

GARDEN REACH SHIPBUILDERS & ENGINEERS
Officers' Association

REGD. NO. 7889



BY-LAWS

2013

INDIAN TRADE UNION ACT, 1926

Certified of registration for complete / partial alteration of Rules, **GARDEN REACH SHIPBUILDERS AND ENGINEERS OFFICERS' ASSOCIATION** Trade Union.

Register No. 7889

It is hereby certified that the rule / rules, copy whereof is appended hereto, has / have been registered in substitution of rule/rules 4(A), 4(B), 7(b), 7(g), 9(b) and 9(c) only already registered for the Garden Reach Shipbuilders and Engineers Officers' Association Trade Union this 2nd day of August 1991.

Sd/-
Registrar of Trade Unions
West Bengal.



RULES AS STANDS AFTER AMENDMENTS OF THE CLAUSES

NAME

1. The union is a combination of officers employed by the Garden Reach Shipbuilders & Engineers Ltd., 43/46, Garden Reach Road, Kolkata – 700 024, in any of their units in India as per list enclosed and it shall be called “ **THE GARDEN REACH SHIPBUILDERS AND ENGINEERS OFFICERS’ ASSOCIATION** ” and is referred to as Union in these Rules.

HEAD OFFICE

2. The Head office of the Union shall be as follow:
**c/o Garden Reach Shipbuilders & Engineers Ltd.,
43/46, Garden Reach Road,
Kolkata-700024.**

Any change in the address of this office shall be duly notified to all concerned and to the Registrar of Trade Unions, West Bengal within fourteen days from the date on which the change takes place.

OBJECTS

3. (A) The Union shall strive to improve and ameliorate the condition of service of its members and to safeguard their interest by negotiation with their employers and by other constitutional means it shall, provided its funds permit and general body of the members approve of :
 - a) Endeavour to initiate prosecution, to conduct and to carry it on or defend a member in any legal proceeding, to which he may be a party for the purpose of protecting, safeguarding and upholding the right of the member arising out of his relation with his employer ;
 - b) Endeavour to conduct a (trade & dispute on behalf of a member / members and try to settle it amicably so that cessation of work may be avoid ;



- c) Endeavour to compensate a member for loss arising out of a trade dispute ;
 - d) Endeavour to compensate a member or his dependants on account of death, old-age, sickness, accidents or unemployment of the member ;
- (B)
- a) The Union shall also strive to improve upon working of Organisation in which their members are employed and to this end, Union may sponsor measures activities as necessary.
 - b) The Union will co-operate with and be affiliated to similar organisation / s having identical objective/s.
 - c) The Union to take, generally, such other steps as may be necessary to ameliorate the social, economic and civic conditions of the members.
 - d) For the attainment of these objects the union may organise centres in various localities as decided by the general body of the members.

ORDINARY MEMBERSHIP

4. A) Any employee (except on contractual deployment) belonging to the officer grade of the Garden Reach Ship Builders & Engineers Limited in any unit/site in India as per list enclosed and governed by the Officers' Service Rules. Probationers are also eligible to become a member of Officers' Association provided he / she is already not a member of any other staff union / association, operating in any unit/ site of Garden Reach Shipbuilders &



Engineers Ltd., 43/46 Garden reach Road, Kolkata -700024, and agrees to abide by the Rules and Bye-laws that may be made by the Union from time to time. New membership of the Officers' Association will be effective from the date of application for membership or the date of confirmation in officer cadre, whichever is earlier.

**LIST OF UNITS/SITES
OF
GARDEN REACH SHIPBUILDERS & ENGINEERS LTD.**

1. **Main Unit**
 43/46, Garden Reach Road,
 Kolkata- 700 024.

2. **61 Park Unit**
 61, Garden Reach Road,
 Kolkata- 700 024.

3. **Fitting-Out-Jetty Unit (F. O. J. Unit)**
 Netaji Subhas Dock Basin,
 P-70, Circular Garden Reach Road,
 Kolkata- 700 043

4. **Taratolla Unit**
 P/2/2, Taratolla Road,
 Kolkata- 700 088.

5. **Baranagar Unit (Technical Training Centre)**
 5, Dr. Rabindranath Tagore Road,
 Kolkata- 700 035.



6. **Belur Unit**

Dharmatala Road,
P.O Belurmath,
Belur, Howrah-711202.

7. **Diesel Engine Plant (D. E. P.)**

Plant Plaza Road,
P.O. Dhurwa, Ranchi-834 002

8. **Rajabagan Dock Yard (R. B. D.) Unit**

44, Garden Reach Road,
Kolkata- 700 044.

- (B) The subscription rate for each member will be Rs.100/- (Rupees Hundred only) per month of Rs. 1200/- (Rupees One Thousand Two Six hundred only) per year payable in suitable installments. The member failing to pay his subscription for consecutive six months shall cease to be member of the Union. The Executive Committee may permit a member a grace period of one month. Further grace for an outstation member as considered necessary may be granted by the Executive Committee, But he/ she shall be entitled to join the union after paying his/ her subscription due plus any fine imposed by the Executive Committee. No member of the Union shall be entitled to any benefit from the union, unless he/she has been a member for 6 months and has paid all the dues to the Union.

- N.B The term ' MEMBER' wherever it occurs in these Rules, unless the context suggest otherwise, means an 'ORDINARY MEMBER'.



MEMBERSHIP REGISTER

5. The Union shall maintain a register of all its members, and name, age, address, occupation and such other particulars as may be considered necessary concerning each member including Honorary member shall recorded therein.

The register shall be open to inspection by any member of an office bearer of the Union on any date during normal office hours of the Union.

HONORARY MEMBER

6. Persons not eligible for admission as Ordinary member of the Union under **Rule 4** (four) may be admitted as Honorary Members of the Union for the purpose of being elected or co-opted to the Executive Committee and they shall be Honorary Members of the Union during the period of their office, their number not to exceed one half of the members in the executive Committee, subject to the provision of **section 22 of Trade Union Act, 1926.**

Subject to a contrary decision of a general meeting no Honorary Member shall enjoy any rights of an ordinary member nor shall be entitled to any benefits to which an ordinary member will be entitled to under these Rules.

STRENGTH OF EXECUTIVE COMMITTEE

7. a) Subject to the control of general body of members, the administration of all affairs of the Union shall be carried by Executive Committee, consisting of 16 (Sixteen) members, including one **PRESIDENT**, One **VICE-PRESIDENT** , One **SECRETARY**, One **DEPUTY SECRETARY**, One **TREASURER** and One **ACCOUNTANT**.



MODE OF ELECTION

- b) All the Office Bearers of the Executive Committee shall be elected directly by all members at General Body Meeting of the Union for election. All the Units of GRSE Ltd., will be treated as “RESERVED CONSTITUENCY” and Members of the Executive Committee from individual Unit will be elected by the members of the Respective Unit only. The distribution of “RESERVED CONSTITUENCY” WILL BE AS FOLLOWS : -

Main Unit	6 members
61 Park Unit	2 members
F. O. J. Unit	3 members
Taratolla Unit	1 member
Belur Unit & Baranagar Unit	1 member
R.B.D. Unit	1 member
D.E.P. , Ranchi Unit*	2 members

* denotes- Convenor – 1

Unit Treasurer – 1

In order to form a viable Executive Committee the members have to cast their votes for at least majority of the above Executive Committee members, as prescribed for the individual “RESERVED CONSTITUENCIES”. Candidates submitting nomination papers for more than one posts, may contest for one post only; violation to this will amount to cancellation of candidature. Eligible members attached to sites and members deputed for outstation duty, may cast their votes by postal ballot. However, members deputed for outstation duty may request the Presiding Officer/ Secretary in writing, that he/she is desirous of casting his/her vote by postal ballot while the authorised representative/s from Site/s may collect Postal Ballot in respect of members of Site/s from the Presiding Officer/ Secretary. In case of a tie, in the election or in the absence of any nomination for the post(s) of the Office Bearer(s), the re-election for the said post(s) will be called within three months of the Annual Election. Till the new Office bearer/s is/ are elected, the previous



office Bearer/s will continue to function. Similar procedure of by-election may be adopted to fill up the vacancy in the post(s) of the Executive Committee member created due to above.

CO-OPTION

- c) The President may nominate member/s from among the member/s of the Units outside the Main Unit at 43/46, garden Reach Road, Kolkata – 24, if in his opinion, those units are not adequately represented in the elected Executive Committee. The nominated member will, however not be entitled to vote and their presence will not be counted to form quorum.

Casual vacancies will be filled by members of the Union, Co-opted in the Executive Committee Meeting.

Any Honorary member can be co-opted as Honorary President by the Executive Committee, subject to the approval of general body, when the strength of the Executive Committee would rise to 16 (Sixteen) and the Elected President will function as Working President, and all the powers and responsibility given to President in this Constitution will vest on the Working President. Honorary President will not be able to cast vote.

TERM OF OFFICE

- d) The term of office of the elected Executive Committee will be normally 2 (two) years and the elected members shall hold office until the next election, unless removed due to death, leaving the Company, being found incompetent or hostile to the interest of the Union. An Executive member or an office bearer incompetent or hostile to the interest of the Union shall be removed by a decision of general meeting, Executive Committee will be obliged to hand over the charges to the next elected Committee within



a fortnight from the date of publication of the election results and shall be responsible for the Union activities till the hand over.

EXECUTIVE COMMITTEE MEETING

- e) The Executive Committee shall meet normally once a month on such date at such place as may be fixed by the Secretary in consultation with the President. Three day's notice for ordinary meeting and one day's notice for emergent meeting will be required. The presence of at least 10 (ten) members will form a quorum. No quorum shall be necessary for adjourned meeting.

FUNCTION OF OFFICE BEARERS

- f) The President, in his absence the Vice-President shall preside over all meetings of the Union and Executive Committee, preserve order, sign all Minutes and shall have a casting vote in case of tie. The President shall exercise supervision over the affairs of the Union and shall have the power, if necessary, to call upon special meeting of Executive Committee or of Union.

Secretary shall be the Chief Executive, responsible for all affairs of the Union, convene all meeting and conduct correspondence. He shall have the power to engage, in consultation with the President and subject to the approval or confirmation of the Executive Committee, any assistant for organising and clerical purposes, he considers necessary and such assistant shall be under the control of the Secretary.

Deputy Secretary shall generally assist the Secretary in his work and perform the duties of the Secretary in his absence.

The Treasurer shall be responsible for all sums of money, which may from time to time be paid in to the Union and for duly banking them. He shall make payment towards all expenditure sanctioned by the Executive Committee. He shall not have the power to draw the money from the



Bank, without having the Cheque first signed by the President or the Secretary.

The Accountant shall keep the correct accounts of all receipts and expenditure and shall prepare Balance Sheet, annually showing clearly every item of receipt and expenditure.

- g) It will be obligatory for the Elected Executive Committee to form sub-committee under their convenorship to deal with day-to-day problem in various fronts and the member of these subcommittees are to be democratically opted and selected keeping in mind the proper representation from throughout the Main and other Unit is reflected to achieve thorough and fast ventilation of ideas of association in the general body and continuous feed back. The Executive Committee along with those Sub-Committees will form the Extended Executive Committee of the Association. All Sub-Committee members and the functional committee members selected or elected by the sub-committee members like dinners' committee, monitors of the routes etc. are to be from members of the Association.

FUNDS

8. The Union shall have a general fund which shall include all income from contributions from members' donations, and other miscellaneous sources, deposited in Bank. Subject to the provisions of section 15 of Trade Unions Act, 1926 the General Funds of the Unions shall not be spent on any other subjects other than the following : -
- namely :- Payment of Salaries, allowances to office bearers of the Union, Payment of expenses for the Administration of the Union including Audit of the Accounts of the General Funds of the Union, provision of benefit, financial or other kinds save those specified in clause 16 of Trade Unions Act, 1926. In the case of a doubt whether a particular expense or expenses can be lawfully incurred and paid from the General Fund the

matter shall be referred to the Registrar of Trade Unions and the Union shall abide by his decision.

SPECIAL FUNDS

9. If and when necessary the Union shall invite its members to contribute to a special fund for any of the purposes as mentioned in the section 16 of Trade Unions Act, 1926, Contribution to this fund is voluntary and shall not be made a condition for admission as a member. The member shall not suffer from any disadvantage for his refusal to contribute to the said fund.

- a) A Special Fund is maintained the name of “GRSE OFFICERS’ ASSOCIATION WELFARE FUND”. Contribution to this fund will be in accordance with the Trade Unions Act, 1926.

Operation of the Special Fund : A Savings Bank Account will be opened in the above name and 99% rounded off to the next thousand rupees of the savings bank account may be deposited in several denomination of Term Deposit, Fixed Deposit with cumulative interest payable only on expiry. Meanwhile, when the deposited amount in savings bank account again reaches thousand through contribution from desirous members, etc. the similar way of depositing as above will be maintained. The other formalities as per the extant rule of the bank will be complied by GRSEOA.

Withdrawal from the said account will be decided by a General Body Meeting and on written consensus from 2/3rd of the total valid members of the Association whose signatures will be certified to the bank again by 2/3rd of the Executive Committee Members of the Association. In other words, the signatures of all the Executive Committee Members will be kept in the bank and on obtaining consensus of the 2/3rd of our members; the 2/3rd of the Executive Committee Members will withdraw the decided amount from the earned interest of that year amount only for the cause of GRSEOA struggle expenses (legal expenses).



- b) A Special Fund is to be maintained in the name of “GRSE OFFICERS’ ASSOCIATION WELFARE FUND (BENEVOLENT)”. The fund will be generated from the miscellaneous income / earnings of the Association (such as General Fund Interest or any other saving etc.) and will be maintained in accordance with the provisions of the Trade Unions Act, 1926. The operation of this Fund will be made through the Savings Bank A/c of the GRSEOA WELFARE FUND and the Modus Operandi of this Fund will be same as applicable in case of GRSEOA WELFARE FUND.
- c) The Scheme is maintained in the name of ‘GRSEOA’S FAMILY WELFARE SCHEME FOR MEMBER OFFICERS”. The purpose of the Scheme is to grant one time financial help to the nominee(s) of deceased valid member. Member who become invalid due to an accident or disease resulting in loss of the Service of the Company (i.e. termination from the Service by the Company and not on voluntary resignation). Since the contribution to be collected from the valid members under the Scheme will be substantial it is expected that the members of the unfortunate family would be reasonably benefitted with the help of this money. Under the Scheme the dependant of the valid members of this Association will be entitled to get the compensation. The grant of compensation will be subject to availability of collection of funds from the valid members of GRSEOA and bonafide members of GRSEOA FAMILY WELFARE SCHEME and other conditions stipulated by the GRSEOA from time to time. The Nominee (Legal heires) of all valid members of GRSEOA will be entitled to this, scheme. Nominee means nominees declared by the member for P.F. contribution scheme in GRSE Ltd. Valid member means, members who have cleared all their dues, monthly subscription and any other subscription contribution as and when declared by the Association from time to time and as applicable to them. Clearance of monthly subscription means clearance of uninterrupted monthly subscription from



the date of acquiring membership to the date of expiry or the date on which a member loses his service due to invalidity. Acquiring membership for the scheme means acquiring membership from the date of joining in GRSE Ltd. as a permanent officer or becoming member of the Association (GRSEOA), whichever is later. The Officers who are in the Service (GRSE Ltd.) for a longer period but till date did not become member of the Association, it will be left to the decision of the Executive Committee of GRSEOA to admit them as a member with effective date of membership from the date of joining in GRSE Ltd. as a permanent officer. Officers whose membership has been terminated by the Association or who have withdrawn their membership will not be entitled for the scheme. Claim of Members who are suspended or Member against whom any disciplinary proceeding initiated by the President based on the recommendation of the Executive Committee (GRSEOA) are pending, will be considered by the Association as if there was no case against him. In case the member is found to be entitled otherwise, the same will be withheld till the conclusion of the disciplinary proceedings. However, he will be entitled for the scheme as and when he is exonerated by the disciplinary committee. In case of expiry of a member during disciplinary proceeding against him, a special approval from General Body for entitlement of the grant will be required to award the same to the nominee(s)/ legal heir(s) of the deceased member. In case of expiry of the nominee(s) during processing of the case a special approval from the Executive Committee will be required to award the grant to the legal heir(s) of the deceased officer member. The amount of collection will be to the extent of Rs. 2 Lakhs (Rupees Two Lakhs) (approx.) which will be contributed by all the valid and bonafide members equally at that point of time. No collection will be made from an individual who is not a valid member of GRSEOA.

Grant will be made through the cheque to the nominees / legal heir(s) of the deceased valid member or to the valid member in case he has been



invalidated out of service. If there is more than one nominee in the P.F. declaration (GRSE Ltd.) then the amount will be distributed amongst the nominee(s) of the deceased valid member as per the said declaration.

For verification of nominee(s), the certificate, from the member officer of P.F. Section (GRSE Ltd.) is required. The nominee(s)/member is to apply in the prescribed form in duplicate through an Executive Committee Member of the unit, where the deceased/invalidated member was attached prior to his/her demise or losing company's service as the case may be. All the applications should have the recommendation of the Executive Committee (GRSEOA) whose decision is final and binding. Of course the decision of the Executive Committee is liable for explanation in the General Body Meeting, if need be.

The grant will be awarded to an individual / individual's nominee(s) and not any charitables / voluntary organisation etc.

10. All money belonging to the Union, save those immediately required, not exceeding ₹ 5000 (Rupees Five Thousand) only, shall be deposited in a Bank or Banks of good standing, approved by the Executive Committee or shall be invested in some approved Securities or- shall be partly invested and partly deposited. The Bank Account will be jointly operated by either Treasurer or Accountant and any one of the President and the Secretary.
11. The Secretary of the Union shall arrange and shall be responsible for the proper maintenance of the different books and Registers. These account books shall be open to inspection by office bearers and members during the normal office hours of the Union. The account shall be audited every year after the 31st December in the manner prescribed by the Bengal Trade Union Regulations 1927 and the Executive Committee shall thereafter arrange for the preparations and submission to the Registrar of Trade Unions on or before the 30th April next of the Annual Return prescribed under section 28 of the Trade Unions Act, 1926.



ANNUAL GENERAL MEETINGS

12. Every year as soon after 31st December as possible not later than 15th April there shall be held a meeting of the General Body of the members of the Union to be called an Annual General Meeting. The quorum for this meeting shall be one third (1/3) of the total numbers of the Union for the time being. Voting of the meeting may be either by ballot or by show of hands and all matters shall be decided by the majority of votes. The meeting shall dispose of all matters affecting the General Body of members including formation of the Policy and programme of the Union.

The Annual General Meeting shall be called by the Secretary of the Union with 15 days notice or in his absence or refusal by Deputy Secretary.

GENERAL MEETING

13. A) The General Meetings shall be convened (as and when directed by the Executive Committee) by the Secretary, in his absence by the Deputy Secretary to discuss any issue/s of importance to the General Body of members by previous notice of 7 days.

SPECIAL GENERAL MEETING

- B) The President may call upon the Secretary at any time to convene a Special General Meeting in the event of emergency with notice of 2 days.

On receipt of requisition for a Special General Meeting signed by at least seven members of the Executive Committee or by 200 (two hundred) members of the Union specifying the purpose thereof the Secretary shall be bound to call such a meeting within 15 days after requisitions.

In case the President or Secretary fails to convene the meeting, requisitionists themselves shall call a meeting after due notice of 15



days and the resolutions of the meeting shall be binding on the Union.

For all these meetings presence of at least one third (1/3) number of the members of the Union will form the quorum.

AMENDMENTS OF THE CONSTITUTION

14. Rules of the Union shall be amended, varied or rescinded by a decision of a General Meeting provided previous notice of 7 days is given to the members of the proposed alterations.

N.B.:- A notice of the change or changes in the Rules shall be sent to the Registrar of the Trade Unions within fourteen (14) days from the date of the Annual -General Meeting at which the change or changes have been decided upon and the change/changes shall not have effect until the same have been registered and a certificate of registration has been obtained from the Registrar of Trade Unions.

DISSOLUTION

15. The Union shall not be dissolved except by a majority vote of three fourth (3/4) present at a General Meeting specially called for this purpose provided the total number of votes cast at such a meeting is not less than two-third (2/3) of the total number of members borne on the Register.

The funds of the Union after meeting all the liabilities shall be disposed of in accordance with the decision of the dissolution meeting. After the meeting dissolving the Union but within 1 day from the date thereof shall be sent to Registrar of Trade Unions, West Bengal a notice of dissolution in the prescribed form. The dissolution shall not be given effect to unless the same has been registered and a Certificate thereof is obtained from the Registrar of Trade Unions.



DISCIPLINE AND CONDUCT RULES

16. a) The Office Bearers and the Executive Committee Members of the Association shall subject themselves to the following Code of Conduct.
- I) They shall abide by the decisions of the Executive Committee, Decision of E.C. means decision taken by the majority of members present in an EC meeting fulfilling the requisite quorum for the same.
 - II) On acknowledging due intimation of the EC meeting an office bearer or an Executive Committee member cannot absent himself/herself from three consecutive EC meeting without prior intimation and approval of EC.
 - III) Any person whether office bearer or otherwise shall maintain decorum in a meeting and all grievances/difference of opinion etc. shall be properly conveyed through the chair presiding over the meeting and to maintain normal atmosphere of discussion in the meeting the ruling of the Presiding Officer of the meeting should be binding and final.
 - IV) All office bearers or otherwise shall receive and spend money as per authorization /guidelines laid down by EC. All such monetary transaction shall be accounted for and the accounts submitted to EC at its next meeting.
 - V) No office bearer or Executive Committee Member shall announce the decisions taken at an Executive Committee meeting or the discussion held with the management without prior approval of the EC.
 - VI) All Sub-Committees shall work as per the guidelines laid down by the EC. No correspondence etc. with the management will be made by the convenor /member of the Sub-Committee without authority of doing the same as given by the EC.



- VII) In the event of any office-bearer or Committee member of EC dis-agreeing with the decisions/guidelines of EC, he may record his Note of Dissent in writing and send the same to the President or Secretary. The President or Secretary shall place the same before the next EC meeting and convey the decision to the Dissenter. In case of further disagreement the dissenter may again record his views and send the same to the President or Secretary who shall reconsider the matter in the next EC meeting and the decision taken therein shall be final and binding to the dissenter. Dissenting opinions shall not be aired by the individuals directly to the members of General Body or to the Management.
- b) Any violation of the above conduct rules shall invite disciplinary actions in the manner prescribed below :-
- I) If, in the opinion of EC, the delinquent's action can cause immediate harm to the interest of Officers, the EC may immediately suspend the concerned Office Bearer(s) or EC member(s) for three months without formal notice or charge and this shall be communicated to him/her in writing and shall be followed within one month by issue of formal show cause notice indicating the charge against the member(s).
- II) With the exception of the above extreme emergency, the delinquent member shall be given a show cause notice by the EC through the President or the Secretary or any other EC member as authorised by the majority of the EC member indicating the charge(s) levelled against him/her and time period within which the reply has to reach the EC.
- III) The show-cause notice shall be replied to the President or Secretary or the EC member authorised as indicated in para(ii)



above, who shall place it before the EC within one month of the receipt of the reply and if in the opinion of the EC the reply is not satisfactory, the EC may suspend the member(s) upto a period of six months calculated since the date of temporary suspension as at para (i) above, with the consent of the 2/3rd of the EC member which is required only in the event of extension of suspension beyond 3 months. In other cases majority decision of the EC on the mode of punishment on receiving the reply of the show cause should be enough.

- IV) All such acts of suspension in the case of Office Bearers or Executive Committee Members of the Association shall be treated as temporary removal from the post held by the charged member. EC may replace him from amongst its Executive members to discharge the duties of the suspended member(s) during the period of suspension.
- V) The suspension order may be revoked by the EC stating clearly circumstances for revoking suspension order. In case, however, in the opinion of the EC, the reply to the show cause notice by the charged member is not considered satisfactory, EC may decide to expel the Office Bearer or the EC member from his/her post. But all such actions, be that suspension, expulsion or the like do need ratification of an immediately called General Body Meeting with due notice of minimum time period as mentioned in the Constitution.
- VI) Similar disciplinary action may be taken by the Executive Committee of the Association for an ordinary member of the Association by expelling him from the Association after complying similar procedure of serving him a show-cause notice and with the consent of the majority of the General Body Members in a General



Body Meeting on explaining the nature of delinquency and the circumstances leading to such expulsion.

- VII) Besides initiating disciplinary action against the delinquent EC members / ordinary members in the manner prescribed above, the EC shall have the right to initiate legal action against any person (member of the Association or otherwise) who may be holding Association Funds and not rendering accounts within a reasonable time and/or holding Association documents without proper authority. Of course such legal action will also follow the approval of General Body Members.