 4 (1) shall be substituted as follows:

CORRIGENDUM

" **Procedure regarding transaction of business at Committee's meetings.**
4. (1) Every meeting of the Committee shall be held on such day, time and place as may be fixed by the Chairperson in terms of sub-section (1) and (2) of Section 10 of the Act read with sub-rules (1) and (2) of Rule 6 of the Rules."

The following Proviso to this Clause shall be deleted:
"Provided that a meeting of the Committee may be held at such other place outside Mumbai with the approval of the Central Government."

Mumbai,
Dated the 8th September, 2005

SAEED AHMED PATEL,
Offg.Chief Executive Officer