APPENDIX- V

INDIAN TEA EMPLOYEES' UNION.

SILCHAR.

CONSTITUTION
(As adopted at the Annual General Meeting
held on 29th December, 1957)

1. Name
The name of the Union shall be "The Indian Tea Employees' Union".

2. Registered Office
The Registered Office of the Union shall be situated at Silchar
in the District of Cachar.

3. Jurisdiction
The territorial jurisdiction of the Union shall comprise of the
District of Cachar in the Province of Assam.

4. Object
(a) To organise the entire body of Tea Workers within its jurisdiction and to foster a spirit of cooperation and comradeship.
(b) To protect and promote the interest of all members by legitimate and constitutional means.
(c) To develop in the workers a sense of responsibility towards
the Industry and the community and to raise the standard of efficiency and discipline.
(d) To secure improvement of the status and position of every member in service with regard to pay, allowance, bonus, commission, leave, hours of work, Provident Fund, gratuity, pension, medical help, housing facilities, security of service, etc.
(e) To secure equality of rights and privileges for the same work of office irrespective of race, colour or creed.
(f) To establish just Industrial relations.
(g) To secure redress of grievances without stoppage of work by peaceful, legitimate and constitutional means and if necessary by declaring and conducting strikes or satyagraha.

(h) To secure suitable legislative enactments for ameliorating the conditions of the workers and to ensure the proper enforcement of legislation for the protection and uplift of labour.

(i) To provide fund for relief of the needy and distressed members or their dependants, compensation for employees victimised for Trade Union activities and for conducting Trade Disputes and legal proceedings arising out of or incidental to their employment and/or discharge or dismissals.

(j) To organise benefit fund, clubs, libraries and other suitable institutions for the welfare of members and their dependants.

(k) To raise and establish separate fund as and when necessary for furtherance of the object of the Union.

(l) To publish bulletins, periodicals and literatures concerning the Union and the Trade Union Movement in general.

(a) To federate or amalgamate with or affiliate itself to any other Association, Union or Society having kindred aims and objects.

5. Membership:

(a) Ordinary—All persons employed in any 'Tea Estate or any Organisation ofAssociation of Tea Employers situated within the areas as specified in Rule 3 whether part time or whole time, whether temporary or permanent (including probationers, learners and apprentices) shall be eligible for ordinary membership of the Union.

(b) Persons not covered by Rule 5 (a) may be elected to serve in the Executive Committee of the Union either as members or as Office-Bearers but the number of such persons shall not exceed the
Maximum provided in the Indian Trade Unions Act or 5 whichever is less. Such persons on being so elected be regarded as Honorary Members of the Union: Honorary members of the Union shall not be required to pay any admission fee or subscription of any kind. Such Members shall also be not entitled to any other privilege of Ordinary Members except the right of participation in meeting and to vote.

6. Admission

(a) All persons desirous of being enrolled Ordinary Members of the Union shall apply to the Executive Committee of the Union through the Unit Representative of the Unit concerned in the prescribed form, with an admission fee at the rate of 5% of his basic salary.

(b) The Executive Committee shall have powers to refuse admission if in its opinion the activity of such applicant is prejudicial to the interest of the Union. An aggrieved applicant shall have a right to appeal to the General Committee or any General Meeting.

(c) An applicant for ordinary membership of the Union, who has been in the employ of the Industry for more than three years, may be refused admission if the Executive Committee be of the opinion that such applicant has applied for enrolment for getting the service of the Union in an Industrial Dispute concerning such applicant himself, unless such applicant undertakes in writing to bear such share of the expense in connection with such dispute as the Executive Committee may direct.

7. Subscription

(a) Ordinary Members of the Union shall be liable to pay monthly subscription at the following rates payable within 7th day
of every month:—

k. 0.75 a p for those drawing basic salary upto
k. 50/= p.m.

k. 1.50 a p for those drawing basic salary upto
k. 100/= p.m.

k. 2.50 a p for those drawing basic salary upto
k. 200/= p.m.

k. 3.00 a p for those drawing basic salary over
k. 200/= p.m.

Provided further that besides the usual monthly subscription
as above, Ordinary Members may be called upon by the Executive
Committee to contribute to special levies, subscriptions or donati-
ons to wards the General or Special Fund or Funds:

Provided also that the contributions to any special or sepa-
rate Fund or Funds within the meaning of Section 16 of the Indian
Trade Union Act shall not be obligatory, but persons not contribu-
ting to such Funds shall not be entitled to any benefit out of them.

(b) The rates of monthly subscription may be altered by a Re-
solution adopted at an Annual General Meeting of the Union by a ma-
jority of the members present.

8. Non-Payment of Subscription.

(a) An Ordinary Member who fails or neglects to pay his sub-
scription regularly every month shall forfeit all benefits and priv-
ileges of the Union until he clears up his entire outstanding dues.

(b) If a member be in arrear for more than three months his
name shall be liable to be struck off from the roll of the Union after
giving him fifteen days' notice to clear the arrears. Such member
and those who resign from the Union after once being enrolled as
members shall not be re-admitted as a member of the Union unless
he pays the full arrear subscription calculated from the date of ar-
rear or date of resignation as the case may be together with a re-
admission fee equivalent to the Admission fee applicable to such
member on the date of re-admission.

9. Benefit:

(a) An Ordinary member shall enjoy all the rights and privileges of the Union assured by the Rules and all benefits given out of General Fund provided he is not in arrear in payment of all subscription.

(b) Executive Committee may raise any special fund or start any subsidiary Institution for the benefit of members or their dependants. Such funds and Institutions shall be administered by the bye-laws framed by the Executive Committee and such bye-laws when duly framed shall be incorporated in these Rules, unless otherwise provided, members contributing to such funds and Institutions alone shall be eligible to benefit out of such funds etc.

10. Register of Members.

The Register showing the names, age, address and occupation of the members both Ordinary and Honorary, shall be maintained in the manner prescribed in the law at the office of the Union.

11. Executive Committee.

(a) The Management of the Union shall in between two Annual General Meeting, vest in the Executive Committee consisting of one President, one General Secretary, not more than 3 Vice Presidents, one Assistant General Secretary, one Treasurer and not more than 20 other Members including the Circle Representatives.

(b) The territory within which the Union has jurisdiction, shall for convenience be divided into such number of Circles as the Executive Committee may from time to time decide. Before the Annual General Meeting, members in each such Circle shall in the manner provided in Rule 25 (a) elect one Representative, who shall
automatically be a member of the incoming Executive Committee.

(c) All other office-bearers and members of the Executive Committee, other than the Circle Representatives, shall be elected at the meeting of the subject Committee by the delegates elected under Rules 25(a) and 25(b) from amongst themselves or any Honorary Member, as provided in Rule 5(b).

Provided further that those members of the Subject Committee who are not elected under Rule 25(a) or 25(b) shall not be eligible for election as office-bearers but the Subject Committee shall be competent to elect such members as members of the Executive Committee, if considered desirable, subject to the limitation provided in Rule 11(a).

(b) To assist the General Secretary, the Executive Committee may appoint a stipendiary Secretary who when so appointed shall be an ex-officio Member of the Executive Committee with right to participate in the deliberations but without the right to vote. Such Secretary shall ordinarily be appointed for one term and the new Executive Committee shall at the first meeting renew his appointment for another term unless there is anything against him or the post is considered redundant.