



**BY-LAWS
OF
UCO BANK SC/ST & OBC
EMPLOYEES' COUNCIL**

**ESTABLISHED ON
19TH APRIL, 1976**

REGN. NO. (SO100404)

**AMENDED UPTO DATE AS ON
3RD FEBRUARY, 2019**

Educate

Agitate

Organize

UCO Bank SC/ST & OBC Employees' Council

Regn. No. SO100404



(Affiliated to All India SC/ST Bank Employees' Federation)

2, India Exchange Place, 1st floor, Room No.4, Calcutta-700 001

Phone: (033) 4455-7286, 4455-7288

**AS PER NEED OF THE HOUR, THE CONSTITUTION IS A FLEXIBLE AND FEDERAL TYPE.
A SOCIETY, REGISTERED UNDER SOCIETIES REGISTRATION ACT XXVI OF 1961.**

(Amended up to date as on 3rd February, 2019)

MEMORANDUM OF ASSOCIATION

1. (a) NAME:

The name of the Council shall be UCO Bank Scheduled Castes/Scheduled Tribes and OBC Employees' Council – in short UCO Bank SC/ST & OBC Employees' Council.

(b) EMBLEM:

The Council has got an accepted Emblem with old pattern of our Bank's 'U' symbol, with a rising sun within, as the Council has been accepted by all concerned as the rising sun to remove all darkness.

2. REGISTERED OFFICE:

The Registered Office of the Council shall be situated at the office provided by the Bank in its office premises at 2, India Exchange Place, 1st Floor, Room No. 4 Kolkata-700001. Any change in the Office address made by the Executive Committee shall be notified within 30 days to all concerned.

3. NATURE OF THE COUNCIL:

The Council shall be a social and non-political Welfare Organization. It shall not deal with any political issue and shall refrain from any subversive activities.

4. AIMS AND OBJECTS: (Should be printed at the back side of Admission Form)

(a) Unification: To unite all the SC/ST & OBC employees of UCO Bank in different parts of the country as a whole under the banner of the Council for promotion of the interests and the welfare and betterment of its members.

(b) Safeguard of Interest: To safeguard the interest of SC/ST & OBC employees of UCO Bank regarding recruitment, promotions and to make better service conditions of the members.

(c) Protest against Injustices: To organize and protest against any discrimination and injustice to SC/ST & OBC employees due to castes or creeds.

(d) Right of Equal Treatment and Implementation of Govt. Rules & Regulation: To look after the service interests and to improve service conditions of the members in terms of the Constitution of India, Government Circulars and National Policy.

- (e) **Protection of Legal Rights:** To protect the legitimate and legal rights of the members.
- (f) **Legal Proceedings:** To conduct legal proceedings, if necessary, in the service interests of the members.
- (g) **Fraternity:** To promote cordial relationship and sense of unity on all the common interests, mutual understandings and cultural upliftment among the members and their families.
- (h) **Fit for Betterment:** To do all such things as may be deemed fit or conducive to attain foregoing objects.
- (i) **Financial Assistance:** To offer financial assistance to the employees and their families i.e. dependents in dire needs and distress.
- (j) **Pay back to Society:** To promote the welfare of the downtrodden people and render all sorts of social services to the SC/ST & OBC people or the society as a whole.

5. **INCOME AND PROPERTIES:**

The Income and Properties of the Council whatsoever derived or obtained shall be applied solely towards the promotion of the object of the Council as stated above and no portion thereof shall be paid to or divided amongst any of its members by way of profits. The properties (movable and immovable) belonging to the Council shall be vested to the Central Executive Committee as the custodian of the Council (also vide Article No. 20 and 21).

6. **MEMBERSHIP:**

- (a) **Eligibility:** The permanent employees belonging to SC, ST and OBC categories of any cadre of UCO Bank in India and abroad can be a member of the Council on payment of membership fees and monthly subscriptions regularly from time to time through Check-off system, subject to approval of State/Central Committee.
- (b) **First Members:** The signatories to the Memorandum of Association, the duly elected office bearers of the Central/State Executive Committee(s) and other existing members of the Council from all over India shall be deemed to be the first members of the Council at the time of registration.
- (c) **Joining as Member:** The Central Committee, State Committees and Zonal/Regional Committees may admit the SC/ST & OBC Employees of UCO Bank who have faith and belief in the objectives of the Council and have undertaken to abide by the rules and regulations of the Council as its member in accordance with the rules made by the Central Executive Committee.
- (d) **Membership of Retired Employee:** Retired employee may continue/enrol his/her membership as Life Member even after retirement on consideration and approval of the State Committee/CEC. One time subscription for Life Member is equivalent of 5(five) years' subscription last paid by him/her. They will enjoy equal rights and obligation like in-service employees (As per resolution taken in the 8th National Conference held at Kolkata on 23rd & 24th November, 2013).
- (e) **Subscription:** The monthly subscriptions or the membership fees for Officer Rs. 100/-, Special Asstt./Head Cashier/SWO Rs. 50/-, Subordinate Staff/HKP Rs.25/- only (As per resolution taken in the 9th National Conference held at Puri on 2nd & 3rd February, 2019).

7. REGISTER OF MEMBERS:

The Council shall maintain a Register of Members of all cadres containing the name, residential address, present place of posting, date of joining, date of admission, present Cadre and the date of retirement or cessation of membership, if any. The Register shall be kept at the registered office/working office and shall be opened for inspection by any member on requisition only.

8. RIGHTS AND OBLIGATION OF MEMBERS:

Rights

- (a) **Democratic and Voting Rights:** Any member of the Council shall have the right to cast vote to elect or to be elected in any election of the Council.
- (b) **Suggestions:** To submit suggestions for discussion to the Unit Committee/Sub-Committee on any conducive matter.
- (c) **Inspection of Records:** To inspect the accounts, minute-book and other matters regarding the affairs of the Council on prior appointment with the General Secretary/State Secretary or his assigned office-bearer as the case may be.
- (d) **Withdrawal of Membership:** To forego his membership after due information in writing to the General Secretary/State Secretary.

Obligations

- (a) **Payment of Subscription:** To pay the monthly subscription through Check-off system within the prescribed time
- (b) **Restriction of Disclosure:** No member shall disclose any matter of the Council, which may affect the interest of the Council.
- (c) **Barring of Participation Right:** Defaulting/suspended members shall not be allowed to take part in a vote or in a meeting.

9. CESSATION OF MEMBERSHIP:

The membership shall cease:—

- (a) On resignation by the member addressing the General Secretary/State Secretary of the Council.
- (b) On default in payment of membership fee or subscription for three successive months.
- (c) On removal/expulsion by the President/CEC for misconduct or any other reasons deemed necessary.
- (d) On being convicted of any offence involving moral turpitude.
- (e) On retirement from service. **

****Exceptions:**

i) Exception made to this clause (e) above by partial modification to it in the 6th National Conference held at Puri on 27 & 28th November, 2004 that a retired employee can be accepted to continue as member, absolutely in the Council's interests, who can cast vote to elect or to be elected in any Executive Body of the Council for fulfillment of its objects.

ii) Who have taken Life Membership after retirement will be considered as valid member. (As per resolution taken in the 8th National Conference held at Kolkata on 23rd & 24th November, 2013)

10. SUSPENSION AND EXPULSION OF MEMBERS:

If the Executive Committee gets any complaint about any member of the Council, it may refer to the Advisory Council. After careful enquiry and taking evidence as required by the Executive Committee in consultation with the Advisory Council, it may suspend/expel the alleged member for any of the following reasons:

- a) Willful contravention of rules and regulations of the Council.
- b) Acts-- which are prejudicial to the interests of the Council.
- c) Willful defaults, dishonesty or infringement of allied interests of the Council for personal gains.
- d) Willful default of paying monthly subscription for a consecutive period of three months.

The Treasurer/Asstt. Treasurer shall give one month's notice in writing to the defaulting member(s) for payment of his/her dues and on failure to do so, the Treasurer shall suspend his/her membership.

11. COMPOSITION OF THE COUNCIL:

- (a) **Four Tier Set-up:** The Council shall comprise of SC/ST & OBC staff members from different States, Zones/Regions and Branches of UCO Bank all over India and abroad. There shall be four tier system of organizational Committees i.e., Central, State, Zone/Region and Branch level Committee.
- (b) **Supreme Authority of CEC:** The Central Executive Committee of the Council vested with above all powers to supervise and execute the functions of the Council. A State Executive Committee in each State/Union Territory may be formed in accordance with procedure laid down in Regulation 27, subject to the control and supervision of the Central Executive Committee. Under the control and supervision of State Committee, various committees at Zonal/Regional and Branch level may be formed for proper functioning of the Council and achievements of its objectives.

12. CENTRAL EXECUTIVE COMMITTEE:

- (a) **Proportionate Representation of Membership in CEC by States/Zones/Regions:**
The Central Executive Committee shall consist of maximum 41 members duly elected in the National Conference from amongst the delegates. The number of selected/elected members in the Central Executive Committee from each State and Zone/Region shall be decided **in proportion of 1:100 to the number of valid members of Council in the concerned State and Zonal/Regional Committee.** In other words, one CEC member per 100 members or major fraction thereof is to be selected whose name and subscription is recorded in the Central Office and duly delegated from State or Zonal/Regional Committee. The State/Zonal/Regional Committee having less than 100 members may be granted one CEC representative. The General Secretary and the Chairman of the Advisory Council have the supreme authority to the contrary of this regulation to decide. **

**** Exception:**

It is unanimously decided in the 8th National Conference held at Kolkata on 23rd & 24th November, 2013 that the founder of the Council, Sri B. C. Poddar will be the life time Chairman of the Council in addition to 41 CEC members. He shall enjoy the same authority and right as he was enjoying as the founder General Secretary so long for the purpose of the Council's interest and well being.

(b) Ex-Officio Authority: The State President and the State Secretary of each State Committee, shall be Ex-officio members of the Central Executive Committee. The President and the Secretary of an Ad-hoc State Committee shall have the right to participate in the discussion as Ex-officio members but have no voting right.

(c) Central Executive Committee should be consists of 41 members : -

(i)	President	:	One
(ii)	Sr. Vice President	:	One
(iii)	Vice-President	:	Five (maximum)
(iv)	General Secretary	:	One
(v)	Dy. General Secretary	:	Five (maximum)
(vi)	Asst. Gen. Secretary	:	Five (maximum)
(vii)	Chief Org. Secretary	:	One
(viii)	Organizing Secretary	:	Five (maximum)
(ix)	Treasurer	:	One
(x)	Asst. Treasurer	:	One
(xi)	Executive Members	:	Fifteen (maximum)

(Some posts of CEC members may be kept vacant for filling up by co-option)

(d) Other Regulations:

(i) Tenure of CEC: The tenure of the Central Executive Committee shall normally be three years from the date of its election and taking over the charge.

(ii) Frequency of Meeting: The meeting of the Central Executive Committee shall be held at least once in a year. There may be Special Meeting if it is considered urgent and necessary.

(iii) Co-option: If any member resigns from the Committee, the vacancy shall be filled up by co-option from amongst the delegates of the last Conference, preferably from the same State.

(iv) Quorum: The presence of the one-third members of the Central or any Executive Committee shall form **quorum** for holding C.E.C or any E.C meeting.

(v) Constitute Sub Committees & Bye-laws: The Central Executive Committee shall have the right to constitute any Sub-Committee, making laws/bye-laws etc. for any specific purpose.

(vi) Notice for Meeting: At least one month's notice for holding Central Executive Committee Meeting and 15 days notice shall be given to the members for any other Executive Committee Meeting at the State/Zonal/Regional level. In emergency Extra-Ordinary meeting can be held by the General Secretary/President with short notice.

(vii) Cessation of CEC Membership: If any member of the Executive Committee remains absent from three consecutive meetings without assigning any reasonable ground for his absence, his membership from the Executive Committee shall automatically be ceased.

13. NATIONAL CONFERENCE OF DELEGATES:

- (a) **Mode of Conference:** There shall be a National Conference of delegates duly elected by the members from different states once in a period of three years to transact the following business.
- (b) **Business of Conference:**
- (i) To consider the General Secretary's Report and Audited Statement of Accounts.
 - (ii) To appoint Auditor and fixation of remuneration.
 - (iii) To elect members of the Central Executive Committee for next term.
 - (iv) To add, amend, alter or rescind any of the rules of the Constitution of the Council.
 - (v) Any other matter deemed fit by the Central Executive Committee.
- (c) **Modality for selection/election of Delegates:** The number of delegates to be elected by each State Unit shall be 'one' for each block of ten members or a major fraction thereof out of the total number of valid members in each State. All the State Units shall send their list of delegates so elected to the Central Executive Committee at least one month before the date of holding the National Conference of delegates.
- (d) **Notice, venue & Quorum:** At least three months' notice with date and place of National Conference of delegates to be given to the members of the Council. Presence of 55% of the delegates shall form quorum.
- (e) **Special Conference:** A Special Conference of delegates may be called either by the Central Executive Committee or by requisition signed by at least 50% of the delegates' of the last National Conference. Within one month of receiving such requisition, the Special Conference must be called by the Central Executive Committee for transacting only the specific business for which the Special Conference has been called for.

14. FUNCTION, POWER & RESPONSIBILITY OF THE OFFICE BEARERS OF THE CENTRAL EXECUTIVE COMMITTEE:

There shall be the following office-bearers in the Central Executive Committee with the power and responsibility as prescribed below.

(i) **President:**

- (a) **Convening of Meeting:** The President is the guide, philosopher and perennial source of ideas & inspiration, who shall advice for any plan and policy of the organization and shall preside over all the meetings of the Council. He shall have a casting vote in case of tie in any meeting. He may ask the General Secretary to call the meeting of the Central Executive Committee/General members. In exceptional circumstances, if the General Secretary fails to do so within reasonable time, the President may authorize one of the Dy. General Secretaries to convene the demanded meeting. He may call any Executive Committee Meeting if so requisitioned by 3/4th members of the existing Executive Committee. The President is the Ex-officio member of the Advisory Council.
- (b) **Ad-hoc Committee:** In exceptional circumstances the President may also advise General Secretary to suspend any State, Zonal/Regional committee with the concurrence of the Central Executive Committee and appoint an Ad-hoc

Committee. The tenure of such Ad-hoc Committees shall not be more than one year.

(ii) **Sr. Vice President:**

In absence of the President the Sr. Vice-President shall be the Acting President and shall perform all the duties and responsibilities of the President.

(iii) **Vice President:**

The Vice President shall assist the President and Sr. Vice President in all respect for effective and conducive activities of the Council.

(iv) **The General Secretary:**

The General Secretary shall be the Chief Executive of the Council and shall execute all functions with the assistance of all others as per directions of the Central Executive Committee /Advisory Council and perform all functions as required as per Constitution in the following manner:

(a) **Day to day business:** To look after the administration and day-to-day affairs and business of the Council.

(b) **Convening Meeting & Records keeping:** To summon all meetings excepting the Advisory committee meeting and shall be responsible for keeping the records, minutes etc., of the meeting.

(c) **Custodian of Fund & Properties:** He is constitutionally the custodian of all the properties, such as furniture, books of accounts etc. of the Council including the funds jointly with the Treasurer on behalf of CEC.

(d) **Preparation of Reports etc.:** To prepare annual report, resolutions, point of discussion etc. on behalf of the Council.

(e) **Circulation of Information & Decisions:** To keep records of all the important meetings and arrange to circulate those to the members through its State, Zonal/Regional Committees.

(f) **Ex-officio Authority:** He shall be an Ex-officio Member of the Advisory Council.

(h) **Resignation:** In case, the General Secretary wishes to resign, he shall do so in writing addressing the letter of resignation to the President of the Council.

(v) **Deputy General Secretary:**

The Deputy General Secretary shall assist the General Secretary in all organizational activities. He shall discharge all the duties and responsibilities of the General Secretary, in his absence, that is assigned to him, for effective and conducive activities of the Council. He will look after the problems of his State, Zone/Region and nearby areas as has been assigned by the General Secretary in close liaison with the State, Zonal/Regional Secretary.

(vi) **Assistant General Secretary:**

The Assistant General Secretary shall assist the DGS/GS by discharging all the duties and responsibilities that is assigned to him by them for effective and conducive activities of the Council.

(vii) **Chief Organizing Secretary:**

The duties and responsibilities of the Chief Organizing Secretary shall be concerning to co-ordinate all the Organizing Secretaries. He shall make the entire

policy on organizational affairs in consultation with the General Secretary, President and the Chairman of Advisory Council. He shall be responsible for devising all such means and methods that may be useful and effective for the purpose of organizational growth and strength. He shall make recommendation for setting up a Sub-committee under the organizational wing for cohesive purpose of the Council, if so required.

(viii) Organizing Secretary:

The Organizing Secretaries shall work jointly and co-operate with the Chief Organizing Secretary in close liaison with him for all the assigned responsibilities of the organizing wing. He should keep touch always with SC/ST & OBC members and non-members of his State, Zone/Region and nearby areas as has been assigned by the Chief Organizing Secretary with a view to increasing the strength of the Council's membership.

(ix) Treasurer:

(a) Operation of A/C: The Treasurer shall be the main signatory in joint operation of the Bank A/c along with General Secretary or President and shall maintain records of the funds and day-to-day accounts of money/draft/Cheque received and spent by the Council with the counter signature of the GS/DGS/AGS and shall place the said accounts in all regular/special meetings of the Executive Committee. The Treasurer Shall function in consultation with the General Secretary in matters of Treasury.

(b) Auditing of Accounts: He shall be responsible for maintenance of the funds, keeps books of A/cs ready for the purpose of internal/regular audit.

(c) Collection of Funds: He shall be responsible for collection of subscriptions, donations etc. from various Units and the members from all over India.

(d) Custodian of Funds & Records: He will keep all records and vouchers, cheque books, other receipts and cash in hand regarding transactions of money matters as custodian.

(e) Hand over of Funds & Records: He shall hand over the Pass Book of SB Account(s) of the Council or fund on request of the General Secretary in accordance with the resolution of the Executive Committee.

(f) Apprise to CEC: He shall apprise the Central Executive Committee about his difficulties, if any, in maintaining regular accounts.

(g) Reporting of Defaulting Units: He shall intimate to the Election Officer about the number of defaulting Units/members.

(h) Suggestion: He shall submit any suggestion for improvement of the fund's position and financial matters of the Council for the works of the Treasury.

(x) Assistant Treasurer:

The Asst. Treasurer shall assist the Treasurer in regard to the Treasury functions as a whole. He shall discharge his assigned responsibilities in close liaison and guidance of the Treasurer. He shall be the Ex-officio Treasurer and deal the treasury affairs in absence of the Treasurer.

(xi) **Auditor:**

The name of the Auditor/Audit Firm will be announced and to be accepted in the National Conference for the next tenure. The Auditor shall audit the Books of Accounts, vouchers etc. and shall submit report to the Central Executive Committee once in a calendar year.

15. **RESTRICTION ON DUAL LEADERSHIP WITH OTHER UNIONS:**

The principal office bearers of the Central Executive Committee shall not hold any office in any other Union/Association. The concerned office-bearer shall cease to be the office bearer, if the allegation about his active association with general Trade Union/Association is proved after proper enquiry [also vide Clause No. 27(x)]

16. **POWERS OF THE CENTRAL EXECUTIVE COMMITTEE:**

The CEC shall be the highest authority of the Council and have the sole authority to function as the brain of the Council and enjoy entire control over the Council.

- (a) **Decision of CEC is Final and Binding:** In case of any dispute the decision of the Central Executive Committee shall be final and binding on all Committee(s)/Sub-Committee(s).

18. **RESPONSIBILITIES OF HOLDING NATIONAL CONFERENCE:**

The responsibility of holding up such Conference lies with the Central Executive Committee. The Central Executive Committee shall consult the State Committee(s) in this regard, as the National Conference shall be held at any place of convenience as per desire and decision of the Central Executive Committee. In case of hosting the Conference, the host unit shall undertake all preparatory works in close liaison/co-ordination with the central office. In regard to holding up the All India Conference, target of fund collection/levy may be imposed on each State Committee, and the same have to be complied by all the State Committees. The Central Executive Committee shall finally decide the venue and date of such Conference after consideration of the proposal of any State Committee.

19. **ADVISORY COUNCIL:**

- (a) **Structure:** There shall be an Advisory Council consisting of maximum 31 members as follows:
- (i) Chairman/Chief Patron
 - (ii) Convenor
 - (iii) General Secretary is the Ex-Officio Member
 - (iv) President of Central Committee is the Ex-officio Member.
 - (v) 27 (maximum) other members to be elected from and by the delegates in the National Conference.
- (b) **Role of the Chairman/Chief Patron:** The Chairman/Chief Patron will preside over the meeting of the Advisory Council. In absence of Chairman/Chief Patron, the President of Central Executive Committee will preside over the meeting.
- (c) **Advisory Role:** This Advisory Council shall act as the consultative and advisory body of the Council.

- (d) **Obligatory Advice to CEC:** To examine complaints, advice, etc. of the general members and it shall advise the Executive Committee only when such advice is sought for the situation that warrants such advice. The advice of the Advisory Council shall be obligatory for the Executive Committee.
- (e) **Mandatory Advice to EC Members:** No member of the Executive Committee shall ignore the advice, directions of the Advisory Council.
- (f) **Tenure:** The duration of the Advisory Council shall be as per term of the Central Committee.
- (g) **Periodicity if Meeting:** The meeting of the Advisory Council shall have to convene any time as the situation warrants.
- (h) **Role of General Secretary and President:** The General Secretary and the President of the Central Council shall be Ex-officio Members of the Advisory Council. The General Secretary shall arrange through Convenor to convene the meeting of the Advisory Council whenever necessary. The President will preside over the meeting in absence of the Chairman/Chief Patron of the Advisory Council.

20. CUSTODIAN OF FUNDS:

All properties movable or immovable shall be vested with the Central Executive Committee of the Council. The funds of the Council shall not be used or invested for the personal gains of any member of the Council. There shall be Bank Account(s) in the name of the Council with the Calcutta Main Branch. The President, the General Secretary and the Treasurer shall be entrusted with the task of operating the SB A/c. jointly for and on behalf of the Central Executive Committee from time to time. Withdrawals of money from the A/c. shall be with the signatures of Treasurer and any one of the President and General Secretary as authorized persons mentioned herein above.

21. FUNDS OF THE COUNCIL:

- (i) **Source:** The funds of the Council shall be raised by collection of admission fees, monthly subscriptions, donations etc. from members and donation from well-wishers of the Council. Admission fees will be equal to the amount of one month's subscription.
- (ii) **Share of Subscription in Four Tiers:** The collection of monthly subscription amount shall be shared by the Central, State and Zonal/Regional Committees @ 30:30:40 (10% out of 40% to be for the Branch Units under the Zonal/Regional Units as grant-in-aid).
- (iii) **Remittance of Share:** All State Committees shall have to remit their due subscription at the ratio as above to the Central Committee and others within 15th day of each month as per English calendar.
- (iv) **Opening and Maintenance of A/C:** All the Accounts, of the Council opened or to be opened in the name of the Council shall be regulated as per provision of the Constitution. Each State Committee and Zonal/Regional Committee may open and maintain only one A/c for collection and deposition of subscription. A copy of the Constitution shall be furnished with the Banker with whom the Council has or will have Account opened.

- (v) **Action against Defaulting Units:** In case of default in remitting 30% of the monthly subscription to the Central Committee as stated above (ii), the Central Executive Committee may, if so required, by giving instruction to the Banker of the concerned State Committee to stop operation of the Account, and/or suspend the Committee in default by giving notice with proper opportunity to explain in this respect, and the fund accumulated in the concerned Account may be transferred to the Central Account.
- (vi) **Collection of Donation:** The State Committee may, with prior written consent of the Central Committee, raise a special fund by way of collection of donation from members as well as from the well-wishers of the Council to meet the expenses of the State/National Conference and/or for filing any suit to protect the interests of members of the Council.
- (vii) **Granting of additional Fund to State:** The Central Executive Committee, considering the performance and need of fund for the State Committee(s) may, as a very special case make special advice to the Zonal/Regional Committee(s) for granting more share from its fund to the State Committee(s) in addition to allotment of 30% share of subscription amount raised from the concerned Zone/Region.
- (viii) **10% Grant to Branch Units by the State Committees:** The Zonal/Regional Executive Committee(s) shall make grant of 10% of subscription amount to each Unit of Local Branch Committee if necessary to meet the expenses of the Committee concerned. The Zonal/Regional Committee shall keep the accounts of expenditure of all Committees under it, supported with vouchers of such expenses.
- (ix) **Reimbursement of Traveling Expenses:** No travelling Expenses shall be borne by the CEC for its meeting. The expenses of journey incurred by any Office-bearer or member of the Central Committee or State Committee, Zonal/Regional or any member of the Council shall be borne by the concerned Committee as the case may be. The Expenses of the Central Committee Leaders shall be borne by the concerned State Committee who has made such invitation.
- (x) **Mode of A/c Operation:** For operation of Account of the Council's State/Zonal/Regional Committee(s) shall be made jointly by the respective Treasurer with either President or Secretary of the concerned State/Zone/Regional Committee as the case may be.
- (xi) **Authority of Expenditure:** No unusual expenditure shall be made from the fund of the Council without prior sanction of the concerned Central, State, Zonal/Regional Committee as the case may be.
- (xii) **Discretionary Power of Expenditure:** Provided however, that the General Secretary of the Central Committee and the Secretary of the State, Zonal/Regional Committee shall have the discretionary power to incur an expenditure to the extent of Rs. 2,000/-, Rs. 1,000/- & Rs. 500/- respectively without prior sanction of concerned Committee to meet the urgent need of the Council which shall be subsequently approved by the concerned committee.
- (xiii) All the State /Zonal /Regional Committee(s) shall have to mandatorily furnish their audited A/C to the Central Office.

22. **BOOKS OF ACCOUNTS FOR INSPECTION:**

The books of accounts and other statutory books of the Central, State, Zonal/Regional Council shall be kept at the registered office/working office and shall be opened for inspection of the members at such time and place as the Central/State Executive Committee direct on a written request made by any member.

23. ACCOUNTING YEAR:

The financial year of the Council shall start from 1st April to 31st March.

24. CENTRAL COMMITTEE MEETING:

The Central Committee shall hold Meeting at least once in every year to consider and take decision in respect of the following:

- (i) Report of the General Secretary.
- (ii) Balance Sheet and Audited Report.
- (iii) Appointment of Auditor for the next year.

25. NOTICE FOR MEETING:

Generally 30 (thirty) days' notice shall be given except in urgent case before the date so fixed notifying the place, date, time and agenda of the meeting.

26. QUORUM:

For a meeting of the Central Executive Committee at least **one-third** of the members shall be required to be present to form **Quorum** for the purpose of holding Committee Meeting only not for any other purpose.

27. STATE EXECUTIVE COMMITTEE:

- (i) **Modality & Strength of Delegates and Executive Committee:** The State Executive Committee in a State or Union territory shall be formed consisting of members not exceeding 31 elected members in the Conference of delegates on the basis of the membership strength from amongst the delegates of the concerned State. The number of delegates to be elected to represent in the State Conference shall be one for each block of ten members or major fraction thereof in each branch/cluster of branches.
- (ii) **Representation of Branches:** A branch unit having less than ten members may elect one delegate to represent its members in the Conference. Provided that the number of members and office-bearers of the State Executive Committee shall not exceed one tenth of the strength of the total members of the State Council.
- (iii) **Recognition of State Committee:** The State having less than one hundred members shall have an Ad-hoc Committee until the strength of members in the State is raised to one hundred or more or till the Central Committee considering the relevant circumstances recognizes it as regular State Executive Committee.
- (iv) **State Executive Committee shall be consists of maximum 31members:**
 - (a) President : One
 - (b) Sr. Vice-President : One
 - (c) Vice-President : Four (maximum)
 - (d) State Secretary : One
 - (e) Organizing Secretary : Five (maximum)
 - (f) Asst. Secretary : Five (maximum)
 - (g) Treasurer: : One
 - (h) Asst. Treasurer : One
 - (i) Executive members : To be decided as per requirement (maximum twelve)

(v) **Funds:**

- (a) **Collection of Subscription by the State Councils:** Each State Executive Committee shall be responsible for collection of subscription, admission fees and donation from the members in the State with the help of Zonal/Regional Unit(s).
- (b) **Remittance of 30% share of Subscription to CEC:** Fund so collected shall be deposited in a Bank A/c. opened/to be opened in the name of the Council. 30% of monthly subscription shall be remitted positively to the Council's Central A/c. No. 01900100022902 with UCO Bank, Kolkata Main Branch within 15th day of each English calendar month.
- (c) **Utilization of Funds:** The fund shall be spent only for the Council's works in implementation of the policies and objectives of the Council.

(vi) **Frequency of Meeting:**

The State Executive Committee shall meet at least once in a period of six months and the Zonal/Regional Committee in three months. Under special circumstances at least 7 days notice shall be given for convening such meeting.

(vii) **Duties of State President:**

- (a) **Presiding over the Meeting etc.:** The President of a State Executive Committee or Zonal/Regional Committee shall preside over all the meetings of the State, Zonal/Regional Committee and maintain due order, sign all minutes, guide and steer for proper implementation of the Council's policies and objectives.
- (b) **Voting right:** He shall have a casting vote in case of tie in any meeting.
- (c) **Acting of President by Vice-President:** In absence of the President one of the Vice-Presidents shall be elected to act in his place.

(viii) **Duties of State Secretary:**

- (a) **Record keeping & Execution of Directives:** The Secretary of the State, Zonal/Regional Committee shall be responsible for maintaining preserving records, proper execution and implementation of the directives of the Council.
- (b) **Convening of Meeting:** He shall convene all meetings, exercise effective control over the Books of A/cs. of the State, Zonal/Regional Committee as the case may be.
- (c) **Joint Signatory with Treasurer:** He shall counter sign all receipts and payments with the Treasurer of the State, Zonal/Regional Committee.
- (d) **Authority of Expenses:** He may spend up to Rs.1,000/- (Rs.500/- in case of Zonal/Regional Secretary) without prior sanction of the concerned committee in emergent cases subject to subsequent approval of the respective Committee.

(ix) **Duties of State Treasure:**

- (a) **Accounting Responsibility:** The Treasurer of the State, Zonal/Regional Committee shall be responsible for proper maintenance of Books of Accounts of the Income and Expenditure of the State, Zonal/Regional Committee.

(b) Preparation of Yearly Statement of Accounts: He shall submit a yearly Statement of Income and Expenditure Account including the list of members to the Central and State Committee as the case may be for their records, comment and instruction including their A/c. No. for approval.

(x) Restriction on Dual Leadership with other Unions:

The principal office bearers of State Committee(s) shall not hold any office in any other Union/Association. The concerned office-bearer shall cease to be the office bearer, if the allegation about his active association with general Trade Union/Association is proved after proper enquiry (also vide Clause No 15).

(xi) State Advisory Council:

(a) Structure: There shall be a State Advisory Council consists of maximum 21 members in the following manners:

- (i) Convener
- (ii) State President as Ex-officio Member.
- (iii) State Secretary as Ex-officio Member.
- (iv) 18 (maximum) other members to be elected by the delegates in the State Conference.

(b) Ex-officio Member: The President and the State Secretary of the Executive Committee shall be the Ex-officio Member of the State Advisory Council. The State President will preside over the meeting in absence of the regular Convener.

(c) Role of State Advisory Council: This State Advisory Council shall act as the consultative and advisory body of the State, Zonal/Regional Council.

(d) Obligatory advice to State Committee: To examine complaints, advice, etc. of the general members and it shall advice the Executive Committee only when such advice is sought for the situation that warrants such advice. The advice of the Advisory Council shall be obligatory for the State, Zonal/Regional Committee.

(e) Obligatory to Member: No member of the Executive Committee shall ignore the advice, directions of the Advisory Council.

(f) Tenure of Advisory Council: The duration of the Advisory Board shall be as per term of the Central Committee.

(g) Frequency of Meeting: The meeting of the Advisory Committee shall have to convene once in a year or as the situation warrants.

28. SUB-COMMITTEE:

The Central Executive Committee and each State, Zonal/Regional Committee shall form the following Sub-Committee(s), if so required.

(a) Finance Sub-Committee:

It shall be formed consisting of five members including the President and General Secretary/ State Secretary alongwith other three office bearers as the case may be which will look after the financial aspects of the Council and advise methods of adhering financial discipline.

(b) Negotiation Committee:

This Committee shall be formed consisting of 7 members including the President, General Secretary and Dy. General Secretary. The members of this Sub-Committee shall take part in negotiation with the Management of the Bank on all issues decided by the Central Executive Committee.

(c) Organizational Sub-Committee:

The Committee shall be formed consisting of 11 members including the President and the General Secretary, Dy. Gen. Secretary, Chief Organizing Secretary. It shall look after organizational aspects of the Council and take necessary steps for making the organizational base of the Council well knit and strong.

29. MAINTENANCE OF ACCOUNTS & AUDIT:

(a) Day to day Accounts: The accounts of the Council shall have to be maintained properly stating therein the following aspect:-

- (i) All sums of money received and the source thereof to be recorded.
- (ii) All sums of money spent.
- (iii) Object or purpose for which such sum are spent,
- (iv) Date of the Committee meeting sanctioning such expenditure proposal.
- (v) All vouchers to be duly approved by the General Secretary/State Secretary.

(b) Auditing:

- (i) Accounts of the Council maintained by all the units including the Central Committee independently shall have to be audited once in a year by a duly qualified auditor and the Income & Expenditure account and Balance Sheet approved by him shall have to be placed in the General Meeting and two copies of the audited A/C to be furnished to the Central Office.
- (ii) The Report of such Auditor(s) shall be sent to the Central Executive Committee for its verification and records for approval.
- (iii) The said Report of the Auditor(s) shall be placed before the Annual General Meeting of the State Committee along with the observation/comments thereon if any, of the Central Executive Committee thereon.

30. INSPECTION OF ACCOUNTS AND PROCEEDINGS OF MEETING:

(a) Inspection by Members: Any member who wishes to inspect the accounts and/or proceedings of the meeting shall be allowed to inspect the documents on the date and time to be fixed by the Central, State, Zonal/Regional Secretary(s) as the case may be, with 7(seven) days notice from the day of receipt of the application to the effect.

(b) Noting of Inspection: The applicant shall not be allowed to make a verbatim copy of the documents inspected. He may, however, take short notes in respect of the contents of the documents inspected.

31. DISCIPLINARY ACTION:

- (a) **Disciplinary Action against Members:** The Executive Committee(s) shall have the authority to take disciplinary action against any member who has violated code of discipline incorporated and adopted by the Central Executive Committee in its meeting held from time to time.
- (b) **Suspension/Dismissal of Members:** The President(s) on the advice of the Central, State, Zonal/Regional Executive Committee may suspend or dismiss any member from any Committee or from primary membership of the Council by way of taking disciplinary action after giving due opportunity to the concerned member for explanation of his conduct.

31. LEGAL JURISDICTION:

Kolkata High Court shall be the judicial jurisdiction for all legal disputes.

- (a) **Judicial Authority to President and General Secretary of CEC:** The President and the General Secretary individually or jointly shall file, plead and defend any Writ/Suit in the interest of the Council.
- (b) **Delegation of Judicial Power:** The President and the General Secretary are also empowered to delegate the powers conferred on them to any Council's member singly or jointly to look after the case with authority to sign any paper, Vokatat etc. for the purpose of the pending Writ/Suit.

33. DISSOLUTION OF THE COUNCIL:

The Council shall not be dissolved except by the vote of majority of three-fourth delegates present at a Special Conference of delegates called for the purpose provided the total number of votes must, at such Conference, be not less than two-thirds, of the total number of delegates to the last National Conference. The fund of the Council after meeting all liabilities shall be disposed of in accordance with the decision of the dissolution Conference.

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