

BHARATIYA TELECOM EMPLOYEES UNION (BSNL)
(Affiliated to Bharatiya Mazdoor Sangh)

CONSTITUTION

1.NAME: The name of the Union shall be “**BHARATIYA TELECOM EMPLOYEES UNION (BSNL)**”, the Hindi version of which is also “Bharatiya Telecom Employees Union (BSNL)”, herein after referred to as the “Union”

2.CENTRAL HEAD QUARTERS: The Central Head Quarters of the union shall be located at H.No.538,Village & Post Khera Khurd, Delhi – 110 082.

3. AIMS & OBJECTIVES:

- 3.1 To render efficient service to the Nation.
- 3.2 To organize and unite the persons employed in BSNL Promoting National Oriented Trade Union movement amongst the BSNL workers aimed at effective and efficient organization for prosperity and progress.
- 3.3 To promote social, cultural, educational and economic upliftment of the members
- 3.4 To safe guard and promote interests, rights and liberties the of members through peaceful bilateral settlement of problems where necessary through the Reconciliation machinery, to get redressal of grievances.
- 3.5 To seek permanent solution of outstanding problems and to promote healthy industrial relations in services without any class consideration.
- 3.6 To conduct a journal or journals for the members.
- 3.7 To provide assistance including legal aid to members.
- 3.8 To promote employees welfare measures.
- 3.9 To conduct Seminars/Symposiums/Study Classes etc, for its members in various subjects like nationalism/work culture/technology etc., and accept aid for conducting the same from various organizations including Central Board of Workers’ Education.
- 3.10 To do such other things as are incidental or conducive to the attainment of the above objects or any of them.

4.REGISTRATION:

The Union shall be registered under the Trade Union Act 1926 as amended from time to time.

5.INTERPRETATION OF THE CONSTITUTION:

The constitution will be construed with reference to the provisions of the Indian Trade Union Act 1926 as amended from time to time, where the act furnishes no guidance for the interpretation of any particular article, the Secretariat of the

CHQ will give the interpretation which shall be binding. An appeal against the interpretation of the Secretariat will lie with the Central Working Committee and the final appeal with the all India conference. The interpretation given by the Secretariat shall be submitted for ratification to the Central Working Committee or the All India Conference which so ever meets earlier.

6.AFFILIATION:

The Union shall be affiliated to **Bharatiya Mazdoor Sangh, (BMS)** the Central Trade Union.

7.ORGANISATION:

The structure of the union shall be unitary in character. For the administration of the affairs of the union, it shall function through the following bodies. :

- 7.1 Central Head quarters (CHQ)
- 7.2 Circle Head Quarters
- 7.3 Divisional / District Branch
- 7.4 Local Branch

8.GRANT OF RECONGNITION:

- 8.1 Circle Branch constituted in accordance with the rules contained in Part III of the constitution shall be recognized by the CHQ.
- 8.2 District Branch constituted in accordance with the rules contained in Part IV shall be recognized by the Circle Head quarter and Local Branch as per Part-V by the District Branch respectively.

9.SUSPENSION AND RECOGNITION:

Recognition of Branches, defaulting payment of quota of subscription to BTEU (BSNL), CHQ, Circle, and District Branches or to any of them for six consecutive months shall be suspended by the Central Head quarters. ON clearance of dues the recognition will be restored by the Central Head quarters only. Such action is based on the recommendations of the lower bodies of the CHQ.

10.MEMBERSHIP:

- 10.1 Membership shall be granted by the branch union on application and payment of admission fee equivalent to one month subscription.
- 10.2 Employees of BSNL will be eligible for membership.
- 10.2.1 **Honorary Members:** The Union may admit persons other wise not eligible for ordinary membership as Honorary members for purpose of being elected office bearers of the Union and no subscription shall be payable by these members. Their number shall not exceed the number by Section 22 of the Trade Union Act.1926.

11. TERMINATION OF MEMBERSHIP:

Membership of a person shall cease on the following grounds:

- 11.1 Resignation
- 11.2 Default in payment of dues for three consecutive months.
- 11.3 Removal, expulsion etc

11A. FINE & FORFEITURE: No fine shall be imposed

12.RESTORATION OF MEMBERSHIP:

Membership of a person ceased in Art 11 can be restored as below.

- 12.1 By fresh application.
- 12.2 By clearance of dues/default payment.
- 12.3 By a revision of the decision at the appropriate level as the case may be.

13.MEMBERSHIP REGISTER:

Membership register in the prescribed form shall be maintained by the local branches. All changes shall be duly incorporated in it by the Branch secretary as and when they occur. The register shall be made available for inspection to the members of the Branch, office bearers of the Divisional/circle Secretariat and the CHQ and officers nominated by the registrar of Trade Unions.

14.TIGHTS OF MEMBERS:

- 14.1 Every member, provided that he is not in arrears for one month or more and has been on the rolls for at least three consecutive months shall have the right of
 - 14.1.1 Nominating/proposing candidates, standing for election to any post of office bearer ship, executive committee membership including delegates.
 - 14.1.2 A member who is not on rolls for at least 6 consecutive months shall not be eligible to contest the election for any post.
 - 14.1.3 Vote at meetings.
- 14.2 Receiving a copy of central and circle journals as provided under the rules. Annual subscription of the journals if fixed, will be borne by the members
- 14.3 Every member shall be entitled to the benefit provided by the Union

15.ADMISSION FEE:

The admission fee for a member shall be the same as one month's subscription which shall be retained by the local branches.

16.SUBSCRIPTION:

The monthly subscription shall be Rupees Ten for all staff mentioned in Article No 10.

17.DONATIONS:

The Union may raise voluntary donation whenever necessary for specific purposes.

18.ALLOCATION OF SUBSCRIPTION:

The monthly subscription shall be allocated in the following manner.

- 18.1 Central Head Quarters Rs.3.00 18.2 Circle Head Quarters Rs.3.00
18.3 District(SSA)Head Quarters Rs.2.00 18.4 Local Branch Rs.2.00

19.PAYMENT QUOTA:

- 19.1 The quota shall be remitted by the 7th of every month.
19.2 Money order commission/for DDs & Cheques, bank charges shall be charged on the branches.

20.RESERVED FUND:

The CHQ shall constitute a Reserve fund equivalent to 2% of the quota received by it.

21.APPLICATION OF FUNDS:

The various funds of the Union shall be utilized in the following manner:

- 21.1 Payment of salaries, allowances and expenses to the office bearers of the union on Foreign Service and the staff on establishment at the CHQ.
21.2 Payment of expenses for the administration of the Union including audit of the accounts by a chartered accountant.
21.3 Payment for legal aid expenses in case of Union workers involved in the court of law, prosecution or defense of any of the legal proceeding arising out of legitimate activities of the union and to which the union is a party.
21.4 Payment of all expenses for publicity, information and organizational work.
21.5 Payment of affiliation fees to BMS (Central as decided by the BMS from time to time.
21.6 Payment of prescribed percentage of surplus income over expenditure to BMS Central on funds raised through advertisement, donation etc. for publication of souvenirs / special issues of the journal of the Union.

22.DEPOSIT OF FUNDS:

The funds of the union shall be deposited in a Nationalised Bank in the name of the Union which shall be jointly operated by the Secretary and Treasurer at the respective levels up to local branches.

23.FINANCIAL YEAR:

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

24.PARTICIPATION IN CONFERENCES:

A local branch, provided it is not in arrears of payment of quota of subscription to CHQ, Circle and District/Division for a period of more than six months prior to the month in which the conference is held shall eligible to participate in the Divisional, circle and All India conference through their elected delegates.

25.VOTING STRENGTH OF BRANCH AT CONFERENCE:

- 25.1 Voting power of each branch shall be determined on the basis of average quota of subscription remitted to CHQ, circle and District/Division by the local branch relating to the financial year preceding the year in which a conference is held, where the strength of the membership as determined by the CHQ, Circle and District/Divisional branch differs, the lowest quota paid shall be accepted as correct.
- 25.2 No delegates representing a branch which has not been in existence for a period of three months prior to the date of the conference shall have the right to vote. The voting strength of the branches which has been in existence for a period of at least three months prior to the date of a conference but not in existence during the financial year pertaining to which the conference is being held shall be decided on the basis of average membership of the branch provided however that the total voting strength of such branches shall not exceed 1/10th of the total voting power of the delegates of the remaining branches. In such an event their votes will be proportionately reduced.

26.CHANNEL OF COMMUNICQATION:

The CHQ shall have the right to take up all the problems of common interest pertaining to the members of the union/Employees with the CMD, BSNL Board, CMD BSNL, Department of Telecommunications and IT and any other authorities it feels appropriate for the redressing the grievances of its members directly.

27.ANTI UNION ACTIVITIES / DISCIPLINARY ACTION:

- 27.1 The Chief executives at various levels shall be competent to suspend, expel, adopt a non confidence motion against or censure its office bearer or member(s) of those under the jurisdiction of the union, who cause grave injury to the Organisation.

- 27.2 Before taking any disciplinary action against any office bearer, the person concerned shall be furnished with a list of charges against him in writing, who shall submit his defense within 10 days from the date of receipt of the charges failing which a decision may be taken ex parte.
- 27.3 Any office bearer against whom any disciplinary action has been taken shall have the right of appeal to the next higher body than the punishing authority and a final right of appeal to the CWC or All India Conference which ever meets earlier.

28.ELECTION DISPUTES:

- 28.1 The Secretariat on the advise of the organizing secretary shall be competent to deal with the disputes arising out of elections at Circle branches.
- 28.2 The circle working committee shall decide the election disputes of district/divisional and branches. These decisions will be binding on the branch, divisional/district etc. Dispute at circle level will be referred to CHQ Its decision which will be binding till the next All India Conference.

29.ADOPTION OF RESOLUTION:

The resolutions in the meetings at various levels shall be carried by a simple majority vote.

30.AMENDMENTS TO THE CONSTITUTION:

A notice of 30 days shall be given for moving any amendment to the constitution. No amendments to the constitution shall be passed except by two third majority of the voting strength of the All India conference and the same shall be intimated to the Registrar of Trade Union, Delhi and it shall not come into effect until registered by the Registrar of Trade Unions, Delhi as per Trade Union Act 1926.

31.VOTING:

Normally the voting shall be by raising of hand, however, if secret ballot is demanded, the same may be adopted.

32.DISSOLUTION OF THE UNION:

The Union shall not be dissolved except by a majority of 4/5th of the voting strength of the conference at its Annual session of the All India Conference called for the purpose and by a majority of 2/3rd of the affiliated circle branches. In the case of dissolution the property and the funds of the union shall automatically become the property and funds of BMS. It shall use it for the benefit of BSNL employees.

PART II

CENTRAL HEAD QUARTERS(CHQ)

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33.CENTRAL HEAD QUARTER:

The Central Head Quarters shall be at the Head quarters of the Union as provided in Article 2./ BSNL Head Quarters at New Delhi.

34.JURISDICTION:

All offices of Heads of BSNL Circle including non recruiting unit and their subordinate offices under operation.

35.MANAGEMENT:

The management of the union shall be vested in the following bodies.

36.1 ALL INDIA CONFERENCE:

Which shall meet once in every two years

36.2 CENTRAL WORKING COMMITTEE:

Which shall ordinarily meet twice a year. Apart from this a special meeting of the central working committee shall be convened as exigencies may require. Again the General secretary shall convene a special meeting of the CWC on requisition tendered by one third of the members of the working committee. If the General secretary fails to convene such a requisitioned meeting within 30 days from the date of receipt of the requisitioned meeting, the President will be empowered to convene the same. If he also fails to convene within next 30 days the requisitionists will have the right to convene it for the specific purpose.

36.3 The central Secretariat which shall meet as often as necessary.

37. ALL INDIA CONFERENCE:

37.1 Notice for holding the All India conference shall be issued 45 days earlier than the actual date of the conference.

37.2 Notice of resolution etc;
At least 30 days notice to the CHQ shall be required for moving a resolution motion on amendment to the constitution at the conference.

37.3 Composition it shall consist of:

37.3.1 Elected delegates representing local branches complying Articles 10,14,15,16,24 and 25

37.3.2 Ex-officio delegates who shall be office bearers of the CHQ

37.3.3 Circle and District Secretaries

37.4 VOTING STRENGTH:

The ex officio delegate to the All India conference shall share the voting strength of their respective circles.

37.4.1 **The voting power** of each circle shall be fixed on the basis of one vote for every 50 members. The strength of their membership being determined as laid down in Article 20.

37.5 QUORUM:

For All India conference, shall be 1/3rd of the voting strength of the conference provided that at least seven circles are represented.

37.6 POWER:

The **ALL INDIA CONFERENCE**, shall have the following specific powers:

37.6.1 To elect office bearers of the Union

37.6.2 To appoint an auditor who shall be a chartered accountant to audit the accounts of the CHQ

37.6.3 To adopt the budget estimates of the CHQ

37.6.4 To effect changes in the constitution

37.6.5 To have deliberations and to resolve over the employees problems.

37.6.6 To resolve disputes up to branch level.

38.THE CENTRAL WORKING COMMITTEE(CWC):

38.1Composition:

The CWC of the union shall consist of the office bearers of the union and circle secretaries of the various circles under operation and also District Secretaries of Major Telecom Districts such as Hyderabad / Ahmedabad / Pune / Bangalore

38.2 Notice:

14 days notice shall be given for a meeting of the working committee. In case of emergency a notice of even three days will hold good.

38.3 Voting strength:

Members shall carry one vote each

38.4 Quorum:

The quorum for the working committee shall be not less than 1/3rd the members attending the meeting provided that at least seven circles are present.

39. SECRETARIAT:

39.1 Composition:

The Secretariat shall consist of the office bearers of the union available at the Head Quarters/BSNL Head Quarters.

39.2: Notice:

For Convening a meeting of the Secretariat, 1 day notice shall be given.

39.3 Powers

The central Secretariat shall have the power to

39.3.1 Supervise the working of the CHQ and assist the General secretary in discharging of his duties.

39.3.2 Prepare the annual reports of the union

39.3.3 General secretary is empowered to appoint Adhoc body at circle level for a period of three months.

39.3.4 Dissolve Circle Body in case of disloyalty or causing injury to the organization.

39.3.5 Shall appoint an Office Secretary.

40.OFFICE BEARERS OF THE UNION:

40.1 The following shall be the office bearers:

i)President	One
ii)Vice President	Four
iii)General Secretary	One
iv)Dy.General Secretary	One
v)Assistant General Secretary	Six
vi)Organising secretary	Six
vii)Financial secretary	One
viii)Assistant fin.secretary	One

40.2 DURATION OF OFFICE:

All the office bearers shall hold office for 2 years.

40.3 VACANCIES IN ELECTED OFFICE:

In case of elected office falls vacant, it shall be filled by the Secretariat till the next session. This decision of the Secretariat should be ratified by the CWC if it happens to meet before the next All India conference.

40.4 FUNCTIONS AND DUTIES OF OFFICE BEARERS:

40.4.1 The **President** shall preside over the meetings of the working committee and the All India Conference. He shall exercise general supervision over the work of the union acting as a custodian and Vote in case of a tie only.

40.4.2 The **Vice President** shall assist the President in discharging his duties and one of them shall act as President in the absence of the later.

40.4.3 The **General Secretary** Shall be the Chief Executive and Administrative Officer of the Union and shall administer the affairs of the Union, under the control and directions of the conference and the working committee. He shall have the power to summon the meetings of the Union. He shall submit the Annual Returns to the Registrar Trade Unions before 31st July every year.

- 40.4.4 The **Dy.General Secretary** shall assist the General Secretary in the day to day functioning of the Union and will act on behalf of the General Secretary in his absence as per specific directions.
- 40.4.5 The **Assistant General Secretary** shall assist the General Secretary/Dy.General Secretary in discharging their duties, functions of the Union.
- 40.4.6 The **Organising Secretary** shall be responsible for all the organizational work of the Union and will undertake tours as and when necessary. His decision in the organisational matters shall be considered.
- 40.4.7 Financial Secretary:**
- 40.4.7.1 The financial secretary in conjunction with the General Secretary shall mobilize , exercise control over the funds of the Union and upkeep the accounts of the Union. His specific duties shall be
- 40.4.7.2 He shall be personally responsible for the funds of the union and relevant records pertaining to the accounts..
- 40.4.7.3 He shall receive contributions, donations and all dues from the local branches and issue receipts accordingly.
- 40.4.7.4 He shall make payments after getting the vouchers attested by the General Secretary and maintain the vouchers for all payments made.
- 40.4.7.5 He shall maintain the accounts in a manner to show the income and expenditure as required in the statements to be submitted to the Registrar of Trade Union and in such manner as may be deemed necessary.
- 40.4.7.6 He shall maintain a register of Local Branches showing the strength of the membership and financial position.
- 40.4.7.7 He shall maintain day Books, other accounts books and place accounts every month before the General Secretary for scrutiny ,approval and Signature.
- 40.4.7.8 He shall retain in hand only the mount necessary for current expenditure and deposit invest the surplus amount in the manner specified in Article 22
- 40.4.7.9 **Assistant Financial Secretary** shall assist the Financial Secretary in his day to day work.

41. EXPENSES:

The CHQ shall bear the TA and DA of its office bearers to perform the assigned work subject to availability of funds.. The circle secretaries will bear the expenses from their respective circle funds.

PART III CIRCLE BRANCH

42.HEAD QUARTERS:

The head quarter of the circle branch shall be the head quarter of the BSNL circle office or at the circle secretary's head quarter.

43.JURISDICTION:

All offices of BSNL Circle Heads including non recruiting units and their subordinate offices under operation.

44.MANAGEMENT:

The management of the circle branch shall vest in the following bodies.

- 44.1 The circle conference which shall meet once in two years.
- 44.2 The circle working committee which shall meet at least once in six months or as and when required

45.CIRCLE CONFERENCE:

- 45.1 Composition: The circle conference shall consist of elected delegates representing local branches as provided in Article 10,14,15,16,24 &25.
 - 45.1.1 Ex-officio delegates who shall be office bearers of the circle branch
- 45.2 **Notice** for the circle conference not less than clear one month notice shall be given
- 45.3 Voting strength
 - 45.3.1 The voting strength of each local branch shall be fixed on the basis of one vote for every twenty members. The strength of the membership being determined as laid down in Article 24 & 25.
 - 45.3.2 Ex-officio delegates shall share the voting power allotted to their respective branches.
- 45.4 **Quorum** The quorum shall be 1/3rd of the voting strength of the conference provided that at least half the numbers of eligible District(SSA) Branches are represented.

46.OFFICE BEARERS – CIRCLE SECRETARIAT:

46.1 Following shall be office bearers

- | | |
|------------------------------|------|
| i)President | One |
| ii)Vice President | Four |
| iii)Circle Secretary | One |
| iv)Jt.Circle Secretaty | One |
| v)Assistant Circle Secretary | Four |
| vi)Organising secretary | Six |
| vii)Financial secretary | One |
| viii)Assistant fin.secretary | One |

- 46.2 The District secretaries shall be ex-officio office bearers of the Circle Union.
- 46.3 Powers of Circle Secretary(CS): The Circle Secretary is empowered , to appoint an adhoc body for a period of three months at District(SSA) level.
- 46.4 The Circle Secretariat is empowered to dissolve the District(SSA) body in case of disloyalty causing injury to the Organization.

PART IV

DISTRICT BRANCH(SSA BRANCH)

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47.HEAD QUARTERS:

The head quarters of the District branch shall be at the Head quarters of the District Secretary or at BSNL Divisional Head Quarters(SSA Head Quarters)

48.JURISDICTION:

The jurisdiction of the district/divisional branch shall be all the BSNL Offices including Non-recruiting Units and their Subordinate Offices under the operation/control by SSA Head and Heads of other Telecom wings of BSNL.

49.MANAGEMENT:

The management of the District/Divisional branch shall vest in

- 49.1 District Executive Committee(DWC)
- 49.2 District Conference

50.DISTRICT(SSA) WORKING COMMITTEE:

50.1 The District Working Committee shall consist of

50.1.1 Secretaries of the local branches

50.1.2 Office bearers of the District(SSA) Executive Committee.

50.2 Notice : A notice of 7(Seven)days shall be given for the District/Divisional Executive Committee meeting except in urgent cases, 1(One) day notice will be sufficient.

50.3Voting:

Each branch secretary along with the District/Divisional Office bearer shall carry one vote each at the executive meeting except at the time of election where they carry votes equal to the number of average membership calculated on the basis of quota paid to the District/ Division subject to the provision of Article 24 & 25.

51.DISCTRICT(SSA)CONFERENCE:

Which shall meet once a year.

51.1 Composition

District Conference shall consist of elected delegates as specified in Articles 10,14,15,16,24 & 25 from the local branches and ex-officio delegates namely District office bearers and local branch secretaries.

51.2 Notice: A notice of 14 days shall be given for the District/Divisional conference

51.3 Voting strength:

51.3.1 The voting strength of each local branch shall be fixed on the basis of one vote for every 20 members. The strength of membership being determined as laid down in Articles 24 & 25.

51.3.2 Ex-officio delegates shall share the voting power allotted to their respective branches.

51.4 Quorum:

The quorum shall be 1/3rd of the voting strength of the conference provided that half of the members of eligible branches are present.

52.OFFICE BEARERS – DISTRICT SECRETARIAT:

52.1 The following shall be the office bearers:

i)President	One
ii)Vice President	Four
iii)District Secretary	One
iv)Assistant District Secretary	Two
v)Organizing secretary	Four
vi)Financial secretary	One
vii)Assistant fin.secretary	One

52.2 All branch secretaries will be ex-officio members of District/divisional secretariat.

52.3 Power:

52.3.1 District Secretary is empowered to appoint an adhoc body for a period of three months at local branch/unit level.

52.3.2 District Secretariat is empowered to dissolve the local branch/unit level body in case of disloyalty or causing injury to the organization.

PART.V
LOCAL (UNIT) BRANCH

53. HEAD QUARTER:

The Head Quarter of the local branch shall be located at the place where the unit office concerned is situated.

54. JURISDICTION:

All BSNL offices at unit level including non recruiting units under operation controlled by respective units incharge.

55.MEMBERSHIP AND PAYMENT OF DUES:

Eligibility of members shall be as per the provision of Article 10 and as regards subscription and payment of dues as per Article 14,15,16 & 17 will hold good.

56. MANAGEMENT:

The management of the branch union shall vest in the following manner:

- 56.1 The branch conference which shall meet once in a year.
- 56.2 The executive committee of the branch shall meet at least once in a month.
- 56.3 The General Body meeting of the branch shall be convened at least once in three months

57.BRANCH CONFERENCE:

57.1Composition: The Branch conference shall consist of the members of the branch

57.2 Notice:14 days notice shall be given for holding the Annual Branch Conference.

57.3Voting: All the members complying Articles 10,14,15,16,17,24 & 25 shall be entitled to vote, each member having a single non transferable vote. Voting shall be by show of hand, but in case secret ballot is demanded the same shall be granted.

57.4 Quorum:The quorum of the branch conference shall be 1/3rd of the average membership of the branch.

58.OFFICE BEARERS:

The following shall be the office bearers of the local branch

- | | |
|----------------------------------|------|
| i)President | One |
| ii)Vice President | Two |
| iii)Branch Secretary | One |
| iv)Assistant Branch Secretary | Two |
| v)Organising secretary | Two |
| vi)Financial secretary | One |
| vii)Assistant finance .secretary | One |
| viii)Executive Members | Five |

59.ELECTION DELEGATES:

The Local Branches shall have the power to elect the delegates for representing the Division, Circle and All India Conference. They shall be elected at General Body meeting of the branch in the manner specified in Article 10,14,15,16,17,24 & 25.

60.ACCOUNTS of the Union be audited by qualified Chartered Accountant appointed by the Central Head Quarters.

61.Accounts Book of the Union can be inspected by any Office bearer or ordinary member of the Union after giving a prior notice of seven days to the General Secretary.

62.Jurisdiction of the Union in respect of any intra Union rivary will be the Head Quarters of CHQ/BSNL head Quarters at Delhi only and scope shall be for all the employees of BSNL.

63. If the General Secretary of President fails to call the Annual Conference of the Union then 2/3rd members of the CWC can give a request to convene the meeting within 15 days. If General Secretary or President fails to do so, then the requisitionists can call the meeting themselves and the decision taken by them as per provision of this constitution shall be bound on the Central Head Quarters and all other concerned.

64.CODE OF DISCIPLINE: The Union shall abide by the code of discipline.
