

CONSTITUTION
OF
THE CENTRAL INDUSTRIAL
RELATIONS OFFICERS' ASSOCIATION
(RECOGNISED BY THE GOVERNMENT OF INDIA)

C/O OFFICE OF THE CHIEF LABOUR
COMMISSIONER (CENTRAL), SHRAM SHAKTI
BHAVAN, RAFI MARG,
New Delhi. -110001.

As amended in the Annual General Meeting on
17th March, 2002

CONSTITUTION
OF
THE CENTRAL INDUSTRIAL
RELATIONS OFFICERS' ASSOCIATION
(RECOGNISED BY THE GOVERNMENT OF INDIA)

C/O OFFICE OF THE CHIEF LABOUR
COMMISSIONER (CENTRAL), SHRAM SHAKTI
BHAVAN, RAFI MARG,
New Delhi. -110001

As amended in the Annual General Meeting on
17th March, 2002

1. NAME:-

The name of the Association shall be "Central Industrial Relations Officers Association" here in after to be referred to as the 'Association' with its headquarter at New Delhi.

2. AIMS AND OBJECTS:-

(a) To organize and unite the officers of Central Industrial Relation Machinery and Central Labour Service.

(b) To watch, promote, safeguard and further the interests, rights and privileges of the members in all matters relating to employment.

(c) To promote and establish understanding and good relations between

the officers represented by the Association and the Ministries/ Departments employing them.

(d) To co-operate, facilitate interchange of ideas and federate with similar services associations having similar objects.

(e) To create an atmosphere of mutual coordination and aid among its members to start cooperative society and to organize mutual benefits fund if circumstances so necessitate.

(f) For attainment of its objects, the Association may establish Branches in Delhi as well as in other States.

3. MEMBERSHIP AND SUBSCRIPTION:-

(a) The ordinary membership of the Association shall be open to all Officers of Central Industrial Relations Machinery and Central Labour Service posted anywhere in India or abroad. However, the Executive committee shall take the decision in matter of admission of ordinary member.

(b) Application for admission will be made in writing to the General Secretary in the form prescribed for the purpose with the requisite fees prescribed here-in-after:-

Admission fee.	Rs. 25/-
Subscription.	Rs.5/- per month or Annual subscription of Rs. 60/-

The subscription may be paid in monthly installment or at a time for the whole accounting year by 30th April.

4. RIGHTS AND OBLIGATION OF MEMBERS:-

All members of the Association duly enrolled and who are not in arrears of their subscription or other dues to the Association will enjoy all rights and privileges assured by the Constitution of the Association and other benefits, namely: -

RIGHTS:-

- (i). To attend General body meeting of the Association;
- (ii). To stand and contest for any office of the Association provided he would be member of the body for not less than one year;

(iii). To exercise his right to vote at such meetings as will be held from time to time in accordance with the constitution;

(iv). To enjoy the benefits of all such welfare activities, which the Association may undertake, from time to time.

OBLIGATION: -

(i). To participate in all programs of the Association, as may be required in furtherance of its objectives.

(ii). To carry out any work as may be allotted to a member in connection with the activities of the Association.

(iii). To pay monthly subscription regularly and to contribute to any special fund as may be required to be raised.

5. **Membership Register:**-The Association shall maintain a register of members with their names, appointment, place of postings, date of birth and such particulars as may be considered necessary concerning each member including an honorary member.

6. CESSATION OF MEMBERSHIP:-

6. CESSATION OF MEMBERSHIP:-

A member shall cease to be a member:-

(i). On his resignation from the Association to be given in writing to the President of the Association subject to acceptance thereof by the Executive Committee.

(ii). On his resignation from the service to which he belongs.

(iii). For non-payment of dues within a stipulated period.

(iv). For any act found to be hostile, prejudicial and detrimental to the interest of the Association.

(v). On superannuation and

(vi). On being convicted for any offence involving moral turpitude.

7. STRUCTURE OF ASSOCIATION: -

(a). The Management of the Association will be vested in the following bodies: -

(i) Central Organisation.

(ii) Regional Organisation.

7

(b). Central Organisation: - The management of Central Organisation will be vested in the following bodes: -

(i). Executive Committee: -

Subject to the control of the General body of the members, all affairs of the Central organization shall be carried on by the Executive committee consisting of not more than 30 and not less than 27 members including President, Sr. Vice President, 2 Vice Presidents, General Secretary, 2 Joint Secretaries, Treasurer and Asstt. Treasurer. Presidents of each branch association shall be an Executive committee member. The member of the Executive committee shall be elected at the Annual General Meeting of the Association and shall unless cease to be a member on death or otherwise as referred in Clause 6 will continue to hold office until the next election. Presence of 25 members of the Executive Committee will form a Quorum of a meeting of the committee. In case no Quorum is reached in a meeting, the meeting will be adjourned to be held after one hour. If there is no quorum in the adjourned meeting, the business will be transacted as per agenda despite the want of quorum. Casual vacancies in the committee will be filled up through co-option by the Executive committee meeting. The

8

General Secretary and in his absence the Joint Secretary of the Association will convene the Executive Committee meeting by a notice of atleast 7 days. 24 hours notice will however be required for any emergency meeting.

Office bearer of the association found guilty of corrupt practice and anti association activities may be removed by the Executive committee of the Association subject to the approval of the General Body. If, an office bearer or a member of the Executive Committee absents himself without sufficient reasons in three consecutive meetings of the Executive Committee, he shall be removed from the committee by a majority decision of the members of the committee subject to the approval of the General body of members.

(ii). Extra Ordinary General meeting: -

An extra ordinary general meeting of the Association shall be convened by the General Secretary under the directions of the President of the Association or receipt of a requisition signed by at least 25 percent members of the general body specifying the business to be transacted. Notice of at least three days shall be required for convening an extra ordinary general meeting. The Quorum of the extra ordinary General meeting

shall be 25% of total members but in case no quorum is reached within an hour of the appointed time, the meeting shall transacted the business as per agenda notwithstanding the want of quorum.

(iii). Annual General Meeting: -

Every year within 31st March, the meeting of the General Body of members of the Association to be called the annual General Meeting shall be held. Submissions of audited accounts and report of General Secretary will be followed by election of office bearers through consensus. In the absence of consensus election will be through voting. All members who have paid upto date subscription will be a valid member eligible to vote for election of the office bearer of the Association. Voting will be by raising of hands. However, on demand by majority members voting may be a secret ballot. Only a valid member will be eligible for contesting the post of any office bearer or the Association. On demand from the majority of the members the executive committee will arrange for conducting election through secret ballot as per detailed below: -

A draft list of valid member shall be prepared and kept with the General

Secretary of the Association for inspection by member at least one month before the date of election. Any objection relating to draft list will be raised within 10 days thereafter. After taking into the consideration the objection if any a final list of valid member will be prepared and displayed at least 15 days before the date of election. The Executive committee will announce the date of election and fix the date of filing of nomination, withdrawal of nomination, scrutiny of nomination papers and will undertake such other functions including appointment of returning officer as they may think necessary and the manner as they deem fit for smooth conduct of election. The Returning Officer will be a General member of the Association who will not contest for any post of office bearer of the Association for the relevant year of election. The Returning Officer will conduct the election and will declare result on the day of election.

8. The Central Executive Committee of the Association shall be constituted as under: -

(i). President.

(ii). Senior Vice -President.

(iii). 2 - Vice -Presidents.

(iv). General Secretary.

(v). 2 - Joint Secretaries.

(vi) Treasurer and Assistant Treasurer.

9. POWER AND FUNCTIONS OF CENTRAL OFFICE BEARERS: -

(a). THE PRESIDENT

(i). The President of the Association shall preside over the Meetings of the Executive Committee, Annual General Meeting and shall exercise general supervision over the work of the Association. He shall be the executive head of the Association for all business and functions thereof. He may direct General Secretary to call ordinary and extra ordinary meeting of the Executive committee.

(ii). In case of a tie, the President will have the casting vote.

(b). THE SENIOR VICE PRESIDENT / VICE PRESIDENT.

In the absence of the President, Sr. Vice-President or one of the vice-presidents shall carry on the duties of the President.

(c). THE GENERAL SECRETARY.

The General Secretary of the Association shall be the Chief Executive Officer of the Association and shall carry on the work in accordance with the direction of the Executive Committee of the Association. He shall make correspondence on behalf of the Executive committee, Association and maintain the records of the Association including minutes of the proceedings of all the meetings. He may appoint clerks to assist him in his office duties after obtaining sanction from the Executive committee.

(ii) The General Secretary in consultation with the President shall convene all meetings and carry out the resolutions passed at the meetings of the Executive Committee and Annual General Meeting.

(iii). He shall maintain a register containing information about the strength of membership and financial position of the Association.

(iv). He shall pass payments by or on behalf of the Association and can also spend up to Rs. 1500/- without the prior sanction of the Executive Committee on any item.

(v). He shall prepare the annual report and submit it to the Executive Committee with audited accounts and Auditor's reports.

(vi). He can take initiative in all such matters as may be conducive for promotion of the aims and objects of the Association.

(d). THE JOINT SECRETARIES.

The Joint Secretaries shall assist the General Secretary in discharging of his functions and shall in absence of the General Secretary act as General Secretary. They have the power to convene the meetings and conduct negotiations, if circumstances require.

(e). THE TREASURER.

(i). The Treasurer shall be personally responsible for the safe custody of the funds and maintenance of cashbook and keep proper account books, receipt books and all other concerned records of the Association.

(ii). He shall make payment after getting the vouchers attested from the General Secretary and maintain vouchers for all payments made. He can retain cash upto Rs.250/-. He will deposit any amount exceeding Rs.250/-

in a scheduled bank within two days of the receipt of the amount.

(iii). He shall maintain account books and place this account every month before the General Secretary for scrutinizing and signature.

(iv). He shall maintain a Register of Membership subscription.

(v). He shall also arrange collection of subscription from the members and prepare the statement of Annual Income Expenditure.

10. REGIONAL ORGANISATION:-

(a). The members of the Regional offices except Delhi may form a Branch of the Association, if approved by the Central Executive Committee.

(b). The Management of the Regional branches, constituted as per sub-rule (a) above, will be vested in the following bodies:-

(a). Regional Annual General Meeting.

(b). Regional Executive committee.

(c). The Regional Annual Meeting will consist of the members of Association of that branch to the Central Delegates Conference.

(d). The Regional Executive Committee will consist of:-

- (i). Regional President.
- (ii). One Regional Vice President.
- (iii). Regional Secretary.
- (iv). Regional Joint Secretary.

One Regional Treasurer, provided the treasurer will be elected from the same station from which either the secretary or the Provincial President has been elected.

(e) Duties of Regional Office Bearers.

(i). Regional President: - He shall preside over all the meetings of the Regional Executive Committee and shall have casting vote. He will supervise the working of the Regional Branch.

(ii). Regional Vice President:- In the absence of the Regional President, he shall perform all the duties of the Regional President

(iii). Regional Secretary: - He will conduct all the correspondence with the Central Office of the Association. He will submit statements periodically. He will convene meeting of the

Regional Executive Committee either on his own initiative or whenever he receives a request in writing with a specific agenda from at least one-third of the members of the Regional Committee. He will record minutes of all such meetings and shall have powers to supervise the works of the local committees under his jurisdiction. He shall have the right to call the meeting of the local units of the committee. He shall carry out all such instructions, which he receives from Central Office, and maintain discipline among its members.

(iv). Regional Joint Secretary: - He shall assist the Regional Secretary in the day to day working of the branch and shall perform all the duties of the Regional Secretary in the absence of the latter.

(iv). Treasurer: - He shall be personally responsible for the safe custody of funds and for maintenance of cash and other accounts of the Association and keep proper account books. He shall arrange collection of subscription funds from the members, arrange payment sanctioned by the General Secretary or the working Committee for the funds of the Regional Branch and keep proper account books. He shall maintain a

membership subscription register of the branch.

11. FUNCTIONS OF THE VARIOUS BODIES OF ASSOCIATIONS:

(A). CENTRAL ORGANISATION:

(a) Annual General Meeting: -

(i) It shall be the highest organ of the Association.

(ii) It alone can amend the constitution.

(iii) It will elect the Central Executive Committee of the Association.

(iv) It can remove any office bearer, member of the Executive Committee or ordinary member in accordance with the provision of Clause 6.

(v) It shall approve the annual report of the General Secretary, annual accounts and the annual budget of the Association.

(vi) It will lay down directive and principle for the efficient working of the Association.

(vii) It can decide any functions for itself.

(B). Central Executive Committee:-

(i). It will carry all resolutions and directions of the Annual General Meeting.

(ii). It will maintain proper check on the expenditure of the Association and will sanction all expenditure.

(iii) It can take disciplinary action against any member, including expulsion any member other than office bearers and members of the Executive Committee for whom it can recommend expulsion from the Association to the Annual General Meeting. It can accept the registration of all the members including office bearers of the Association. It has however, powers to suspend any member including an officer of the Association from the membership.

(iv) It can suspend any Regional Executive Committee and can nominate a new one.

(v) It can allot such functions to Regional Executive Committee it deems necessary.

(vi) It is answerable for its action to Annual General Meeting.

(vii) It can constitute sub-committee for efficient functioning of the Association and delegate any function or power may deem necessary.

(viii) It can take all such steps as in its opinion are likely to promote the interests of the Association and not inconsistent with the policies lay down by Annual General Meeting.

(ix) It can call for donations and special levies from the members for the Association.

(x) It can take all such actions and assume such powers, which may be delegated to it from the Annual General Meeting.

(xi) It can fill any vacancy in the Executive Committee between the two sessions.

(C). Regional Organisation:

(i) It shall elect Regional office bearers.

(ii). It shall approve the report of the Regional Secretary and statement of accounts.

(iii). It can recommend expulsion to Central Executive Committee.

(iv). It will carry out the instructions of Central Executive Committee.

(D). REGIONAL EXECUTIVE COMMITTEE:

(i). It shall be responsible for carrying out the duties and instructions given by the Central Executive Committee from time to time.

(ii). It shall have powers to spend the funds allotted to it by the Central Executive Committee.

(ii) It shall ensure proper functioning of the organisation in its branch and maintain strict discipline.

(iii) It shall be responsible to Annual General Meeting but work under the direct supervision of the Central Executive Committee to which it shall submit regular reports of its activities.

12. FINANCES:

(a) All subscriptions shall be remitted to the Central Office. The Regional offices shall keep such imprest money as may be decided by the Central working Committee.

(b) All donations and levies will, however, be remitted to the Centre.

Provided, however, any special fund, which the regional Committee may raise for its expenses or the Committee may retain, other purposes, after the approval of the Central office.

Provided further all such funds realised by any Regional Committee will be properly accounted for in its books and a statement of its realization and disbursement is submitted to the General Secretary.

3. INTIMATION FOR MEETINGS:

Intimation of every meeting shall be duly given to members.

(i) At least a notice of seven days for the Central Executive Committee Meeting will be given; and for Annual General Meeting one month.

(ii) At least 15 days' notice for the Regional Annual General Meeting and 3 days' for Regional Executive committee will be given.

14. EMERGENCY MEETINGS:

(a) Emergency meetings can be called at short notice. For Central Executive committee Meetings 3 days and for the Annual General Meeting ten days' notice shall be given. For Regional Committee 2 days' notice and for Regional General Meeting 7 days' notice shall be given.

(b) 25 per cent of the members of any body, i.e. the Central Executive Committee or Annual General Meeting, can ask the General Secretary in writing to call meeting of that body. The General Secretary shall arrange the meeting within one month of the receipt of the request in the case of Annual General Meeting and one week for Executive Committee. Such request must specify the purpose for which the meeting is asked for. Such meeting will automatically fall through if they lack necessary quorum. If the Secretary fails to call such requisitioned meeting the requisitioned shall have the power to convene such meeting themselves.

(c) The Quorum of every body shall be 25 percent of the strength of that body.

15. FINANCIAL YEAR:

The financial year of the Association will be the period from 1st April to 31st March. The Association shall have a general fund, which will include all income from contributions from the members' donations and other miscellaneous sources.

16. FUNDS OF THE ASSOCIATION:

The funds of the Association shall be applicable for the purpose of: -

- (i) The payment of salaries allowances and expenses to the office bearers of the Association.
- (ii) The payment of expenses for the administration of the Association includes the audit of the accounts of the Association.
- (iii) The prosecution or defence or any legal proceedings to which the Association or any member thereof is party, when such prosecution or defence is taken for the purpose of securing or protecting any right of the Association and/ or its members with the employer.
- (iv) Collective disputes on behalf of the Association or any member thereof.

- (v) The upkeep of any periodical published for the purpose of furthering the cause of the Association.

17. AUDIT OF ACCOUNTS.

The accounts of the Central Organisation shall be audited by a Auditor appointed by the Central Executive Committee for the purpose. The accounts of the other units shall be subject to auditing by a person appointed by the Regional Executive Committee.

18. RIGHT OF INSPECTION OF ACCOUNTS:

The Officers and members of the Association shall have the right of inspection of the account books and Regional Secretary/ General Secretary and Treasurer concerned shall give every facility for this inspection of the accounts provided seven days' notice has been given in writing to the party concerned.

19. SAFE CUSTODY OF FUNDS:

The funds of the Association shall be deposited in Scheduled bank as decided by the Central Executive Committee and the bank accounts will be operated by the officers appointed by the Central Executive committee, amongst General

Secretary, President, vice President, Treasurer, Joint Secretary.

20. FINES & REMOVALS:

In case of any of office bearer or any other member who acts in a way considered prejudicial to the interests of the Association, the Central Executive Committee may expel or suspend such office bearer or member provided:-

(i) That one-week's notice in writing has been given to such person to explain his/her conduct either in writing or by appearing in person before the Central Executive Committee.

(ii) Three-fourths of the members of the Central Executive Committee present have approved the suspension of expulsion.

(iii) The expulsion in the case of an officer of the Association is ratified by the Annual General Meeting.

Any member of the Central Executive Committee not attending three consecutive meetings without assigning any reason thereof shall be deemed to have vacated the seat.

(iv) Regional Committees can exercise same powers as mentioned in sub-clause (i) and (ii) above but all their decisions are subject to review and approval of the Central Executive Committee and an appeal against their decision lies with the Central Executive Committee.

21. AMENDMENTS TO THE CONSTITUTION:

The constitution of the Association may be amended, varied or rescinded by the Annual General Meeting of the Association by two-thirds majority vote of the persons present and voting. Motions for amendments, variations or revisions must reach the General Secretary fifteen days before the date of Meeting.

22. STATUS OF THE ASSOCIATION:

The Association shall be a body corporate and shall have a common seal to be kept in the custody of the General Secretary.

23. DISSOLUTION OF THE ASSOCIATION.

The Association may be dissolved by a majority of the members present at the Annual General Meeting, which shall have to be specifically convened for the purpose. The quorum for the meeting shall be two-third of the total number of members for the time being. The assets and liabilities of

the Association will be disposed of as may be decided in the above meeting. Notice of dissolution shall be sent to all concerned within 14 days from the date whereon such a decision is arrived at

24. POWERS TO MAKE RULES:

The Central Executive Committee shall have full powers to make rules from time to time for proper and efficient functioning of the Association provided those are not inconsistent with the provisions of the constitution. Such rules will be placed before the Annual General Meeting for ratification.

25. INTERPRETATION OF THE CONSTITUTION:

(i) The Central Executive Committee will have powers to interpret the clauses and rules of the constitution and for their observance and compliance.

(ii) In the event of difference, the interpretation of the Central Executive Committee will alone be authoritative and binding on all members.