

**CONSTITUTION  
OF  
BANK OF INDIA EMPLOYEES'  
UNION  
ODISHA  
REGN. NO. 1339 OF 1981**

## CONSTITUTION OF BANK OF INDIA EMPLOYEES' UNION, ODISHA

Registration No. 1339 of 1981

### 01. Name, Address :

- A. The Union shall be called as BANK OF INDIA EMPLOYEES' UNION, ODISHA REFERRED TO HEREINAFTER AS THE 'UNION'.
- B. The Central Office of the Union shall be at Bhubaneswar at present and all subsequent changes in address of this office shall be duly notified to all concerned and to the Registrar of Trade Unions.

### 02. AIMS AND OBJECTIVES :

The Aims and Objectives of the Union shall be to :-

- A. Promote mutual understanding amongst its members :
- B. Secure fair conditions of life and service for its members and safeguard their interests in relation to their employment;
- C. Take all steps that may be necessary to improve the status and ameliorate the economic, social and cultural conditions of its members.

### 03. MEMBERSHIP :

#### A. Ordinary Members :

- i) All employees of the Bank of India of the age of 18 years or more shall be eligible for admission as ordinary members of the Union provided they sign the membership Register of the Union thereby promising to abide by all the existing rules and as amended from time to time, decisions of the Union and pay membership fees as per rule No. 3A(ii).

(Note : The terms of member wherever it occurs in these rules means and ordinary member unless the context suggests a different meaning).

#### ii) Membership Fees :

- a) Members from sub-ordinate staff of the Bank shall pay on admission to the Union :

Admission Fee Rs. 50.00

Subscription for every Calendar Month Rs. 80.00

- b) Members from non sub-ordinate staff of the Bank shall pay on admission to the Union :

Admission Fee Rs. 50.00

Subscription for every Calendar Month Rs.100.00

- c) Members shall pay to the Union fees of the Organization affiliating the Union as and when notified by the General Secretary of the Union.

- d) Members shall pay such sums to the Union as they may be called upon and within such period as may be decided by the Executive Committee of the Union provided that contribution for any of the purposes mentioned in Section 16 of the Trade Union Act, 1926 shall be voluntary and also shall pay to the Union levy/ies of Organizations affiliating the Union as and when decided by the Executive Committee of the Union.

- iii) Subscription is payable within the Calendar Month for which it is due and failure to pay subscription consecutively for three calendar months shall cause

ceasation of the membership of the Union, but such a member may rejoin the Union on paying the arrears and on such conditions as may be imposed on him by the Executive Committee of the Union.

- iv) A member resigning from the Union shall clear all his dues to the Union failing which his resignation shall not be accepted and he shall be liable to such actions as may be deemed necessary by the Executive Committee of the Union.
- v) Persons whose resignation from ordinary membership may have been accepted by the Union shall be entitled to rejoin the Union with the consent of and subject to terms and conditions given by the Executive Committee of Union.
- vi) Subject to a contrary decision of the General Council of the Union no member shall enjoy any right of a member and be entitled to any benefit to which a member shall be entitled under the rules of the Union unless he has paid all his dues to the Union.
- vii) Any member who becomes a member or in the membership of any other Trade Union shall cease forthwith automatically to be a member, but he may be allowed to rejoin the Union only with the consent of and subject to such terms and conditions as may be imposed on him by the Executive Committee.
- viii) Any ordinary member of the Union who ceased to be bank employee of Bank of India due to dismissal Discharge, Compulsorily retired, Removal & Termination of Service by the Bank's authority on account of his activities in the union shall continue to be a member till he is legally termed as workman.

**B. HONORARY MEMBERS :**

- i)
  - a) Persons sympathizing with the aims and objectives of the Union and not eligible for ordinary membership of the Union may be admitted as Honorary members of the Union if elected as such by the Executive Committee of the Union by a majority of three-fourth members of the said Executive Committee.
  - b) Notwithstanding anything contained in these rules an Honorary Member shall be a member of the Executive Committee of the Union.
- ii) The maximum number of Honorary members shall not, at any time exceed three. Persons taken as Honorary Members of the Union shall sign the membership register of the Union thereby promising to abide by all rules or as amended later and decisions of the Union.
- iii)
  - a) Honorary Members shall hold their membership until the next conference of the Union unless they resign from the Hony. Membership, die or are removed by the Executive Committee of the Union by passing a vote of no-confidence against them.
  - b) Consideration or acceptance or rejection of resignation from Hony. Membership shall rest with the Executive Committee of the Union.
  - iv) Hony. Members shall not be subject to pay monthly subscription or any kind of levy/ies imposed by the Union.

- v) Hony. Members shall not be entitled to any benefit/s to which an ordinary member shall be entitled under these rules.
- C. Persons who may have resigned, died, been expelled or otherwise ceased to be a member of the Union shall not be entitled to the rights, privileges and benefits of members of the Union and their names shall be struck off from the register of membership of the Union.
- D. The Union shall maintain a register of members wherein name, age, address, occupation and such other particulars as may be considered necessary of each member including an Hony. Member shall be recorded. The union shall also publish a list of the members as at the close of 31<sup>st</sup> December every year within the next month.
- E. All registers and account books shall be open for inspection at the Union's Office by any member/Hony. Member/s of the Union during normal office hours of the Union.

4. **UNIT, UNIT REPRESENTATIVE, UNIT COMMITTEE, GENERAL COUNCIL AND EXECUTIVE COMMITTEE.**

A. **Unit Representative :**

- i) Members in each office or Branch of the Bank shall constitute a Unit of the Union by themselves and Units shall be named after the names of the respective office/branches of the Bank.
- ii) Units shall elect representative/s Triennially on the following basis:
  - a) One Representative and One Alternative Representative to act as Representative during absence of the Representative for any Union having 7 members or less.
  - b) One Representative for every 7 members or major fraction thereof in case of residue for any Unit for Constituency having more than 10 members as at the close of the month immediately preceding the date of notification for election for Representative/Alt. Representative.
  - c) A representative/alternative representative of any Unit shall hold office till the next conference of the Union unless he resigns, dies and ceases to be a member of the removed by passing a vote of no-confidence with a majority of not less than two-third members in the respective Unit, in a meeting of the Unit concerned called for the purpose.
  - d) Notwithstanding anything contained in these rules no member shall be eligible for election or bye-election as a representative to or alternative representative unless he has paid all his dues to the Union/participated in all the Strike Calls/Programmes of the Union.

B. **Unit Committees :**

- i) The affairs of a Unit shall be administered by a Committee of the Unit referred to hereinafter as the Unit Committee subject to the control of the Executive Committee of the Union.
- ii) Representative, Alternate Representatives shall be the members of their respective Unit Committees.

- iii) Unit Committees shall hold office until the next conference of the Unit but any Unit Committee may be removed by passing a vote of no-confidence with a majority of not less than two-third members in the respective Units, in a meeting of the Unit concerned called for the purpose.
- iv) After conference of the Union the Representative of the Units shall form respective Unit Committee.
- v) A Unit Committee shall in the first meeting after the conference of the Union elect a Secretary for its own who shall be an Office Bearer of the Unit provided that Units having one representative shall have their representatives as respective Secretaries and Alternate Representatives of such Units shall function as Secretaries only in the absence of the respective Secretaries.
- vi) An Office Bearer of any Unit shall hold office until the next conference of the Union unless he resigns, dies, ceases to be a member or be removed by passing a vote of no-confidence with a majority of not less than two-third of the respective Unit Committee members in a meeting of the Unit Committee concerned called for the purpose.

**C. General Council :**

- i) The supreme body of the Union shall be the General Council of the Union hereinafter referred to as the 'Council' composed of representatives of the units who shall be its member.
- ii) The Council shall have to complete its first meeting after Triennial election of representatives of the Units to be called Conference of the Union.
- iii) A member of the council shall hold office until the next conference unless he resigns from the post of representative, dies, ceases to be a member or be removed from the post of representative in accordance with the procedures provided in these rules.

**D. Executive Committee :**

- i) Subject to the control of the Council the administration of all the affairs of the Union save these specially mentioned to be administered otherwise in the rules of the Union shall be carried on by the Executive Committee composed of not more than thirty eight members elected by the Council from amongst its members including executive committee members having one President, One Working President, Two Vice-Presidents, One General Secretary, Six Deputy General Secretaries, Eight Assistant General Secretaries, One Treasurer and who shall be the Office Bearers of the Union. Six Executive Committee Members over and above Thirty eight members shall be nominated from amongst Members of the Council/Unit Representatives/ Ordinary Members inclusive two from Women Cell by the General Council / Executive Committee.
- ii) A member of the Executive Committee including an Office bearer of the Union shall hold office until the next conference unless he resigns from the post, dies, ceases to be a member/Hony. Member or be removed from the post by passing a vote of no-confidence with a majority of not less than two-third members of the Council in meeting of the Council.

iii) A) An Office Bearer ceases to be an ordinary member shall cease to hold his post consequent upon his retirement from Bank's Service.

B) Now withstanding anything containing in these rules an Honorary Member may be co-opted for filling of vacancy of Office Bearer provided the same should be approved/ ratified by the general meeting/ general council within a period of six month.

**E. CONSIDERATION OF RESIGNATION AND FILLING-UP OF VACANCY :**

i) Consideration and acceptance or rejection of resignation from the post of Representative/Alternate Representative or Office Bearer of any Unit shall rest with the respective Unit and Unit Committee respectively.

ii) Consideration and acceptance or rejection of resignation from the post of Executive Committee Members including an Office Bearer of the Union shall rest with the Executive Committee.

iii) Filling up of vacancy caused in the post of representative/alternative representative, Office-Bearer of any Unit or in the Executive Committee shall be by bye-election/s conducted in terms of procedure of election as provided in these rules.

**F. POWERS & FUNCTIONS :**

i) A Unit Committee shall also have the following powers and functions;

a) to elect such other Office-Bearer/s of the respective Unit as it may consider necessary;

b) to make justified and authorized expenses from the amount provided to it:

c) to send minutes of all meetings of the Unit and its own body to the General Secretary of the Union as soon as possible within three days after conclusion of such meetings;

d) to send an annual report on the activities of the Unit and its own body and an annual verified statement of accounts of the Unit to the General Secretary at the end of each year.

ii) The Executive Committee shall also have the following powers :

a) to make from time to time as and when necessary by rule/s subject to these rules for conduct of business of the Union to remain in force unless modified or rescinded;

b) to organize and maintain different sections for benefit of the member and to frame, amend, substitute and/or rescind rules for these sections from time to time as and when necessary;

c) to appoint such sub-committee/s with such functions and powers as may be considered necessary in the interests of the Union;

d) to deligate such powers as may be deemed necessary to any person/s, body/bodies in the interest of the Union;

e) to appoint officiating office-bearer/s as and when necessary from amongst the Executive Committee members in case where no specific direction is given under these rules;

- f) to appoint Returning Officer of the Union;
- g) to consider and accept or reject resignation/s from member/s;
- h) to withhold for time being, until decision of the General Council, by passing vote of no-confidence powers of any office-bearer/s of member/s of the Executive Committee on his/them being found incompetent and/or guilty of anti-union activities and/or corrupt practices and/or breaking discipline of the Union and/or such other activities detrimental to the cause of the Union:
- i) to raise levy/ies of organizations affiliating the Union and to raise funds from the members and to prescribe period for payment of the same by the members.
- j) Any person and/or body appointed and/or delegated with some powers and/or office/s by the Executive Committee and Unit Committee excepting Returning Officer shall hold such during pleasure of the Executive Committee and Unit Committee respectively.

**5. POWERS AND FUNCTIONS OF THE PRESIDENT AND OTHER OFFICE-BEARERS :**

- A. The President when present shall preside over all meetings of the Executive Committee and the Council except Conference of the Union presiding over which he shall have to be elected there for the purpose, give rulings, preserve orders and sign all minutes of such meetings. He shall have a second vote in case of a tie in voting in any meeting and shall have powers to expel any member from a meeting he presides for justified reason and such member shall forthwith remove himself from the meeting. He shall make and publish a panel of the Vice-Presidents to act in succession in his place during his absence and absence of Working President.
- B. The Working President shall function in absence of the President and the Vice-President shall function in absence of the President and Working President according to panel of succession as made and published by the President.
- C. The General Secretary shall convene all meetings of the Council including Conference, Executive Committee Meeting, First Meeting of all Unit Committees comprising of more than one representative to be held after conference and he or any one acting in his place considers necessary meetings of any Unit, Unit Committee, take minutes of such meetings under signature of the respective Chairman of the Meetings which shall be read and confirmed at the next meetings. He shall conduct all correspondence, make representations, arrange interviews and exercise general supervision over the affairs of the Union. He shall also discharge such other duties and exercise such other powers as are provided in these rules. He shall scrutinize and pass all bills and vouchers for any expenses incurred on the Union's behalf subject to limitations as provided in these rules. He shall be responsible for submitting to the Registrar of Trade Unions all returns and notices that should be sent to the Officer under the Trade Unions Act, 1926. He shall make and publish a panel of the Deputy General Secretaries / Any Other Office Bearer of the Executive Committee to act in succession in his place during his absence.
- D. Deputy General Secretaries and Assistant General Secretaries shall discharge such duties and functions as may be given to them from time to time by the General

Secretary. They shall help the General Secretary in discharging the duties and functions. They shall act in absence of the General Secretary according to the panel of succession as made and published by the General Secretary. They are authorised to work for and on behalf of the General Secretary and to sign all correspondence, cheques on Bank Accounts, vouchers and books etc. of the Union when necessary as Pro : General Secretary .

- E. The Treasurer shall be responsible for all money which will be received by the Union from time to time and for banking them in the Union's Bank Account/s. He shall keep proper accounts against vouchers of all receipts and expenses of the Union. He shall maintain in proper order the accounts of Union and as required under law and shall submit quarterly statement of accounts in proper form to the Executive Committee. He may keep with him an amount not exceeding Rs. 1000/- as cash in hand of the Union shall be responsible for collection of the Union's dues and maintenance of the Union's properties and preservation of the Union's accounts records.
- F. The Secretary of the Unit shall look after the affairs of his Unit and make representation/s as and when necessary for and on behalf of the Union under guidance of the General Secretary, excepting in emergent circumstances. He shall admit members from the employees within jurisdiction of his Unit on completion of necessary formalities and shall and their signatures. He shall arrange for collection of subscription, and other dues of the Union from the members of his Unit to be remitted immediately to the Union's account/s and shall be responsible for meetings of his Unit and Unit Committee, take minutes of such meetings under signatures of respective Chairman and send such minutes to the General Secretary of the Union and also get such minutes read and confirmed in the next meetings. He may make justified and necessary expenses in relation to the Union work/matters under guidance from the General Secretary of the Union.

**6. MEETINGS :**

- A. In the absence of the President, the Working President and the Vice-President meeting/s of the Executive Committee and the Council shall be presided over by a Chairman, who shall discharge the functions of the President in the meeting elected from among the members of the Executive Committee and the Council respectively.
- B. All meetings of the Units and the Unit Committees shall be presided over by a Chairman elected from amongst the members in the concerned Units and the Unit Committees respectively.
- C. **Conference :** The Conference shall be hold to transact the following business :
  - i) to receive the report of the outgoing General Secretary and the audited accounts of the Union for the proceeding years;
  - ii) to consider resolution/s, if any;
  - iii) to frame and alter rules of the Union, if necessary;
  - iv) to elect Hony. Members, if necessary, and members of the Executive Committee including office-bearers of the Union;
  - v) to elect the delegates of the Union to the Federation of the Bank of India Staff Unions and the State Units of the All India Bank Employees' Association, if necessary;



- vi) to appoint Auditors of the Union for the ensuing term and fix their remuneration;
- vii) to take up any other matters/ relating to the Union and the members.

**D. GENERAL MEETING :**

There shall be meeting of the Council whenever necessary to be called General Meeting.

**E. EXECUTIVE COMMITTEE MEETING**

The Executive Committee of the Union shall meet at least once in Four months to dispose of matters concerning the Union.

**F. WORKING COMMITTEE MEETING :**

Working Committee comprising Office Bearers shall meet at least once in Four months to dispose of matters concerning the Union.

G.i) (a) On a written requisition by at least one-half of the members of the Council and the Executive Committee, the General Secretary shall call a General Meeting, Executive Committee Meeting respectively within seven days from the date of receipt of such requisition for the purpose of transacting the definite business mentioned in the requisition. In case the General Secretary fails to call such a requisitioned meeting, the requisitionists shall have power to call the meeting after giving due notice as required under the rules.

b) On a written requisition by at least one-fifth of the members of any Unit and two-third of the members of any Unit Committee, the Secretary of the respective Unit shall call a Unit and Unit Committee Meeting respectively within 7 days from the date of receipt of such requisition for the purpose of transacting the definite business mentioned in the requisition.

ii)

a) Notice for all meetings shall be given in writing. The period of notice of meetings shall be as under :

Conference	: 15 days' notice
General Meeting	: 10 days' notice and in case of an emergent general meeting 3 days' notice.

Executive Committee Meeting & Office Bearer Meeting	: 10 days' notice and in case of an emergent Executive Committee meeting one day's notice.
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Unit Meeting	: 2 days' notice and in case of an emergent Unit Meeting 2 hour's notice.
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Unit Committee Meeting	: 2 days' notice and in case of an emergent Unit Committee meeting one hour's notice.
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b) Agenda, place and date of meeting called by the General Secretary and Secretary of any Unit shall be fixed by the General Secretary and Secretary of the Unit concerned respectively provided that in any requisitioned meeting the Agenda shall be as mentioned in the requisition. Agenda, place and date of meetings called by the requisitionists shall be fixed by them.

- iii) The meetings except Confidence shall consider only such Agenda as mentioned in the respective notices.
- iv)
- a) The quorum for meetings shall be as under :
  - Conference : One-half of the members of the Council.
  - General Meeting : Half of the members of the Council.
  - Executive Committee Meeting: Half of the members of the Working Committee Meeting as the as the case may be.
  - Unit Meeting : One-fifth of the Members of the Unit.
  - Unit Committee Meeting : Two-third of the members of the Unit Committee.
- b) Quorum shall be required to commence a meeting including adjourned meeting and throughout the meeting. Absence of quorum if and when detected during a meeting shall cause the meeting to be adjourned immediately.
- c) In the event of want of quorum at the time any meeting is scheduled to commence, a period not exceeding half-an-hour shall be allowed as grace for commence of the Meeting.
- d) Voting at the meeting may be either by ballot or by a show of hands and all matters shall be decided by a simple majority of votes except in case of those matters which are specifically mentioned to be decided otherwise in these rules, or under the Trade Unions Act, 1926.
- e) All resolutions passed in the meetings shall be recorded in the respective Minute Books kept for the purpose.
- f)

## 7. FUNDS :

- A i) **General Funds :**  
Entire amount of subscriptions realised from members and all other incomes excepting contributions for the special fund shall be credited to the General Fund of the Union. All expenses from this fund shall be made subject to the provisions of section 15 of the Trade Unions Act, 1926. In case of a doubt whether a particular expense can be lawfully incurred and paid from the General Fund, the matter shall be referred to the Registrar of Trade Unions, Orissa and the Union shall abide by his decision.
- ii) **Special Fund :**  
If and when necessary, Union shall invite its members to contribute to the Special Fund for any of the purposes mentioned in section 16 of the Trade Union Act, 1926. Contribution to the said fund shall not be made a condition for admission as members and no member shall be compelled to contribute and shall suffer from any disadvantages for his refusal to contribute to the said fund.
- B. Money belonging to the Union save those required for petty expenses not exceeding Rs. 1000/- shall ordinarily be deposited in a Bank or Banks of good standing.
- C. i) Accounts in the name of the Union in a Bank or Banks shall be opened or closed by a resolution or resolutions of the Executive Committee of the Union a copy of which shall be forwarded to the Bank or Banks concerned.

- ii) All account/s in Bank/s in the name of the Union shall be operated upon, cheques drawn by the General Secretary or any one duly authorized the sign as Pro.General Secretary of the Union jointly with the Treasurer or any one duly authorized to sign as Pro. Treasurer of the Union who shall be responsible for all transaction/s in the accounts.
- D. Some portion of the moneys belonging to the Union may be invested as per decisions of the Executive Committee of the Union.
- E. Cash in hand of the Union shall be kept with the Treasurer or Officiating Treasurer of the Union who shall be fully responsible for the same. The Union's money lying with other person/s for work of the Union should be shown in Suspense Account/s in his/their name/s in the account book/s of the Union.
- F. All expenses of the Union shall be made against vouchers of the Union duly passed by the General Secretary or any one authorized to sign as Pro. General Secretary and countersigned by the Treasurer or any one authorized to sign as Pro. Treasurer.
- G. Accounts of the Funds of the Union shall be maintained in proper order and as required by law and shall be audited every year in accordance with Trade Unions Act, 1926 and the General Body of the Members.

**8. ALTERATION OF RULES, CHANGE IN NAME AND AMLGAMATION WITH OTHER UNION.**

- A. The rules of the Union may be altered, verified, rescinded and/or substituted at a General Meeting called for the purpose with the consent of not less than two-third of the Council Members.

A notice in writing of the change/s in the rules shall be sent to the Registrar of Trade Unions, Orissa within 14 days from the date of such meeting at which the change/s have been decided upon and the change/s have not have effect until the same have been registered and a certificate of Registration has been obtained from the Registrar of Trade Unions, Orissa.

- B. i) The Union may change its name at a General Meeting called for the purpose with the consent of 2/3 of its total membership on its membership register.
- ii) Amalgamation of the Union with any one or more registered Trade Unions may be effected in accordance with provision contained in section 24 of the Trade Unions Act, 1926.

**9. DELEGATES :**

- i) Delegates of the Union to the Federation of the Bank of India Staff Unions shall be elected in Conference or in General Meeting or Executive Committee Meeting called for the purpose.
- ii) Delegates of the Union to the State Units of the All India Bank Employees' Association shall be elected once by the representatives from the Units in the Executive Committee Meeting called for the purpose.

- iii) Other delegates of the Union, if and when necessary, shall be elected by the Executive Committee.

**10. ELECTION OF REPRESENTATIVES AND ALTERNATE REPRESENTATIVES :**

- A. Election and Bye-election of representatives and alternate representatives shall be conducted by a Returning Officer appointed for the purpose from amongst the members by the Executive Committee and if deemed necessary the Returning Officer with the help of one or more Joint Returning Officer/s to be appointed by him from amongst the members and such appointment on being made shall be notified by him to the Unit/s and constituency/ies concerned and to the General Secretary.
- B. A Joint Returning Officer in absence of the Returning Officer shall function as the Returning Officer and have all the powers.
- C. The Returning Officer in charge of election shall declare vacancy/ies on the basis of membership strength of the concerned Unit/s and/or Constituency/ies as at the close of immediately preceding 31<sup>st</sup> December and issue notice/s asking for filling of nomination paper/s in the prescribed form for Unit/s and Constituency/ies concerned in election allowing at least 21 days' time to send him such nomination papers. In case of bye-election the Returning Officer concerned shall issue notice/s asking for filing of nomination paper/s in the prescribed form for Unit/s and/or Constituency/ies concerned allowing 15 days' time to send him such nomination paper/s.
- D. The Returning Officer in charge of election or Bye-election shall by notification to the Unit/s and Constituency/ies concerned with a copy to the General Secretary allow reasonable time to withdraw nomination paper/s filed with him.
- E. The Returning Officer in charge of election or Bye-election shall publish by a notification for the Unit/s and Constituency/ies concerned with a copy to the General Secretary the final list of candidates for election or Bye-election.
- F. Election and Bye-election of representative and Alternate Representative shall be held by secret ballot. The ballot papers must be identical with each other in all respects and nothing hand-written and/or rubberstamped must be there in the ballot papers.
- G. Voting for election and Bye-election of representative and Alternate Representative shall take place at polling centre/s on date/s during appointed hours notified to the Unit/s and Constituency/ies concerned and the General Secretary by the Returning Officer in charge of election at least 4 days before the specified date and no charge of the Polling Centre/s, the date/s and appointed hours shall be made without first obtaining consent in writing of the candidate/s in the election or his/their election Agent/s. Election, however, may be postponed by the Returning Officer in charge of election in emergent circumstances.
- H. Counting of votes in election and bye-election of representative and alternate representative shall done before candidates and/or their Agents, if so requested, by the Returning Officer in charge of Election or Bye-election with

the help of other Joint Returning Officer/s, if necessary, at the respective polling centre/s as soon as possible within twenty four hours after the close of polling and the result/s of the polling shall be declared immediately through a notification for the Unit/Constituency concerned with a copy to the General Secretary by the Returning Officer in charge of election or bye-election.

- I. The Returning Officer in charge of election or bye-election shall verify openly that nothing contained in the ballot box/es before commencement of the polling keeping only a hole opened in the said box/es for dropping ballot papers inside by the voters.
- J. The Returning Officer in charge of election or bye-election shall close the hole of the ballot box/es and seal openly if counting of votes does not take place immediately after the close of polling.
- K. The Ballot box/es shall be kept in the custody of the Returning Officer in charge of election or bye-election provided during polling the ballot box/es shall be placed in an open place in the respective polling centre/s.
- L. A candidate for election or bye-election to the post of representative or alternate representative shall propose his name and not seconded his name by a member of his Unit/Constituency in the prescribed nomination paper.
- M. A list of members of any Unit or Constituency subject to rectification of errors and omissions and to necessary change/s due to tradition/cessation of membership shall be made available by the Returning Officer in charge of election or bye-election to any candidate from that Unit or Constituency on the concerned candidate's request to him in writing.
- N. Notwithstanding anything contained in these rules the Returning Officer and the Joint Returning Officer/s shall have no voting right in election or bye-election for the time being so long he/they remain in office.
- O. The Returning Officer and the Joint Returning Officer/s shall hold office until declaration of result/s of election or bye-election for conducting of which he/they have been appointed.
- P. If any Returning Officer or Joint Returning Officer is found to have adopted or adopting or trying to adopt unfair means in matters of election or bye-election he shall be liable to disciplinary action and the election or bye-election he shall be liable to disciplinary action.

#### 11. **DISCIPLINARY ACTION :**

If in the opinion of the Executive Committee any member be found incompetent and/or guilty of anti-union activities and/or other activities detrimental to the cause of the Union then such penalty and/or punishment to the extent of expulsion may be imposed on him by the decision of the Executive Committee as it may think fit, to explain his conduct in respect of the allegations made against him within a period of

7 days from the receipt of such notice. However, the party concerned shall have a right to appeal in the General Meeting. The decision of the General Meeting shall be final and binding on such person and no appeal shall lie against it.

12. **OFFICIAL YEAR :**

The Official year of the Union shall be from 1<sup>st</sup> January to 31<sup>st</sup> December.

13. **DISSOLUTION :**

The Union shall not be dissolved except by the decision of four-fifth majority of the total number of members present at a meeting specially called for the purpose. This meeting shall also decide in what manner the funds of the Union after dissolution, if any, shall be disposed of. After the meeting dissolving the Union, within fourteen days from the date thereof, shall be sent to Registrar of Trade Unions, Orissa, a notice of the dissolution in the form prescribed under the Trade Union Act, 1926, and the dissolution shall not effect until the same has been registered and a certificate of Registration has been obtained from the Registrar.

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