

CONSTITUTION

of



Jharkhand State Industrial Training
Institute Employees' Association

HEHAL, RANCHI - 5

CONSTITUTION OF THE JHARKHAND STATE INDUSTRIAL TRAINING INSTITUTE EMPLOYEES' ASSOCIATION

1. **Name :** The name of the Association shall be Jharkhand State Industrial Training Institute Employees' Association.
2. **Head Office :** The head office of the Association shall be at Ranchi.
3. **Branches :** The Association shall open one Branch at each Industrial Training Institute, in Jharkhand for the Instructors, and other Class III and Class IV Employees.
 - (a) The head office of these branches shall be located at the Station where the Institute concerned are located.
4. **Seal of the Association :** The Association shall be a body corporate and shall have a common seal. All documents submitted to the Government shall bear the seal of the Association.
5. **Aim and object :** The aim and object of the Association shall be :
 - (a) To organise the Assistant Superintendent Chief Instructors, Instructors and other class III and Class IV employee of the Industrial Training Institute into one well knit Association.
 - (b) To strive to improve Employer Employee relationship.
 - (c) To safeguard the right and interests of the member's regarding service conditions.
 - (d) To secure to them fair conditions of life and work.
 - (e) To Co-operate and federate with organisations of workers having similar objects after obtaining permission of the Govt.
 - (f) To encourage thrift and self help among the

members and to take steps for their economical, moral, social and educational advancements.

6. Generally to take such other steps as may be necessary.

Method : The Association shall always adopt constitutional and peaceful methods in achieving its objects.

7. **Membership :**

(a) Each and every Instructor, and others Class III and Class IV employee of the Institute's shall be eligible to enrol themselves as members on payment of requisite fees and after signing the written pledge, provided he is otherwise not eligible to become a member.

(b) Primary membership shall be provisionally enrolled and registered by the Branches but a quarterly return shall be sent to the Secretariate of the Union for scrutiny. Any decision about the membership given by the secretariate of the union shall be final and binding on all parties.

(c) Any member elected as office bearer of the Association shall be members for the period he holds the office.

8. **Organisation :** For the Administration of the affairs of the Association, the association shall function through the State Organisation and the Branches organisation as outlined in the foregoing clause.

9. **Recognition :** The State Association will get itself recognised under the Jharkhand Government Servant-Recognise of Service Association Rule 1960.

(b) The State Association will extend recognition to the Branch Association on such conditions as may be laid down by the State Association.

(c) Any branch of the conditions laid down in the State

Association by the Branch organisation will make the latter liable for suspension if it violates the provision of the constitution which can be restored after the disability incurred by the branch is removed.

10. **Termination and Restoration of the Membership :**

(a) Termination of the membership of a person shall be terminated on the following accounts :-

(i) Resignation, default in payment of dues for three consecutive months.

(ii) Removal, expulsion etc.

(b) **Restoration :** Membership of a person terminated as in 10 (a) above can be restored in the following respective manners :-

(i) By fresh application on count (i) above,

(ii) By revision of the decision by Branch Association or acceptance of an appeal by the State Association on count (ii) above.

11. **Application for Membership :** A prescribed form of application for membership shall be introduced and get signed by each and every members.

12. **Membership Register :** Membership Register in the prescribed form shall be maintained by the Branches. All charges shall be duly incorporated in by the Branch Secretary as and when they occur. The register shall be made available for inspection to the members of the branch, office bearers of the State Associations.

13. **Right of members :**

(a) Every member provided he is not in arrears of subscription for one month or more and has on the roll at least three subsequent month shall have the rights of :-

(i) Nominating candidates and standing for election to any post of office bearership including delegates and executive committee, provided that a members who has not been on rolls for at least six months shall not be eligible for contest.

This will not be applicable to a newly formed branch.

(ii) Inspection of account books, register of members, memberlist and similer other records.

(iii) Vote of meeting.

(iv) Receiving a copy of bulletine or documents issued by the branch and the State Association.

(B) Every member shall be entitled to the benefits provided by the Association.

14. Fee and subscriptions :

(a) **Admission :** Every member shall be required to pay equivalent to his one month subsciption as admission fee at the time of admission.

(b) **Monthly Subscription :** The monthly subscription which shall be due on the first of the month shall be payable by the 10th of the month on the following rates -

(i) Employees drawing salary less than Rs. 2050/- a month will pay at the rate of Rs. 03/- (three) per month.

(ii) Employees drawing salary more than Rs. 2050/- a month will pay at the rate of Rs. 05/- (five) per month.

(iii) Donations or any extra collection made from members for general purpose of the Association.

The Association shall accept the grant of any made by the Government.

(c) **Allocation of subscription :** The 50% of the total

monthly subscriptions collected will be remitted to the State Association by the Branch Association concerned. The remaining 50% will remain with the branch as their share out of which they will meet the expenses for the money order commission postage, records, papers meeting, expenses and delegate fee etc. The subscription of State Association shall be remitted by 10th of every months.

(d) **Notice for clearance of dues** (a) The State association will give 15 days notice to the Branch Association if they fail in arrears for three consecutive months.

(e) The Branch associations is like wise give 10 days notice to the members concrerned for clearance of due if they are in arrears for 3 or more months.

(f) Non-compliance of the notice maintained in (a) (b) above will result in automatic suspension of the membership of the Branch and on or the individual concerned which can only be restored after payment of arrears along with the dues for the period under suspension.

15. **Constitution of a separate fund for special purpose :** The Association may constitute a separate fund from contributions from members separately levied for one or more fund, from which payments may be made for the promotion of the civil and social interest of its members. Contribution to the said funds shall not be made a condition for admission as members and no members shall be compelled to contribute to the said fund. The audit of the special fund, if constituted shall be carried out along with the audit of the General accounts and by the same auditor of auditors.

16. **Deposit of Funds :** The money collected from above mentioned sources shall be deposited in Post Office Saving Bank accounts or in a scheduled Bank in the name of the Association approved by the Executive

Committee and two responsible officers of the Association approved by the Executive Committee or President and Treasurer (shall) jointly operate the accounts. The General Secretary and Treasurer shall not kept more than Rs. 25/- with them for current expenses.

(B) The deposit of fund and responsibility of operation of accounts by Branch Association will be the same as above para Rule - (16)

17. Objects on which the General Funds, Reserve funds and Social fund of the Association can be spent.

The above mentioned fund of the Association shall not be spent on any other objects than the following :

- (a) The payment of salaries and allowances and expenses of the officers of the Association.
- (b) The payment of expenses for the administration of the service Association including audit of the accounts of the funds of the service Association.
- (c) The prosecution of any legal proceeding to which the Association or any members there of is a party when such prosecution of defence is under taken for the purpose of securing or protecting any right of the Association as a whole.
- (d) The conduct of disputes on behalf of the Association.
- (e) The compensation of members for loss arising out of Association dispute.
- (f) The upkeep of a periodical published mainly for the purposes of discussing questions affecting employees or worken as such.

18. Submission of Annual Returns :

- (a) According to Sec. 5 (c) Jharkhand Service Association Rule 1960 the General Secretary of

State Association shall submit the annual returns to the Government through proper channel annual, after the General Annual conference so as to reach the 1st of July each year.

(b) The Branch Secretary of the Association shall submit the quarterly returns of the accounts and members in the prescribed proform to the State Association.

(c) The Branch Secretary of the Branch Association shall submit the Annual returns to the State Association on or before the 15th may of each year.

19. Inspection and audit of the Accounts of the Association :

The General Secretary of the State Association shall make due provision for the annual audit of the A/C of the State Association and Branch Association for each year ending 31st March by auditors appointed by the Executive Committee of the State Association. The Accounts Books of the Association shall be open to the inspections for any members or officer of the State Association or Branch Association during the usual office hours or any week day excluding Sunday.

20. Amendment, Variation and Rescinding of Rules :
No amendment in the constitution shall be passed except by 2/3rd majority of the voting strength of the State Association conference if the amendment is moved after the due notification to Association.

A notice of change or changed in the Rules shall be sent to the Government in the meeting refer to above. The change or changes shall not have effect until the same have been allowed by the Government.

21. Removal of members and Disciplinary action :

Any members of the State and Branch Association including a members of the Executive Committee can be removed from the membership of the Association by the respective conference of the member or

delegates for having committed any fraud or for having acted against the interest of the Association provided the members to be removed is given adequate opportunity to explain his conduct.

(b) **Anti Association activities :** The Executive Committee of the State of Branch Association shall be competent to suspend, expel, adopt no confidence motion against the censor office bearers of members within its jurisdiction after giving the person concerned a list of charges against him in writing and calling upon his explanation within 14 days from the date of receipt of the charges.

A resolution of no confidence or censor against any person can be passed with two third of the member present and voting. The decision of the State Association conference shall be final in respect of appeal against the disciplinary action.

22. **Management :** Management of the Association shall be vested in the following bodies.

(A) **State Association :**

(i) State Conference which shall ordinarily meet once every two years. Special conference can be convened as exigencies may require only for specific purpose either by the State Executive Committee or on receipt of requisition from 50% of the branches.

(ii) State Executive Committee which shall meet ordinarily once every month a special meeting of the State Executive Committee shall be convened as the exigencies require only for specific purpose by the State Secretary or by the State Secretariate or on receipt of requisition of the 1/3 members of the executive committee.

(iii) The State Secretariate shall meet as after as necessary

(B) **Branch Association :**

(i) The General body meeting which shall be of two kinds namely annual general meeting and ordinary general meeting. Whereas the General meeting shall convened to discuss and decide the specified items of agenda as laid here under. The ordinary general meeting can be convened as exigencies may require for a specific purpose.

These meeting on adhoc convened by the Branch Secretary himself or by the branch Executive Committee or on receipt or requisition by 1/3rd members on roll, or on receipt of directive from the State Level Organisation.

(ii) The Branch Executive which shall ordinarily meet once every month.

23. **State conference :**

(A) **Notice :**

(i) Notice for the conference shall be issued not latter than 21 days before the conference. Notice for the special State conference may be convened after giving a notice of 10 days.

Notice Resolution etc : At least 14 days clear notice shall be required for moving a resolution, motion, amendment to the constitution. The State Secretary will circulate such notices for resolution etc. At least 7 days in advance to all branches.

(B) **Composition :** It shall constitute as under -

- (i) Elected delegates representing branches.
- (ii) Ex-office delegates who shall be office bearers of the State Association.

(C) **Voting strength :** (i) Voting power of each branch. shall be fixed in the manner specified below :

Branches with less than 20 members 1 (one) votes.

Branches having 20 or more but less than 50 members (2) vote.

Branches with more than 50 but less than 100 member 3 (three) votes.

Branches with more than 100 but less than 120 member 4 (four) votes.

Branches with more than 120 but less 150 members 5 (five) votes.

Branches with more than 150 members 6 (six) votes.

Irrespective of the voting strength of the Branch it shall empowered to send more or less of the delegate who will share the vote of the branch among themselves.

(ii) Ex-Office delegate to the State conference shall carry vote each.

Power : (D) The State conference shall be the supreme deliberative and legislative body of the Association and shall have absolute control over the affairs and to control of the Association it shall have the following power :

- (i) To elect office bearers of the State Association.
- (ii) To appoint an auditor to audit the Accounts of the Association.
- (iii) To elect representative if necessary to represent the Association in other organisation under service Association Rule 1960.
- (iv) To consider and adopt the annual report of an audited accounts of the State Association.
- (v) To adopt the Budget Association Estimate of the State Association.
- (vi) To effect changes in the constitution.
- (vii) To adopt resolution.

23. (d) **Contd. :** Quorum : For the State Conference the quorum shall be 1/3rd of voting strength of the conference provided further that at least 1/3rd of the branches represented.

24. **State Executive Committee :**

- (a) Notice at least 14 days notice shall be given for a meeting of Executive Committee. In case of emergency a notice of 7 days will be sufficient.
- (b) **Composition :** It shall constitute of the office bearer of the State Association and the Branches secretary or paid member duly nominated by him.
- (c) **Voting strength :** Member shall carry (1) Vote each.
- (d) **Quorum :** The quorum shall not be less than 1/2 the strength of the Executive committee provided that at least 40% of the Branches have represented.
- (e) **Power :** The Executive shall function under the General direction of the State conference and shall have power to fill up the vacancies in the office bearers and the Executive members.

25. **Secretariate :**

- (a) For a meeting of the Secretariate 3 days notice shall be given.
- (b) **Composition :** The Secretariate shall consist of the office bearers of the State Association at the head quarter and the Branch secretary or the Branch Secretariate at the head quarters.
- (c) **Power :** The State Secretariate shall
 - (i) Supervise the working of the State Association and assist the State Secretary in discharge of his duties.
 - (ii) Prepare the annual report of the Association and
 - (iii) Shall take necessary steps to see that decision of the association implemented by the Branches.

26. Branch Conference :

- (a) For Branch conference not less than clear 14 days notice shall be given. A list of members defaulting in payment of monthly subscription shall be circulated sufficiently in advance to enable the members to clear the due before the conference.
- (b) **Composition :** The conference shall consist of all paid members of the branches.
- (c) **Quorum :** The quorum of the branch conference shall be 1/3 of the paid membership.
- (d) **Power :** The branch conference shall be supreme deliberation legislative body within its own jurisdiction subject to the general control and supervision of the State Association. It shall have the following specified powers :-

1. To elect office bearers.
2. To elect an auditor.
3. To elect members of the Executive Committee.
4. To consider and adopt annual report audited account budget estimate.
5. To pass resolution.
6. To implement the policies and directives.

27. Executive Committee Meeting :

- (a) **Notice :** Notice of a Branch Executive Committee shall be served at least three days before the date of the meeting. An emergent meeting of the branch Executive Committee can be convened with 24 hours notice. The Secretary shall convene a meeting of the Executive Committee either at his own instance or as directed by the General Body or requisition by the 1/3rd of the members of the executive.
- (b) **Composition :** In executive committee shall consist of the office bearers of the branch and the committee members which will not exceed 4 (four)

in case of branches with less than 20 members. Ten in case of branches with more than 20 members but less than 50 members. 20 in case of branches with more than 50 members (fifty) members.

- (c) **Voting strength :** Members shall carry 1 (one) vote each.
- (d) **Quorum :** The quorum for the meeting of the branch Executive Committee shall be fifty percent of its total strength.
- (e) **Power :** It shall supervise the working of the branch association office and under the guidance and control of the general body meeting shall be responsible for the execution and implementation of the decision of the high body.

28. Office bearers of the State Association :

The following shall be the office bearer :-

- (i) A President
- (ii) Vice President
- (iii) One State General Secretary
- (iv) Two Asstt. State Secretaries
- (v) Treasurer
- (vi) An auditor
- (vii) Four divisional organising secretaries and
- (viii) All office bearers shall hold office till the next session of the State conference at which the office bearer are elected.

Not of 27 (c) Voting : All fully paid members shall be entitled to have a single non-transferable vote each voting shall ordinarily take place by show of hand but in case secret ballot is demanded it shall be granted.

28. (b) Function and duties of office bearers :

- (i) **President :** President shall preside over the meeting of the Executive Committee and the State

Conference and shall supervise general supervision and control over the affairs of the Association. The President of State Association shall have power to authorise expenditure of Rs. 50/- subject to the approval of the Executive Committee.

- (ii) **Vice President** : Vice President shall assist the President in the discharge of the duties.
- (iii) The State Secretary shall be the Chief Executive officer of the Association and shall administer the affairs of the Association under the control and direction of the conference, Executive Committee and the President shall have the power to examine the accounts of the branch association he shall be ex-office member of the branch conference of the branch executive.
 - (a) Conducting all correspondence on behalf of the Association.
 - (b) Recording the minutes of all the meeting.
 - (c) Maintaining the register of members and other books and registers other than accounts books and registers.
 - (d) Convening the consultation with the President or in his absence the Vice President meeting of the Executive Committee and issuing notices and agendas thereof.
 - (e) Submitting the statement and other documents required to be submitted by or under the Service Association Rule, 1960.
 - (f) Incurring expenditure up to Rs. 15/- per month without the sanction of the Executive Committee. He must have secure at its next meeting and (g) submitting report and accounts of expenditure at each meeting of the Executive Committee for its approval.
 - (h) Treasurer shall be personally responsible for funds

and records of the Association and relevant records, shall receive contributions, donations quota and all dues from branchers and others issue receipts there for shall make payment after getting vouchers attested by the State Secretary and maintain records and vouchers for all payment made shall get the cash book signed by the State Secretary every month and maintain a records of local branches when the quota received and the strength of the particular branch. He will not keep more than Rs. 25/- in hand and to deposit the balance in post office, saving bank or a schedule banks as the manner stated above.

29. **The office bearers of the Branch Association :**

The Branches shall have the following office bearers

- (a) In case the strength of the branch is less than 20 a President and a Branch Secretary and an Auditor, and a Treasurer.
- (b) In case the strength of the branch is between 20 and 50 a President, one Vice President one branch Secretary, one Asstt. Branch Secretary, one Treasurer and one auditor.
- (c) In case the membership of the branch in between 50 and 100, the President two vice presidents, the Branch Secretary, Two Assistant Branch Secretary and one Treasurer and an Auditor.
- (d) In case the membership of the Branch is more than 100, one President, Two vice president, the Branch Secretary Two or more Asstt. Branch Secretaries, one Treasurer, one Assistant Treasurer and an Auditor.
- (e) The duties and responsibilities of the State Association office bearers shall apply Mutanties to the branch office bearers.

30. **Strike** : The Association shall not resort to strike unless all efforts for an amicable settlement have

failed. No strike will be launched without obtaining the approval of the State Association and representative and delegats from the branches.

31. **Dissolution of the Association :** The Association shall not be dissolved except by the decision of the majority of representatives and delegated assembled at the State Conference specially called for this purpose shall be two third of the total No. of the delegates and representatives of the branch association. In case of dissolution of the Association and notice of the dissolution signed by seven members and by the General Secretary of the Association alongwith the certificate of registration shall with forteen days of dissolution, be sent to the Govt. for registration and the dissolution has effect from the date of such registration. This meeting shall also decide, the manner in what the fund of the Association of any after dissolution shall be despossed off.
32. The association shall abide by all the rules of Jharkhand Goyernment Servant.

(Recognition of Association rules 1960)

Sushila Tigga
President

Indradeo Singh
General Secretary