

The Thirdly Amended Statute of The Nepal engineer's Association

Preamble: -

Where, it is expedient to make timely amendments to the Statute prepared in the year 2024 B.S.(1967) under which the Nepal Engineers Association, established in the year 2025 B.S.(1968) with the objects to establish an Association to make the role of the engineer community of the professional interest and progress of the Community, has carried out its business, this third amendment having been adopted by the Extra-ordinary. General Assembly held on 051/01/31 (14 May 1994) is brought into force since 051/03/20 (4 July 1994).

Article-1 Name, Address and Objectives:

1. Name:
The name of this Association shall be "The Nepal Engineers Association."
2. Address:
The head office of this Association shall be located in Kathmandu Valley. Regional Center and Centers may subjects to this Statute be set up in the Kingdom as per necessity.
3. Objects:
The objects of this Association shall be as follows:
 - a) To help in proper development and mobilization of the engineering science and technology in Nepal.
 - b) To increase mutual consultation, good faith and assistance among the Nepalese engineers and safeguard their rights and interests.
 - c) By utilizing, to the highest extent possible, the participation of the engineering manpower of the country in the national development activities of Nepal, to make effort to put an end on foreign dependency in this regard.
 - d) To continuously enhance the highest professional ideals among the members and make it wider.
 - e) To make relations, mutual help and good -faith with international Engineering Association, institutions.

Article-2 Definitions:

Unless the subject or context otherwise requires, in this Statute,-

- a) 'Association' means The Nepal Engineers Association.
- b) 'Statute' means the Statute (as amended) of the Nepal Engineers Association.
- c) 'Rules' or Bye- laws mean the Rules, Bye- Laws of the Association framed under this Statute.
- d) 'Prescribed' or As prescribed' means the matter prescribed in this Statute or in the Rules, Bye- laws framed under this Statute.
- e) 'Council' means the executive Council of the Association.
- f) 'Member' means a fellow, Ordinary member and life member entitled to exercise all the power under this Statute.
- g) 'Engineer' includes an architect.

Article-3 Membership:

1. Type: -
The Association shall have the members of the following types.
 - a) Ordinary
 - b) Life- long member
 - c) Fellow

- d) Honorary member
- e) Corporate member
- f) Non- corporate member

2. Qualifications: -

a) Ordinary member:

Those persons who, having obtained at least Bachelor's Degree in Architecture or Engineering technology from any university or higher educational institute recognized by the Nepal Engineers Association, are engaged in architecture engineer or the pertinent profession, may obtain membership of the Association

b) Life- long member:

Life long membership of the Association may be obtained on the following conditions:

1. In case the requisition for the life long membership made by a member who has continued the membership for at least five (5) years, upon making lump sum payment of all the dues owing to the Association as well as the fees prescribed for the life long membership, be accepted by the council.
2. The council shall ipso facto make promoter members (membership of the year 2024) (1967) who have maintained the membership until their age of 60 years, who have paid up the membership fees for at least 25 years, the life long members.

c) Fellow:

Any member having possessed the following qualifications may become a fellow the Association.

1. Having continuously maintained the membership for at least 10 years engaged in the related profession and rendered outstanding contribution.
2. Having attained the age at least of 35 years at the time of submitting an application for becoming a fellow.
3. in case the council decides to grant fellow, upon considering the application made by the member by having fulfilled the other qualifications and process prescribed by the Bye- laws made under this Statute.

d) Honorary Member:

Honorary membership may be granted to a reputed person having contributed to the safeguard of the interests and promotion of the Association, acted for the interest of engineering sector or profession in national and international field or rendered solid contribution thereto, despite the fact that such person does not Bachelor's Degree in engineering.

e) Corporate member:

A recognized Association or organization carrying out the functions relating to engineering or architecture reiterated in the name of any member or members or of which management level at least one member of this Association is involved, may be granted the corporate membership of this Association or Organization to this Association must be a member of this Association.

f) The present members of this Association except those mentioned above shall be non-corporate members.

h) The associate members up to the amendment to this Statute.

Article- 4 Grant and Termination of Membership:

1. Grant of membership:

The membership of the Association shall be granted on the following conditions:

- a) One having attained the qualifications prescribed in Article 3(2) (a) hereof for the acquisition of the membership of the Association shall have to submit an application, proposed by at least one member and seconded by another one member, by making payment of the fees prescribed. The Council may upon considering such application grant the membership.
- b) The Council may upon considering an application made by a member having attained the qualifications prescribed in Article 3(2) (b) for obtaining the life long membership grant the life long membership.
- c) Upon considering an application made by a member having attained the qualifications prescribed in Article 3(2) (c) for acquiring the fellow, by making payment of the prescribed fees, to the Council or the prescribed place, the Council may upon the recommendation of the fellow.
- d) In case a general proposal is moved in the council for the grant of honorary membership to a person having attained the qualifications referred to in Article 3(2) (d) for acquiring the honorary membership, or a written proposal supported by at least forty(40) members is received, and the two thirds majority of all the members of Council decide to that effect, the honorary membership may be granted.

2.Termination of membership:

All types of membership of the Association shall be terminated in the following circumstances:

- a) In case the resignation from membership is accepted by the Council.
- b) In case the member dies, goes under mental disorder or ceases to possess the qualifications prescribed.
- c) In case the Association or Organization having obtained the corporate membership is dissolved or its validity to carry out the pertinent functions terminates.
- d) The council may prevent the members, who do not pay the prescribed annual fees for a term more than two consecutive years or any other amounts payable by than two the Association even within the prescribed time, from all the rights, privileges including voting right pending the payment of such amounts. Provided, however, that the restriction referred to in this paragraph shall ipso facto cease to operate after the payment of such amount by such members.
- e) If a member violates this Statute or the Rules, Bye-laws framed hereunder or carries out act contrary to the interests of the Engineering community or breaches the code of conduct prescribed, his membership may be expelled by way of a decision made by the two- thirds majority of the Council. Provided, however that while so expelling him, the concerned member shall not be deprived, of the right to defend him to prove his innocence. The concerned person who is unsatisfied with the Council's decision to the expulsion may appeal to the forthcoming General Assembly. Provided that such expelled person shall be deprived of all the rights and facilities to which he is entitled in capacity of his Association's membership, for the period between the date of decision of such expulsion and the holding of the General Assembly to which an appeal may be filed against the decision.

Article-5 Membership fees:

Admission fees, annual membership fees required to be paid to the Association by all types of members and the fees to be paid in lump sum for becoming the life-long member shall be as prescribed by the General Assembly.

Article-6 Duties and Powers of the member

1. Duties

The duties of all types of members shall be as following:

- a) To be always ready to serve the interests and maintain the dignity of the Association.
- b) To be under own respective profession, and not to do any act contrary to the interests of the Association.
- c) TO pay in time the fees to be paid to the Association.
- d) To render possible help in the organization of any activities to be carried out under the auspices of the Association or with the assistance of the Association.
- e) To actively participate in the attainment of the objectives and in the activities of the Association, without hindering and causing any harm to, the powers and duties of any members.
- f) In case own address be changed or intended to be changed, to notify the Association as soon as possible.
- g) TO uphold the prescribed code of conduct.

2. Powers:

The following shall be the inherent powers of the members:

- a) The members of all types shall be allowed to take part in the general Assembly, Extraordinary General Assembly and National conferences of the Association. Provided, however, that only the members shall be eligible to take part in a voting for any decision at such assemblies and in the election of the executive Committee.
- b) The members of all types shall be allowed to equal take part in a debate, conference, gathering, symposium, entertainment and other program held on the organization of the Association.
- c) The members of all types shall be allowed to equal enjoy the facilities granted under the Rules and Bye-laws framed under this Statute.

Article-7 General Assembly

1. Definition and Powers:

The group of all the members shall be called the General Assembly, which shall be the supreme organ of the Association. This Assembly shall formulate the policy of the Association, give directions to the Council, and also act as the legislative and supreme executive organ of the Association.

2. Types of General Assembly

- a) Annual General Assembly: The General Assembly shall meet once a year. The Council shall give a notice accompanied also with the agenda to be transacted in the assembly to all the member in advance at least of 21 days of the assembly, for such assembly meeting. In case any proposal seconded by no less than 10 members has been submitted in subject in the agenda to be transacted at the assembly meeting, that proposal shall also be set out and presented.
- b) Extra-Ordinary General Assembly: In case the council decides or at least 40 members make a submission in writing for the discussion on any subject, the council shall have to convince an Extra-ordinary General Assembly by giving 15 days notice within 7 days of receipt of such submission.

3. Quorm:

Except for otherwise provided in this statute, the presence of at 10 percent member of the members prevailing at the time of convening the General Assembly.

If any General Assembly be not held by lack of the quorm, the next meeting of the Assembly shall be held in such place and time as prescribed after 7 days thereof, and this sub-Article shall not be deemed to affect the

conduct of the meeting irrespective of the number of the members present at the meeting. Except for otherwise provided, the decision on any question revised in the General Assembly shall be taken by the general majority of the members present.

4. The matters required to be discussed at the Annual General Assembly:

The following matters shall mandatory be presented at the Annual General Assembly.

- a) Annual report of the Association.
- b) Description of annual incomes and expenses.
- c) Appointment of auditor.
- d) Miscellaneous.

Article-8 Organization

Executive Council

- 1. There shall be an Executive Council comprising of the following officials and members for the operation of the functions and promotion of the Association.

Chairman		1
Vice-Chairman	1	
General Secretary	1	
Dep. General Secretary	1	
Treasurer		1
Members		10

In total- 15

The Council may, if it deems appropriate, appoint one member as the Deputy Treasurer from amongst the members.

3. Election

- a) The election of the officials and members of the Executive Council and Executive Committee shall be held through the majority decision by way of secret ballot on the basis of one-man one vote for every post out of the members of the Association.
- b) An official who, as an officials and members of the Executive Committee, has completed the three consecutive term in the same post, shall not be allowed to be a candidate in the election for the consecutive fourth term of the same post. Provided that this restriction shall not apply to become a member of the Council or executive committee.

4. Term of office:

The term of office of the executive Council shall ordinary be of two years. Provided that-

- a) The term shall be deemed to be continued pending the election of the new successor.
- b) Notwithstanding anything contained elsewhere in this statute, the term of office of the Council prevailing in the year of the commencement of this amendment shall expire on the last day of Bhadra (16 Sept.) of the coming year, at the last.

5. Duties and Power

a) The Council

- i) Shall be engaging in the attainment of the Association, being subject to the Statute and the policies and directions of the General Assembly.
- ii) Shall carry out day-to-day activity of the Association.

- iii) Shall be fully responsible to the General Assembly.
- iv) Shall formulate different program for the attainment of the objects and prosperity of the Association and implement them.
- v) Shall formulate, launch and implement the daily and annual programs.
- vi) Shall abide by and implement the policies, directions and decisions and decisions adopted and made by the General Assembly.
- vii) Shall organize one National conference within its tenure. More and more engineer shall be provided with an opportunity to take part in such conference, and seminars shall be organized in the timely matters.

b) Power

The Council

- a) May frame, amend and repeal the Rules and Bye-laws under the Statute.
- b) May itself decide the matter and carry out the function, in such a situation where the time does not permit to convene the General Assembly on any matter to be decide by the General Assembly on any of the Association. Provided that such decision shall be submitted to the forthcoming General Assembly for approval.
- j) May constitute a committee or sub-committee for the accomplishment of any special program, Constitute a cell of the concerned members in a professional and operational manner, send the Association's representative in a meeting, seminar organized in the country or abroad and appoint stampeding employers for the day to day or special work.
- k) May carry out such acts as are conducive to the interest and benefit of the Association.
- l) May control, protect, expend and purchase and shell the movable and immovable property of the Association.
- m) may exercise such other powers as are conferred to it by this Constitution and the Rules and Bye-laws framed under the Statute.

c) Meeting:-

The meeting of the Executive Council shall ordinarily be held once in every month. Provided that the meeting many be held upon giving a 24-hour notice in special circumstances:

d) Quorum:-

The presence of at least 7 members of the council shall be mandatory for the conduct of the executive Council.

e) Duties and Powers of the Officials:

a) Chairman

- 1) As a statutory chief of the Council, to provede leadership to the Association.
- 2) To represent the Association.
- 3) To chair the Council, and in the event of equality of votes at any meeting, assembly while deciding any matter, to exercise the casting vote.
- 4) Except the general Assembly meeting discussing a vote of no confident against him or the Council, to preside over the general Assemblu of the Association.
- 5) To monitor whether the acts have been done in accord with the Association and the intents of the Statute, and to fully bear the responsibility of their implementation.

- 6) May direct and grant acceptance to convene the meeting of the Council.
- 7) To exercise the powers and perform the duties conferred and prescribed by this Statute and the Rules and Bye-laws framed hereunder.
- 8) May delegate any or all of his powers any function of his responsibilities to the vice-chairman.

b) Vice-Chairman:-

- 1) In the event of absence of the Chairman or the vacancy of the post of the Chairman, to exercise the powers of and perform the duties of the Chairman, as the acting Chairman.
- 2) To receive the monitoring, evaluation and progress report of the acts carried out by the different committees and sub-committees constituted by the Regional Center, Center and Council of the Association, and submit the reports the Chairman and the Council.
- 3) To exercise the powers and perform the duties delegated by the chairman and help the Chairman.

c) General Secretary:-

- 1) To operate day to day work upon also seeking the opinion of the Chairman.
- 2) To implement the policies, directions and programs of the General Assembly and the Council.
- 3) To submit annual reports and programs to the General to the General Assembly.
- 4) To give full information of all the activities vis-à-vis the Association to the Chairman prior to the Assembly.
- 5) To convene and conduct the Assembly meeting etc. with consultation and consent of the Chairman.
- 6) To give the notice, along with the proposal, to the members of the Council for the meeting of the Council.
- 7) To maintain the minutes of the orders and decisions made at the different assembly and meeting of the association.
- 8) To maintain the record of the members of Association and make correspondences on behalf of the Association.
- 9) To exercise the rights and perform duties conferred and prescribed by this Statute and the Rules, Bye-laws framed hereunder.
- 10) May delegate own any or all powers and any function of own responsibility to the Deputy General Secretary.

d) Depute General - Secretary:-

- 1) To help the General Secretary in the carrying out of the day-to-day work.
- 2) In the event of the General Secretary's absences or post falling vacant, to carry out all the functions, exercise all the power and perform all the duties conferred and entrusted to the General Secretary under this Statute.
- 3) to consider an application received for the corporate membership, the Statute of Regional Center and Center and submit it to the Council or to the official prescribed by the Council; to keep the records of the associate members, regional center and centers.
- 4) To exercise such powers and perform such duties as are delegated to him.

f) Treasurer:-

- 1) To bear all the responsibility vis-à-vis the movable and immovable property and funds and accounts of the association.

- 2) To keep record of the registration of the members of the Association and make it up-to-date.
- 3) To make payment on the recommendation of the General Secretary.
- 4) To submit the balance sheet of the Association to the Council in every six months and the annual balance sheet to the general Assembly through the Council, and to prepare the yearly budget of the Association with the consultation of the Council.
- 5) To submit the financial condition of the Association to every monthly meeting of the Council and to submit to the Council the annual balance sheet of the Association including the regional center and centers and the audit report prior to the General Assembly meeting.
- 6) To exercise the powers and perform the duties prescribed by this Statute and the Rules Bye-laws framed hereunder.

Article-9 Election:-

1) Voting rights and qualifications:

- a) A member may be a candidate for the post of official and members of the Council and to vote for every post on the basis of one man one vote.
- b) A member intending to be a candidate in the election of the Council must have paid up all the fees and other amounts owing to the Association prior to his candidacy,
- c) One must not be disqualified under any article of this Statute to be a candidate and vote in the election.

2) Election:-

- a) The Council shall prior to at least 75 days of the expiry of its term of office constitute an election committee consisting of at least 3 persons.
- b) The election committee shall within 7 days of its Statute publish election program and commence election process.
- c) A members intending to be a candidate shall have to fill up the prescribed candidacy form and submit it to the election committee within the time limit prescribed by the election committee.

Article-10 Termination of the term of the Council and Fulfillment of the vacancy:-

1) Termination of the term of office:

The term of office of the officials and members of the council shall except for the circumstances referred to in the other Article of this Statute be terminated in the following,

Circumstances:

- a) If the resignation in writing tendered by and official or members of the Council be accepted by the Council.
- b) If he remains himself absent in three consecutive monthly meeting of the Council without giving a reasonable advanced notice in writing.
- c) If he remains himself absence in six consecutive monthly meeting of the council due to any whatsoever reason.
- d) If a vote of no confidence against him is adopted.
- e) If he dies or becomes mad.

2) Fulfillment:

If the term of office of the official and member of the council shall be deemed vacant under the sub-Article(1) above, the post shall be fulfilled for the rest term of that post in the following manner:-

- a) The post the chairman by the Vice-chairman.

- b) The post of the Vice-chairman by the appointed by the decision of the Council among the member of the Council.
- c) The post of the General Secretary by the Deputy General Secretary by the Deputy General Secretary.
- d) The post of the Deputy General Secretary by any member of the Council as per the decision of the Council.
- e) The post of a member of the Council by the nomination by the Council among the members.
- f) Notwithstanding anything mentioned in the clauses (a) to (b) of this sub- Article, if a post falls vacant by virtue of the dissolution of the Council or the adoption of the vote of no-confidence against any official or member of the Council, that post shall be fulfilled by election according to Article 9. Provided, however, that if any post can't fulfilled due to the fact that no candidacy has been field for that post at the time of election of the Executive council or due to any other reason. Whatsoever, or for the term of office of the member nominated under clause (f) above, such vacancy shall be fulfilled through election by the setting the General Assembly.

Article-11 Vote of no-confidence:-

- 1) A vote of no confidence may, upon showing reasons therefore, be moved against the Council or any official or member of the Council.
- 2) So as to move a vote of no confidence against an official or member of the Council, at least forty (40) ordinary members must make a submission in writing to the Council. Provided that so as to move a vote of no confidence against the Council, it shall be mandatory that at least 100 ordinary members should make a submission in writing.
- 3) In case any General Assembly meeting has been convened prior to the receipt of such submission and that Assembly meeting is to be held after at least 15 days, that vote of no-confidence shall be discussed at the very General Assembly meeting by calling otherwise Extra-ordinary General Assembly Meeting. Members of Association, three people nominated by the Council from amongst the ex-officials of the council, two people each nominated by the Council from amongst the honorary members and fellows, two people recommended from each centre.

4) Duties and Powers

- a) The coordination body shall carry out such acts as to bring coordination between the determination of policy framed under this Statute and the implementation aspect hereof to give advice and recommendation to the Council, regional center as per necessity.
- b) It may discharge or cause to be discharged the functions entrusted to it by constituting committees as per necessity. It shall exercise the powers granted to it by the Council and carry out acts as prescribed.

3) Meeting

The meeting of the coordination Body shall ordinary be held at least once a year as decoded by the Council. The Council shall give a notice along with the agenda to be transacted at the meeting to all the members of the coordination Body prior to at least 21 days of the date of such meeting.

4) Quorum:

The presence of at least one-third members of the members of the members of the coordination Body shall be mandatory for conduct the meeting of the coordination Body.

Article-13 Regional center and Center

1) Regional Center:

- a) The Regional centers of the Association may be set up of a different parts of the Kingdom as per necessity.
- b) If at least 125 members request in writing for the setting up of a Regional Centers in any place or at least five centers into Regional Centers recommend to convent any centers or to set up out of those centers into Regional Center in any other new place, the Council may in consideration of the matter grant approval to that effect.
- c) The regional Center may subject to this Statute constitute an Executive Committee comprising in maximum of 9 people including the chairman, vice-chairman, secretary, treasurer and other officials and members as per necessity and frame rules and Bye-laws in order to carry out day to day work. Provided that approval of the Council shall be obtained prior to bring such rules, Bye-laws and composition process of the Executive Committee into operation.
- d) The Executive Committee may conduct conference, seminars, collect financial sources, expend moneys, and recommend to the council for the setting up of or the dissolution of the centers.
- e) The Executive Committee may recommend to the council for new membership and collect admission and membership fees.
- f) The Regional centers shall hand over to the Council cent percent amount of the admission fees collected by it or obtained through the centers and, the annual membership fees if it has itself collected 40 per cent thereof and if the fees have been obtained through the centers 20 percent thereof.
- g) The Regional Centers shall have to send its own annual accounts and those if the centers as well under it to the Council.
- h) If the Council decides that any Regional Centers be less than 50, the Council may convent that Regional Centers into a center or dissolve it.
- i) If the Council decides that any regional Centers has carried out act contrary to the interests of the Association and to the Statute, it may upon obtaining the decision of the General Assembly dissolve such center or if it does not consider it just to wait until the meeting of the General Assembly, the Council may such center, subject to the receipt of approval of the general Assembly subsequently.
- j) In the event of dissolution of a Regional Centers, the Council shall own and use the movable and immovable property the Regional Center.

2) Center:

- a) One center of the Association may be set up in every district in the Kingdom of Nepal and the centers of the Association may be so set up that they remain under the Regional Center or directly under the Council.
- b) If at least 25 members make a request in writing directly or through the Regional Centers for the set up of a center in any place, the Council may grant approval.
- c) The center may subject to the Statute constitute an Executive Committee comprising in the maximum of seven persons including the chairman, vice-chairman, Secretary, and other official and members as per necessity and frame rules and Bye-laws in order to operate day-to-day work. Provided that such rules, Bye-laws or the composition procedures of the Executive Committee shall have to be sent to the concerned Regional Center or the council for approval, prior to bringing them into force.
- d) The Executive Committee of the center may organize conference, seminar, collect financial source, expend money and recommended for new membership, collect admission and membership fees, and exercise any other powers conferred to it by the regional center or the Council.

- e) Cent per cent of the admission fees and 40 percent of the annual membership fees collected by the center shall have to be sent to the concerned Regional Center or Council.
- f) The Center shall send its annual accounts to the concerned Regional Center or in the absence of such Regional Center to the council.
- g) If the numbers under a center runs less than 10, the concerned Regional Center may with the consent of the Council and in the absence of such regional Center the Council may dissolve such center.
- h) If the concerned Regional center recommends that the center has acted contrary to the interests of the Association and to the Statute or the Council decides so, the Council may with the decision of the General Assembly dissolve or if the Council may by the decision of its two thirds majority suspend such center on the condition that such decision shall be subsequently got approved by the General Assembly.
- i) In the event of the dissolution of the center, the Regional Center or in the absence of such center the council shall own and use the movable and immovable property of the center.

Article 14 Amendments to the Statute:

- 1) All amendments to this Statute save the change of the name of and the dissolution of the Association may be made by the decision of the two-thirds majority of the members present at the General Assembly meeting. Provided that in regard to the substantial amendments making fundamental change in the provisions of this Statute, the proposal of all the amendments shall be published for the notice to all the members prior to at least 45 days of the General Assembly meeting, and then the comments thereon and amendments there to received shall also be presented at the General Assembly meeting for consideration, and for an amendment to be adopted, at least two thirds members must vote in favor of the proposal.
- 2) If the Council decided for amendments or at least 40 members present an amendment proposal in writing, the Council shall forward the amendment proposal within 6 months of the receipt of such proposal, publish it at least 45 days in advance for the information to all the members and present at the general Assembly.

Article 15 Income Source and audit income source:

The income source of the Association shall be as follows:

- a) Membership fees
- b) Grant received from His Majesty's Government and other person, Association.
- c) Other Source

Audit:

The incomes, and expenses and accounts of the Association up to the last day of the month of Ashad of every Year, shall be audited by an auditor or an audit committee prescribed by the General Assembly and then presented to the General Assembly

Article 16 Dissolution:

The Association shall ipso facto be dissolved by a decision of the two third majority of the members of the total number of the members of the Association shall subject to the prevalent law of Nepal be as decided by the General Assembly held to make decision of such dissolution.

Article-17 Repeal and Saving: -

- 1) The acts and action done and taken under the Statute of the Nepal Engineers Association, second amendment, shall be deemed to be done and taken under this Statute.

- 2) The secondly Amended Statute of the Nepal Engineers Association is hereby repealed.