

BHARAT SANCHAR NIGAM LIMITED EMPLOYEES UNION

Regd. No. 4896
(Registered Under Indian Trade Union Act, 1926)



BSNLEU

CONSTITUTION

(As amended at Mumbai AIC, 13th - 16th February, 2008)

**CHQ, Dada Ghosh Bhawan, 2151/1, New Patel Nagar,
Opp. Shadipur Bus Depot, New Delhi – 110 008
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BHARAT SANCHAR NIGAM LIMITED EMPLOYEES UNION

CONSTITUTION

1. Name:

The name of the union shall be Bharat Sanchar Nigam Limited Employees Union (in short; BSNL Employees Union), herein after referred to as “the Union” in this constitution.

2. Head Quarters:

The Head Quarters of the Union shall be Delhi and situated for the present at D-7, Telegraph Place, Bangla Sahib Marg, New Delhi – 110 001*

3. Aims & Objectives:

- a) To safeguard, promote and advance the interest of the members of the union in particular and BSNL Employees in general to redress their grievances by suitable actions including legal assistance.
- b) To render efficient service to the nation and to protect the interest of the nation and to participate in building a socialistic society.
- c) To publish journal / journals

4. Organisation:

The union shall have Central, Circle, District and Local Branches. District Branch shall be primary unit of the union for the purpose of participating in All India Conference and the Local Branch shall be the primary unit for the purpose of participating in Circle Conference.

5. Membership:

- (i) **Ordinary Members:** All Non-Executive employees and workmen of the BSNL shall be eligible to become members of the union. The Executive Committee of the Local Branch union shall have the right to deny membership to any employee who is a member of any other union or who is charged with corruption or moral turpitude or such undesirable activities. An employee shall be enrolled in the Union as a member on payment of admission fee equivalent to one month's subscription.
- (ii) **Honorary Members:** Those persons who are not eligible for admission as ordinary members under Article 5(i) above may be admitted as Honorary Members of the union for the purpose of being elected or co-opted to the executive committee of the union, subject to the provisions of section 22 of the Trade Union Act 1926. Number of such Honorary Members will remain restricted to as provided in the Indian Trade Union Act 1926.

6. Membership Register:

A Register of members including Honorary Members showing name, age and address shall be kept at the Registered Office of the Union and properly maintained by the officers responsible for the purpose. The register shall be open to inspection by any officer or member of the union on any weekday during the normal working hours the union.

7. Rights of Members:

The members of the union shall have the right to inspect the accounts books and registers of the union. A member of the Union shall be entitled to benefits provided by the Union as long as he/she continues to be the member of the union.

A member has the right to vote in meetings and also has the right to get elected to any office of the Union, provided he/she has been on rolls at least for a period of six months consecutively.

8. Rates of Subscription & Quota:

Rate of subscription shall be Rs. Fifteen only per member per month. The subscription thus collected shall be allocated every month in the following manner:

Central Union	: Rs. 5
Circle Union	: Rs. 4
District Union	: Rs. 3
Local Branch Union	: Rs. 3

However, the Circle Conference can decide to collect monthly contribution to the circle union from every member to meet the expenditure of the circle union.

The subscription as well as contribution to circle union, if any, shall be paid by each member latest by 5th of each month and the Treasurer of Local Branch shall make arrangements for collection of the same from members falling in the respective units.

9. (i) Objects for expenditure of General Fund: The general fund of the Union shall not be spent on any objects other than the following:

- (a) The payment of salaries, allowances and expenses to an office bearer or employee of the union.
- (b) The prosecution or defence of any legal proceedings to which the union or member thereof is a part when such prosecution or defence is undertaken for the purpose of securing or protecting any right of the union as such or any rights arising out of relations of any member with the employer.
- (c) The payment of expenses for the administration of the union including audit of account of the general funds of the union.
- (d) The conduct of dispute on behalf of the union or any member thereof.
- (e) The compensation of members for loss arising out of trade dispute.
- (f) Relief to members or their dependents in the event of death, old age, sickness, accident of such member.
- (g) Up keep of periodicals published for the benefit of members.

(ii) Safe custody of the General Fund: The General Fund of the union shall consist of:

- (a) Admission Fee
- (b) Subscription
- (c) Donation
- (d) Any extra collection made from members for general purpose or for any particular purpose.

The money collected from the above mentioned sources shall be deposited in bank or banks approved by the Executive Committee in the name of the Union to be operated by the Secretary and Treasurer at the respective level. Cash in hand, to meet any urgent and unexpected expenses, shall not exceed Rs. 10,000 at the Central level, Rs. 5000 at the Circle level and Rs. 1000 at the District level and Rs. 500 at Local level.

10. 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 2/3rd 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:

(i) 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.

(ii) In case a Circle/District/Local branch defies to implement the decisions of the Central Secretariat/Central Executive/ All India Conference, the Central Secretariat can take suitable action including derecognition of the office bearers of the concerned level branch and can hold a Special Conference of the concerned level branch to elect new office bearers.

(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 30 days shall not be considered. The final authority to dispose off the appeal, if received by it, shall be the All India Conference.

(d) Members 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.

11. Management:

The Management of the Union shall be vested in the following bodies.

(i) The All India Conference which shall normally be held once in two years. The Central Executive can convene Special Conference in between the biennial conference, if necessary.

(ii) The Central Executive Committee, the composition of which is defined in article 17, shall meet as and when required, but not less than once in six months.

(iii) The Central Secretariat consisting of Central Office Bearers stationed and present in Head Quarters at any particular time shall meet as and when necessary, but not less than once in seven days, except when the General Secretary is on tour for 7 days or more.

(iv) The Circle Executive Committee, the composition of which is defined in article 20, shall meet as and when necessary, but not less than once in three months.

(v) The Circle Secretariat consisting of Office Bearers stationed and present in the Head Quarters at any particular time shall meet as and when necessary, but not less than once in 7 days, except when the Circle Secretary is on tour for 7 days or more.

(vi) The District Executive committee, whose composition is defined in article 23, shall meet as and when necessary, but not less than once in two months.

(vii) The District Secretariat consisting of Office Bearers stationed at the Head Quarters shall meet at least once in 7 days, except when the District Secretary is on tour for 7 days or more. The quorum for the District Secretariat shall be 50% of its members.

12. All India Conference:

(a) Composition: The All India Conference consists of Central Office Bearers, Circle Secretaries and the Delegates elected in the respective District Conferences or in Special District Conferences 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 Districts during the two financial years preceding the

conference. In case the membership of the District is less than one hundred, it shall elect one delegate. In case the 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.

- (b) Voting Power:** Voting power of a district unit shall be determined in proportion to the average paid up membership of the said unit at the ratio of one vote for every 100 members or part thereof which shall equally be shared by the Delegates from the unit present in the Conference. Central Office Bearers and Central Executive Committee members shall carry one vote each. The President of the conference can cast additional vote in case of tie.

13. Duration of Office:

All Office Bearers and Executive Committee members shall hold office for two years, till replaced by the next conference. If any elected Office-Bearer post falls vacant due to death, non-acceptance by the person concerned, resignation or continued absence from the office without proper authority for a period of more than three occasions, shall be filled up by the Executive Committee at the respective level.

14. Quorum

The Quorum for the Conference / Meetings shall be as under

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|--|--|
| (i) All India Conference | : 1/3 rd of the representatives |
| (ii) Central Executive Committee | : 50% of the members |
| (iii) Circle Conference | : 1/3 rd of the representatives |
| (iv) Circle Executive | : 50% of the members |
| (v) District Conference | : 1/3 rd of the representatives |
| (vi) District Executive | : 50% of the members |
| (vii) Local Executive | : 50% of members |
| (viii) Local Conference/
General Body meeting | : 1/3 rd of the members |

15. Notice for meetings

- | | |
|---|-----------|
| (i) All India Conference | : 30 days |
| (ii) Central Executive | : 15 days |
| (iii) Circle Conference | : 21 days |
| (iv) Circle Executive | : 14 days |
| (v) District Conference | : 21 days |
| (vi) District Executive | : 07 days |
| (vii) Emergent Circle Executive | : 03 days |
| (viii) Emergent District Conference | : 03 days |
| (ix) Emergent District Executive | : 01 day |
| (x) Local Branch Executive /
General Body | : 07 days |
| (xi) Local Branch Conference | : 14 days |
| (xii) Emergent Local Branch
Executive / General Body | : 01 day |

16. Power of All India Conference

(a) To elect the following:

1. One President
2. Six Vice Presidents
3. One General Secretary
4. One Deputy General Secretary
5. Five Asst. General Secretaries
6. One Treasurer
7. One Asst. Treasurer
8. Nine Organising Secretaries

- (b) To consider and adopt the biennial report and accounts of the union.
- (c) To effect or ratify changes in the Constitution of the Union.
- (d) To nominate the Auditor.
- (e) To issue rules and bye-laws for the management of the Union.
- (f) To appoint Editor (s) for the Journal (s)
- (g) To take any appropriate decision to ensure smooth functioning of the union keeping in view of the aims and objectives.

17. Composition and Powers of the Central Executive Committee:

Central Executive Committee shall consist of Circle Secretaries who shall be ex-officio members and the Central Office Bearers elected by the All India Conference. In between two All India Conferences the Central Executive shall exercise all powers of the All India Conference except Amendment to the constitution of the Union and Election of the Office Bearers. However, the office bearers posts that have fallen vacant can be filled by the CEC. The Central Executive Committee shall present biennial report and audited accounts to the All India Conference.

18. Circle Conference:

Composition: The Circle Conference shall be composed by the Circle Office Bearers elected by the previous conference, the District Secretaries of the Circle who shall be ex-officio members and the delegates elected by the local Branch Conferences/General Body Meetings at the ratio of one delegate for every 20 members or part thereof, provided that the part there of is not less than 10. However, a branch having less than 20 members can elect one delegate. The Circle Conference shall be held once in two years. Voting strength shall be determined district wise on the basis of paid up membership for the two financial years preceding the Conference and at the ratio of one vote for every 20 members received by the Circle Union from the local branches of the concerned district. The delegates from the local branches of the concerned district will equally share the voting strength of the concerned district. The circle office bearers and members of Circle Executive Committee shall exercise one vote each, in the elections, subject to the provision that total votes exercised by them shall not exceed ten percent of the total voting power of the delegates from District Unions. Each one of Circle Office Bearers and members of the Circle Executive shall however have one vote each in all matters other than elections.

19. Duties of Circle Conference

- (a) To elect the following office bearers
 - 1. One President
 - 2. Five Vice Presidents
 - 3. One Circle Secretary
 - 4. Five Asst. Circle Secretaries
 - 5. One Treasurer
 - 6. One Asst. Treasurer
 - 7. Seven Organising Secretaries
- (b) To consider and adopt biennial report and accounts
- (c) To nominate the auditor
- (d) To consider any other item notified.

20. Composition and Powers of Circle Executive

The Circle Executive Committee shall consist of District Secretaries who shall be ex-officio members and the Circle Office Bearers elected by the previous conference. In between two circle conferences, the Circle Executive Committee shall exercise all the powers of the Circle Conference except election of office bearers. However the circle office bearers' posts that have fallen vacant can be filled by the Circle Executive Committee. The Circle Executive shall present the biennial report and audited accounts to the Circle Conference and send the same after being adopted by the Circle Conference, to the Central Union.

21. District Conference

- (a) **Composition:** The District Conference shall be held once in two years. The District Conference shall be composed by the District Office Bearers elected by the previous conference, the Branch Secretaries of the District who shall be ex-officio members and delegates elected by local branch Conferences / General Body Meetings. The number of delegates to be elected by the local branch shall be at the ratio of one delegate for every 5 members or part there of, provided the part there of is not less than 3. In case of districts having membership above one thousand, it shall be at the ratio of one delegate for every 10 members or part there of provided the part is 5 or more. This is subject to a minimum of one delegate for every branch.
- (b) **Voting Power:** The voting strength of the Local Branch shall be determined on the basis of the membership paid by all the concerned Local branches to the District union for the two financial years preceding the conference. The delegates from the concerned local branch shall equally share the voting strength of the concerned Local branch. Each of the District Office Bearers and members of the District Executive shall exercise one vote each.

22. Duties of District Conference:

- (a) to elect the following office bearers:

1. One President
2. Four Vice Presidents
3. One District Secretary
4. Four Asst. District Secretaries
5. One Treasurer
6. One Assistant Treasurer
7. Seven Organising Secretaries

In case of major telecom districts where there are DGM's / GM's area wise, the District Conference shall designate one Assistant District Secretary for each of the respective areas as Area Secretary of the concerned area.

- (b) To consider and adopt biennial report and account

- (c) To nominate the Auditor

To consider any other item notified.

23. Composition and Powers of District Executive:

The District Executive shall consist of Local Branch Secretaries of the District who shall be ex-officio members and the District Office Bearers elected by the District Conference. It between two district conferences the District Executive shall exercise all powers of the district conference except elections of office bearers. However, the district office bearers posts fallen vacant can be filled by the District Executive Committee. The District Executive shall present the biennial report and audited accounts to the District Conference and sent the same, after being adopted by the District Conference, to the Circle union.

24. Strike:

Strike of work shall be declared by the union only after failure of negotiations and agitational 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. Local Branch

- (a) **Conference:** It shall be held every year and all the members who have cleared their dues are eligible for participation. It shall elect the following office bearers:

1. President
2. Three Vice Presidents
3. Branch Secretary
4. Three Asst. Branch Secretaries
5. One Treasurer
6. One Asst. Treasurer

7. Five Org. Secretaries

The Branch Conference shall consider and adopt annual report and accounts and nominate auditor.

The Branch Conference shall consider any other items notified.

- (b) **General Body:** It shall meet as and 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.

26. Financial Year

Financial Year of the Union shall be from 1st January to 31st December.

27. Duties of Office Bearers:

- (a) **President:** He shall preside over the meetings / conferences and shall vote in case of a tie only.
- (b) **Vice President:** One of the Vice Presidents shall exercise the powers of the president in his absence.
- (c) **General Secretary:** He shall be the Chief Executive of the Union and shall be responsible for carrying out all the instructions of Central Executive and All India Conference and conducting the correspondence on behalf of the Union. He shall be responsible for recording minutes of the meetings and maintaining membership register and other Registers. He shall convene the meeting of Central Executive and All India Conference. He shall submit all statements and documents required to be submitted by or under the Trade Union Act, 1926.
- (d) **Deputy General Secretary:** He shall look after the duties of the General Secretary in his absence and also assist the General Secretary in his day to day functioning.
- (e) **Assistant General Secretary:** He shall assist the General Secretary and Deputy General Secretary in their day to day functioning.
- (f) **Treasurer:** He shall be the custodian of the funds and responsible to maintain the accounts of the union. He shall get the accounts audited and present the same to the managing body and the conference.
- (g) **Assistant Treasurer:** He shall assist the Treasurer in day to day functioning and act as the Treasurer in the absence of the latter.
- (h) **Organising Secretary:** He shall assist the General Secretary in organizational matters.

28. Interpretation:

Unless specifically provided for, the provisions of this constitution shall apply to other levels mutatis mutandis to the extent of their jurisdiction. Interpretation of any particular article of the constitution shall be made by the Central Secretariat. The interpretation thus given shall be submitted for ratification to the Central Executive Committee or the All India Conference, which so ever meets earlier.

29. Inspection and Audit of Accounts:

The accounts of Central Union shall be audited by a Chartered Accountant nominated by the All India Conference. The books of accounts of the union shall be made available for inspection by any member or officer of the union at the Central Head Quarters of the Union during the office working hours of the Union.

30. Requisition Meetings:

- (a) If the meeting of the concerned Executive Committee is not convened within 7 days at Branch level, 14 days at District level, 30 days at Circle level and 45 days at Central level by the concerned Chief Executive after receipt of the requisition, the first signatory of the requisitionists can convene the meeting, provided 50% of the Executive Committee members requisitioned the meeting. Such requisitioned Executive Committee Meeting can be convened by the first signatory of requisitionists after giving 7 days notice at Branch level, 14 days notice at District level, 30 days notice at Circle level and 45 days notice at Central level.

- (b) If 50% of Executive Committee and delegates requisition the conference at the concerned level, the conference can be convened by the first signatory of the requisitionists in the manner prescribed in article 30(a).

31. Election

- (a) Elections at all levels shall be by secret ballot, in case of contest.

(b) Disputes

All disputes at Local and District levels shall be settled by the Circle Secretariat. Appeals against the decision of the Circle Secretariat shall lie with the Circle Executive or with the Circle Conference, which so ever is earlier. In case an appeal is made to CHQ, the decision of the Central Secretariat shall be final.

If a dispute arises in the Circle Conference, the Central Secretariat is competent to take a decision on it. Appeal against the decision of the Central Secretariat shall lie with the Central Executive Committee or the All India Conference, which so ever is earlier.

32. Amendment, Variation and Rescinding of Rules

Any rule or rules of the union may be amended, varied or rescinded by the All India Conference with 2/3rd majority of the representatives present in the conference for which purpose each representative shall carry one vote. A notice of the change or changes made in the rules shall be sent to the Registrar of Trade Unions within 15 days of the meetings referred to above. The change (s) shall not have effect until the same have been registered and certificate of registration is obtained from the Registrar of Trade Unions.

33. Submission of Annual Returns:

According to Section 28 of the Trade Union Act, 1926, the General Secretary shall submit the Annual Returns to Registrar of Trade Unions with in the stipulated period as may be notified by the Appropriate Government from time to time, in the Form 'D'.

34. Defaulter

Any member of the Union who is in arrears of subscription for three months shall not be entitled to any benefit until arrears have been paid. Any member who is in arrears for more than 12 months shall automatically cease to be a member and shall forfeit his/her claim from the union.

35. Code of Discipline

The union shall abide by Code of Discipline in Industry and shall strive for making it more democratic.

36. Jurisdiction and Scope of the Union

Jurisdiction of the Union shall be the jurisdiction of Bharat Sanchar Nigam Limited. Scope of the union shall limit to the non-executive employees employed under the Bharat Sanchar Nigam Limited.

37. Dissolution of the Union

The Union shall not be dissolved except by the decision of the All India Conference called for the purpose. The quorum of the specially convened conference shall be 2/3rd of the representatives. In case of dissolution of the Union, a notice of the dissolution signed by seven members and by General Secretary of the Union along with Certificate of Registration shall be sent to the Registrar of Trade Unions within fourteen days and the dissolution shall have effect from the date of such registration. This meeting shall also decide in what manner the funds, assets and liabilities of the Union, if any, after dissolution shall be disposed.

BSNL EMPLOYEES UNION

(Registered under Indian Trade Union Act, 1926, Regn. No. 4896)
CHQ, Dada Ghosh Bhawan, 2151/1, New Patel Nagar,
Opp. Shadipur Bus Depot., New Delhi – 110 008

APPLICATION FOR MEMBERSHIP

Name of official:

Designation:

Office:

Age:

Date of entry in service:

I certify that the particulars given above are correct. I agree to abide by the Constitution of the Union. I request that I be enrolled as a member of BSNL Employees Union.

Place :

Date :

Signature of Applicant

Com. _____ of _____ is

enrolled as member of BSNL Employees Union, _____ Branch.

Signature of Branch Secretary