

# **B.S.N.L Casual & Contract Worker's Federation**

Dada Ghosh Bhawan, 2151/1 New Patel Nagar, Shadipur, New Delhi-110008

## **Constitution**

### ***BSNL Casual and Contract Workers Federation***

1. **Name:** - The union is a combination of Casual and Contract workers employed in Bharat Sanchar Nigam Limited in the all India Industry/Business/Trade and it shall be called the BSNL Casual & Contract Workers Federation and it is referred to in these rules as the union.
2. **Head quarters:** - The Head Quarters of the Union shall be Delhi and situated for the present at Dada Ghosh Bhawan, 2151/1 New Patel Nagar, Shadipur, New Delhi- 110008
3. **Objects:** - The union shall strive to improve and ameliorate the condition of its members and to safeguard their interests by negotiation with their employers and only in last resort to strikes. It shall provide its funds permit and General body of the members approved of.
  - a) Undertake prosecution of defence of any legal proceeding to which any of its members may be a party for the purpose of protection, the rights of the members arising out of its relations with employer.
  - b) Conduct a Trade dispute on behalf of member.
  - c) Compensate a member for loss arising out of a trade dispute.
  - d) Pay allowance to a member for his dependents on account of death, old age, sickness accident of unemployment of the member.
  - e) Issue or undertake liability under policies of assurance on the life as a member of policies insuring a member against sickness, accident or unemployment and.
  - f) Start for members a library, night school, a club, an institution for the medical treatment, free supply of medicines and a benefit fund providing financial assistance.
4. **Organisation:** - The union shall have Circle (State), District and Local Branches. Local Branch shall be the primary unit of the union for the purpose of participating in Circle (State) Conference. The District Branch will be formed with all the Local Branches in a Revenue District and Local Branch Union will be formed with at least 20 members working in any particular of nearby units of BSNL. In exceptional circumstance like an Exchange being very remote, a branch status may be given by the District Secretary irrespective of the number of members.
5. **Ordinary Members:** - Workers employees of age 15 years or more employed in the Bharat Sanchar Nigam Limited under the jurisdiction of India are the ordinary member of the Union. An ordinary member shall henceforth pay total of **Rs.12/- (Rupees Twelve)** only as subscription per month payable immediately on enrolment and thereafter by the end of the months for which it is due. **The rate of allocation of monthly subscription is as specified in Article 4.1.** A worker shall be enrolled in the Union as a member on payment of **Admission fee of Rs. 12/-** only. No member shall be a member, if he is in arrears with his subscriptions for

three months from the date when the same falls due and does not clear his dues by the end of third month. After the third month, but within a period of thirty days from the last day thereof member having ceased to be a member through default shall, subject to contrary decision of the Executive Committee of the Union or subject to such conditions as the Executive Committee may think fit to impose, be eligible for re-admission as a member. Subject to a contrary decision of General Meeting no member shall enjoy the rights of a member and be entitled to the benefits to which a member will be entitled under rules as amended in unless he.

- a) Has been a member for the less than one year.
- b) Has paid all his dues to the Union

N.B. – the term ‘member’ wherever it occurs in these rules unless, the context suggests a different meanings means an ordinary member.

**5.1 Rate of subscription & Quota:** - Rate of subscription as mentioned in article 4 (Rupees Twelve only) thus collected shall be allocated every month in the following manner.

**Central Union: - Rs.1/-**

**Circle (State) Union: - Rs.3/-**

**District Union: - Rs. 3/-**

**Local Branch Union: Rs.5/-**

However, the District conference can decide to collect monthly contribution or any extra collection to District Union from every member for general purpose or for any particular purpose.

The subscription as well as contribution to District union, if any paid by each member by the end of the month and the Treasurer of Local Branch shall make arrangements for collection of the same from members failing in the respective unit. Quota for the month shall become due by the 10<sup>th</sup> of the next month and shall be remitted by the 15<sup>th</sup>. Distant end Branches may, with the permission of Circle Union remit the subscription once in 3 months. The Circle (State) Union shall notify to branches through District Union or by directly, arrears to Circle Union before 28<sup>th</sup> February of every year and again a month before the Circle (State) conference. The District Union shall give a similar notice of their dues. The District Union will also obtain arrear list from Circle Union before holding Circle (State) Conference.

## **6. Disciplinary Actions:**

- a) **Removal of Member:** A member of the union can be removed from the rolls of the union for anti-union activity, corruption, immoral activity or anti-national activity or for non-payment of subscriptions only by the concerned General Body at the Local Level with two-third majority of members present in such meeting. Such removal of any member who is an office bearer of the Union at a higher level shall come into effect only after ratification by the respective committee of which he/she is a member. The member against whom such action is proposed shall be provided adequate opportunity to explain his conducts.
- b) **Other Disciplinary Actions:** The Executive Committee at the respective level shall have the power to suspend for a specified period or censure any of its members for indiscipline by a simple majority.

- c) **Appeal:** Appeal against any disciplinary action shall lie to the next higher level committee. Any appeal received by such committee after a period of fifteen days shall not be considered. Final authority to dispose of the appeal, if received by it, shall be the Circle Executive Committee.
- d) **Member:** Who have been expelled for non-payment of subscription etc., are eligible for re-admission on payment of all arrears. However, no fine shall be imposed.
- e) **Note:** If membership ceases in the middle of a year the amount of subscription fees, levies etc., already remitted shall be forfeited.

**7. Membership Register:** - the Union shall maintain a register of members name, age, address, occupation and such other particulars as may be considered necessary concerning each member including an ordinary member shall be recorded therein. The register shall be open to inspection by any office-bearer or member on any day during the normal office hours.

**8. Honorary Member:-** Persons not eligible for admission as ordinary member under the rule 4 (four) may be admitted as an honorary member to serve on the Executive Committee of Union but their number shall not at any time exceed one third of the total number of the members of Executive Committee.

**9. Executive Committee:** - Subject to the control of General Body of members the administration of all affairs of the union shall be carried on by the Executive Committee consists of not more than 21 members, but not less than 15 members. All office bearers and Executive members shall be elected at the Annual General Meeting of the Union shall, unless member of the Executive committee shall be above the age of 18 years and removed by death, registration, found incompetent or hostile to the interest of the union, hold office until the next election. **One-half** members of the Executive Committee will form the quorum of the meeting. Casual vacancies will be filled up by the members of the union co-opted in the Executive meeting. Secretary or in the absence of Secretary, one of the Asst. Secretaries of the union will convene the meeting of the Executive Committee **with the notice as mentioned in the clause 7.1.** Member and office-bearers found incompetent or hostile to the interest of the union shall be removed by a decision of the General Body meeting in case of Local Branch Level and Executive meeting of District/Circle (State) Level as the case may be. At least one meeting of the Executive committee of district and local Branch shall be held in every three months. The Circle (state) Executive committee shall meet at least once in between two Circle (State) Conferences. Circle (State) secretariat consisting of office-bearers stationed in and around Head Quarters at any particular time shall meet as and when necessary.

**9.1 Notice for the Executive Meeting:-**

- 1) Central (All India) Executive:- 15 days
- 2) Circle (state) executive:- 14 days
- 3) District executive:- 07 days
- 4) Local Branch Executive:- 07 days
- 5) Emergent Central Executive: 01 days
- 6) Emergent Circle (State) Executive:- 03 days
- 7) Emergent District Executive:- 24 hours
- 8) Emergent Local Branch Executive:- 24 hours

**10. Funds:** - The Union shall have a general fund which shall include all incomes form contribution from members, donations and other miscellaneous sources. All expenses of union save those incurred for political purpose certified in the section 16 of the Trade Union Act 1926, including salaries and allowances to Office-bearers, pay of establishment and provisions of benefits financial and of other kinds shall be met from the general fund. In the case of a doubt whether a particular expense of expenses can be lawfully include and paid from the general fund the matter shall be referred to the Registrar of Trade Unions and the union shall abide by the decision.

**11. Safe Custody of General Funds:** - All money belonging to the Union have those immediately required not exceeding to Rs.1000/- at Local Branch, Rs.3000/- at District Branch and Rs.5000/- at Circle (State) level shall be deposited in a Bank or Banks of good standing or shall be invested in same approved securities or shall be partly deposited and partly invested. When Bank account is opened, the President, Secretary, the Treasurer or in their absence any other two representatives of the Union authorized by the Executive Committee shall jointly make and be responsible for all transaction in the account.

**12. Annual Return and Annual Audit:-** The Secretary of Union shall arrange and shall be responsible for proper maintenance of the different books and registers. The account books shall be open to inspections to office bearers and members during the normal office- hours of the union. The account shall be audited every year after the 31<sup>st</sup> December in the manner prescribed by the Trade Union Regulation 1927 and the executive committee shall thereafter arrange for the preparation and submission to registrar of Trade Union Regulations 1927 of the Annual Return prescribed under section 28 of the Trade Union Act 1927.

**13. All India Conference:** - The All India Conference consists of Central Office Bearers Central Executive Committee members and the delegates elected in the respective district Conferences of in the special District Conventions convened for the purpose. The paid up membership of the District shall be determined on the basis of quota received by the central Union from all the local branches of the concerned district during the two financial years preceding the conference. In case the membership of the District is less than one hundred it shall elect on delegate. In case of membership of the district is one hundred or more it shall elect delegates at the ratio of one delegate for every hundred or part thereof, provided the part there of is fifty or more.

**14. Duties of All India Conference:-**

- a) To elect the following:-
  - i. One President
  - ii. Six Vice-Presidents
  - iii. One Secretary General
  - iv. Five Assistant General Secretaries
  - v. One Treasurer
  - vi. One Asst. Treasurer
  - vii. Six Organizing Secretaries

**15. Circle (State) Conference:-**

**Composition:** The Circle (State) Conference shall be composed by the Circle Office-bearers elected by the previous conference, the district Secretaries, who shall be ex-officio members

and the delegates elected by Local branch conferences at the ratio of one delegate for every 20 or part thereof. The circle (State) conference shall be held once in two years.

**16. Duties of Circle (State) Conference:-**

- a) To elect the following office -bearers:-
  - I) One President
  - II) Five Vice-Presidents
  - III) One Circle Secretary
  - IV) Five Assistant Circle Secretaries
  - V) One Treasurer
  - VI) One Asst. Treasurer
  - VII) Seven Organizing Secretaries
  
- b) To consider and adopt Annual Report and Accounts.
- c) To nominate the Auditor.
- d) To consider any other item notified.

**17. Power of Circle (State) Executive:-** In between two Circle (State) conference, the Circle Executive shall exercise all the powers of the Circle (State) Conference except election of office- bearers.

**18. District Conference:-**

**Composition:-** The District Conference shall be composed by the district Office- bearers elected by the previous conference. The branch Secretaries, who shall be ex-ex-officio members and delegates elected by Local Branch Conference **at the ratio of one delegate for 10 members or part thereof District Conference, shall be held once in two years.**

**19. Duties of District Conference:-**

- a) To elect the following office -bearers:-
  - I) One President
  - II) Four Vice-Presidents
  - III) One District Secretary
  - IV) Four Assistant District Secretaries
  - V) One Treasurer
  - VI) One Asst. Treasurer
  - VII) Seven Organizing Secretaries

In the case of District Union having more than four Local Branches, the District Conference shall elect one Assistant Secretary as ex-officio member for each of the respective Local Branches. The total number of posts of District Union shall remain unaltered as provided in the article above, by rearranging the posts of the office-bearers.

- b) To consider and adopt Annual Report and Account.
- c) To nominate the Auditor.
- d) To consider any other item notified.

**20. Power of District Executive:** - In between two District Conferences the District Executive shall exercise all powers of the District Conference except election of office-bearers. The district

Executive shall present the Annual report and audited accounts to the District Conference and set the same after being adopted by the District Conference to the Circle Union.

**21. Local Branch Conference:-**

- a) It shall be held every two years and all the members shall elect the following office bearers:-
  - I) President
  - II) Three Vice-Presidents
  - III) Branch Secretary
  - IV) Three Assistant Branch Secretaries
  - V) One Treasurer
  - VI) One Asst. Treasurer
  - VII) Five Organizing Secretaries

The Branch Conference shall consider and adopt annual report and accounts and nominate auditor. The Branch Conference shall consider any other item notified.

**22. Annual General Meeting:-** There will be annual general Meeting or any be called the Conference of the Central Circle (State), District and Branch level within three months on completion of duration. The Quorum of this shall be as specified in the clause no.12, 8(a). Voting at the meeting may be either by ballot or by show of hands. All decisions/elections shall be decided by majority of votes. The meeting shall dispose of all matters affecting the General Body of the members including.

- I) Forum of the policy programme of the Union.
- II) Appointment of the office-bearers.
- III) Annual General meeting/Conference shall be called by the Secretary or in his absence by the Assistant Secretaries of the union with the notice as specified in the clause no 12.8 (b)

**b) General Body:** - It shall meet as an when required and except election of office-bearers and consideration of annual report and accounts, it shall exercise all the powers of the conference. All the members of the branch are eligible to participate. For General Body meeting at least 7 days clear notice shall be given, provided that an extra ordinary meeting of the General Body may be convened at notice of 24 hrs. The Quorum for General Body Meeting shall be one-third of the strength of the membership.

**23. Quorum and Notice for the Annual General Meeting / Conference:-**

- a) **Quorum:**
  - i) All India Conference: 1/3<sup>rd</sup> of the Representatives
  - ii) Circle (State) Conference: One – third of the delegates elected by the local branch conference at the ratio of one delegate for every 20 members.
  - iii) District Conference: one-third of the representatives elected by local branch conference at the ratio of one delegate for every 10 members.
  - iv) Local Branch Conference: One-third of the general members.
- b) **Notice:-**
  - i) All India Conference
  - ii) Circle (State) Conference 21 days.
  - iii) District Conference 21 days.

**iv) Local Branch Conference 14 days**

- 24. Strike:** Strike of work shall be declared by the union only after failure of negotiations and agitation programmes and also along with other trade unions on the general issues of working class. The strike shall be declared after observing the relevant provisions of industrial Disputes Act 1947.
- 25. Amendment of the Constitution:** - Any rule or rules of the union may be amended, varied or rescinded by the decision of the Circle (State) annual General /Conference. A notice of the change or changes made in the rules shall be sent to the Registrar of Trade Unions within fourteen days from the date of the conference to which the change or changes have been decided upon and change or changes shall not effect until the same have been registered and a certificate of registration have obtained from the Registrar of Trade Union.
- 26. Dissolution:** - The Union shall not be dissolved except by the decision of the All India Conference specially called for the purpose. The quorum of the specially convened conference shall be two-third of the delegates for the time being. The meeting shall also decide in what manner the funds of the Union after dissolution if any shall be disposed of after the meeting dissolving the Union put within fourteen days from the date thereof these shall be sent to the Registrar of Trade Union a notice of dissolution in the prescribed form and the dissolution shall not have effect until the same has been accepted by the Registrar of Trade Unions.

**Member**

**Secretary**

**President**