

**WEST BENGAL UNIVERSITY  
OFFICERS' ASSOCIATION**

**DRAFT CONSTITUTION  
(RULES)**

**KOLKATA**

**2012**

## **CONSTITUTION (RULES) OF ASSOCIATION**

### **1. DEFINITIONS:**

In these Rules, unless the context otherwise requires:

- i) **“Association”** means **“West Bengal University Officers’ Association”**.
- ii) **‘WBUOA’** means **“West Bengal University Officers’ Association”**.
- iii) **“The State Committee”** means the State Committee of the Association as constituted vide Clause 5.1.
- iv) **“The Executive Committee”** means the Executive Committee of the Association as constituted vide Clause 5.2.
- v) **“The General Body”** means the General Body of the Association.
- vi) **“Member”** means a Member of the Association, admitted as such under this memorandum under Clause 5.
- vii) **“Prescribed”** means prescribed by Rules as amended by the General Body.
- viii) **“Rules”** means the Rules of the Association as approved by the General Body.
- ix) **“The University Officer”** means and includes persons appointed in Substantive or Contractual posts in the Universities established by the State Legislature in West Bengal,
- x) **‘Universities in West Bengal’** — shall mean the Universities established or constituted under Acts of the legislature of the State of West Bengal.
- xi) **“Constituent Units”**-shall mean the Organizations/Associations of University Officers' in West Bengal that are affiliated to the Association in the manner prescribed in the Rules of the Association.

Each Constituent unit shall consist of Members being the Officers holding appointments against substantive posts as well as those holding contractual appointments provided that the latter category shall not have right to vote or to be elected/nominated as a member to the state-level Executive Committee.

- xii) **‘Committee’**—shall mean the **‘Executive Committee’** or any other Committee appointed for only specific purpose:

### **2. AREA OF OPERATION:**

It shall function as the Federation of Officers' Associations of the Universities in West Bengal as its constituent units.

The registered Office of the Association shall be located in Kolkata.

**3. ACCOUNTING YEAR:**

'Year' shall mean the period or twelve months beginning on first April.

**4. AIMS and OBJECTIVES:**

- a) to promote the objectives of the Universities and Institutes of Higher Learning and Research in West Bengal.
- b) to develop concord and solidarity among constituent units and members of those units for achievement of the aims and objects of the Association;
- c) to promote the: Common interests of the members of constituent units, individually and collectively, and to safe guard their rights and privileges;
- d) Maintain co-ordination among them so as to develop healthy atmosphere in the sphere of administration in. those Universities;
- e) to foster spirit of co-operation and to encourage Cultural & Social activities, Sports & Games;
- f) to federate with or affiliate itself to any other organization in India or abroad having similar aims and objects;
- g) to do such other things and undertake such other activities as are conducive to the attainment of the objectives.

**5. MEMBERSHIP :**

**5.1 General Body Member:** Bonafied members (Officers/Academic Administrators) those who have paid their memberships subscription up to date of each constituent/local units and co-opted members shall be the member of the General Body of WBUOA.

**5.2 State Committee Member:** Each Constituent/Local Unit shall elect one Member, as defined under Clause 1(x) out of every ten members and part thereof exceeding five Members for a period of two years, w.e.f. date of election to serve on the State Committee as Members of the State Committee. However, the total number of elected members from any Constituent Unit shall not less than two and shall not exceed five.

**5.3 State Executive Committee Member:**

The State Executive Committee shall consist of (i) Office Bearers and (ii) Co-opted Members.

**5.4 Office Bearers:** The Members of the State Committee, as constituted with the elected members in the manner prescribed under **Clause**, shall in a meeting of the State Committee, to be convened by the outgoing General Secretary in consultation with the outgoing President within a period of two weeks from the date of Biennial Conference by serving proper notice, shall elect the following Office Bearers from amongst themselves (i) President (ii) Vice-President-(two), (iii) General Secretary (iv) Joint Secretary-(two), (v) Treasurer (vi) Organizing Secretary-(three) and (vii) Office Secretary-(one) or as to be decided by the members in the conference.

**5.5 Co-opted Members:** The State Executive Committee in its first meeting may co-opt members from (i) local units and (ii) former Office Bearer of the State Executive

Committee.

- i) **Cooption from Constituent/Local Units:** State Executive Committee may co-opt members not exceeding five, from amongst the Members of Constituent/Local Units, but not more than two member from any Unit.
- ii) **Cooption from former Office Bearers of State Executive Committee:** The Executive Committee may co-opt as Members of the Executive Committee such ex-members of the State Executive Committee who have superannuated from service on attaining the age of superannuation in consideration of retaining and utilizing their vast experience and contributions for growth of the Association, provided that the number of such co-opted members shall not exceed five at any point of time. These co-opted Members shall not hold post of any Office Bearer in the Association. However, these Members may be nominated by the Executive Committee to any National Body or the All India Federation of University Officers Association (AIFUOA) as regular Members.

#### **6. Election procedure for formation of State Executive Committee:**

- (a) Election shall be held by secret ballot in case of contest
  - (b) The election of office-bearers shall be determined on the basis of simple majority of votes.
  - (c) No vote in proxy shall be permissible.
  - (d) A member against whom any disciplinary action has been taken by the Association at any point of time shall have no right to vote or to be elected or co-opted as a member of the Executive Committee.
  - (e) Each member shall have one vote.
- ii) **Casual Vacancy:** Any casual vacancy occurring in the Executive Committee by way of retirement from. service, termination of service, death or resignation from membership of the Executive Committee or the Constituent Unit or for any other reason shall be filled up by fresh nomination by the concerned Unit for the remaining period of the term.

#### **7. Functioning of Executive Committee:**

**7.1 Executive Committee Meeting:** The Executive Committee shall ordinarily meet once in every month and in no case less than six times in a year.

**7.2 Quorum:** One-third of the total number of members of the Committee shall form the quorum. In the absence of a quorum no business shall be transacted. No quorum shall be necessary at an adjourned meeting, but such meeting shall be held with proper notice of least three days prior to the scheduled date of meeting.

**7.3 Notice:** Notice for meetings of the Executive Committee shall be given ordinarily

seven days before the appointed date. In special cases, the General Secretary may convene a meeting for which 3 days' notice shall be deemed sufficient.

**7.4 Chairman/Chairperson of the Meeting:** In absence of the President, one of the Vice-Presidents shall be the Chairman or in their absence, the members present shall elect one of them as Chairman/Chairperson of the meeting. The Chairman/Chairperson shall not vote in the first instance but shall exercise a casting vote in case of a tie.

**7.5 Proceedings of the Meeting:** The proceeding of the meeting shall be recorded in the Minute Book together with names of the members present with signature with the resolutions passed at such meeting. Minutes signed by the Chairman shall for all purposes be prima facie evidence of passing the resolutions.

**7.6 Requisition Meeting:** A requisition meeting of the State Committee / Executive Committee shall be convened on the requisition in writing of at least two-third of the total number of members of a Committee.

**7.7 Powers of the Executive Committee:** Without prejudice to the general powers and the provisions contained in these Rules, the Executive Committee shall have the following powers and duties

- (a) To make, amend or repeal Rules and/or Regulations for the attainment of the aims and objects of the Association;
- (b) To nominate or elect members to any Government or public body, Conference, Institution, Association and Federation when required, as representatives of the Association
- (c) To appoint from time to time any sub-committee consisting of members of Executive Committee and/or if necessary, other members;
- (d) To enter, into any agreement and/or arrangement with the Universities, Government or any other public body or any individual for any purpose conducive to the interests of the Association;
- (e) To appoint, suspend or dismiss members of the staff of the Association and to fix their remunerations;
- (f) To purchase, take on lease or hire moveable or immovable properties;
- (g) To borrow or raise loans with or without security;
- (h) To invest the funds of the Association in such manner as it may deem fit;
- (i) To authorize one or more office-bearers of the Executive Committee to operate the accounts with any bank or banks and/or Post Offices or safe deposit vault;
- (j) To nominate by a resolution any member or members to act on its behalf with full authority to sign any deed or document and to give a valid and effective discharge;
- (k) To institute, conduct, defend, compound or abandon any legal proceedings by or against the association or its officers or office bearers and to refer, in case of any difference, to arbitration and perform, observe and carry out awards made thereon;
- (l) To submit report on the working of the Association or operation of its funds to the Biennial/ Annual Conference and to make arrangement for day to day administration;
- (m) To do all other things incidental or conducive to the attainment of the aims and objects of the Association or any of them.

## 7.8 Duties of Office Bearers:

- i) **President:** The President shall be the Head of the Association and shall be responsible to the Executive Committee. He/she shall preside over all meetings and have a Casting Vote. He/she shall have the right to dissolve any meeting at his/her discretion. He/she shall hold office for a period of two years but up to the election of the next President.
- ii) **Vice-President:** The Vice-President may exercise all the powers of the President in his/her absence.
- iii) **General Secretary:**
  - a) He/she shall be the Chief Executive of the Association;
  - b) He/she shall be directly responsible to the Executive Committee for general, administration and management of the affairs of the Association;
  - c) He/she shall convene all meetings and record proceedings thereof;
  - d) He/she may at his discretion spend a sum not more than Rs. 1000/- on a particular occasion;
  - e) He/she shall keep a list of all members with required particulars;
  - f) He/she may delegate to the joint Secretaries such of his powers and functions as he deems fit;
  - g) He/she shall be the custodian of all properties;
  - h) He/she shall hold office for a period up to next election.
- iv) **Joint Secretaries** shall be responsible to the General Secretary and act as General Secretary in his/her absence.
- v) **Treasurer shall**
  - a) be the custodian of all sums and funds;
  - b) be directly responsible to the Executive Committee;
  - c) receive all cash and other sums and make disbursements -as advised by the General Secretary under his financial powers of under proper sanction, of the Executive Committee;
  - d) keep all accounts as directed by the Executive Committee and shall prepare the budget estimates, if any report and periodically the financial position;
  - e) have power to operate Bank/Postal Accounts under proper sanction of the Executive Committee.-
- vi) **Organizing Secretary:** They shall be responsible for planning and development of organization, maintain co-ordination between Constituent/Local units, and as to be directed by the President and General Secretary.
- vii) **Office Secretary:** He/she be elected/selected from/nearby university of the head quarter and shall perform the duties as to be directed by the President/General Secretary.

## **8. FUNDS & ACCOUNTS**

### **8.1 The fund of the, Association shall consist of:**

- (a) Subscription, and contributions collected from affiliated, units and individual members of those units.
- (b) Donations and Charities from bonafide sources.
- (c) Sale proceeds of properties etc.(if any).
- (d) Grants-in-Aid, or Subsidies received from Universities, Government, or any other Bodies and Associations or Individuals.
- (e) Ordinarily there shall be one Fund or the association. The Executive Committee may create any other fund for any specific purpose.
- (f) Operator of the Bank Account to be fixed.

### **8.2 Maintenance of Books of Accounts:** Executive Committee shall arrange to keep proper books of accounts with respect to –

- a) all sum of money received and expended.
- b) the assets and liabilities of the Association.
- c) The accounts shall be closed every year on 31<sup>st</sup> December.
- d) The books of accounts shall be kept at the Registered Office of the Association.
- e) The Annual Statement of Accounts shall be duly audited and placed before the Meeting of the Executive Committee and thereafter before the biennial conference.

### **8.3 Indemnity:** Every president, Vice-President, Treasurer, General Secretary, Jt. Secretary, member of the Executive Committee or any officer or person employed by the Association shall be indemnified out of the funds of the Association against all liabilities incurred, loss or damage sustained in course of execution of their duties unless the same happens through his/her/their own dishonesty or negligence.

## **9. FUNCTIONING OF THE ASSOCIATION:**

- i) The Association shall function from it's Registered Office and to facilitate functioning, any one of the Office Bearer shall be from the particular university where the Registered Office may be located, unless the General Secretary belongs to that University.
- ii) University Officers Association of each university/organizations shall function as a Constituent/Local unit of the Association and subject to allegiance to, and control of the Association such a constituent/local unit shall manage its own affairs in its own way; provided that a constituent unit shall not take any decision/action contrary to the decision/action of the Association.

## **10. SUBSCRIPTION AND COLLECTION THEREOF:**

- i)** Every (local) constituent Unit shall subscribe to the Association @ Rs. 500/- (Rupees Five hundred) per unit and @ Rs. 10 per member of that unit for each year, or subscription as to be decided by the State Committee time to time.
- ii)** Every Constituent/Local unit shall also pay such other special/specific subscription as may be levied from time to time by the Association for special/specific purposes.

## **11. ANNUAL GENERAL MEETING, BIENNIAL CONFERENCE AND CONVENTIONS:**

**11.1. Tenure Biennial Conference:** Office bearers elected shall function for a period of two years and the Association shall hold a Biennial Conference at the end of two year term. The date, time and venue of the Biennial Conference shall be determined by the Executive Committee.

**11.2. Annual General Meeting:** Annual General meeting shall ordinarily be held at the end of one year term.

**11.3. Convention:** Apart from the Biennial Conference/Annual General Meeting Conventions may be held on such dates and at such places as the Executive Committee may decide for discussing matters of common interest.

**11.4. Purpose & Function of Biennial Conference, Annual General Meeting & Convocation:**

- i)** Distinguished guests may be invited to address the Biennial/Annual General Meeting/ Conventions as decided by the Executive Committee.
- ii)** At the Biennial conference, Annual General Meeting and conventions, problems of constituent units and or problems of officers of Universities in West Bengal in general may be discussed.
- iii)** In the event of a controversy arising over any issue of general importance, the matter may be decided after ascertaining the opinion of members present through, voting.

**11.5. Notice/Communication:**

- i)** A notice of Biennial Conference/Annual General Meeting/Conventions specifying the date, time and venue and the business to be transacted there at shall be sent to the constituent units at least fifteen, days before the date of such conference/General meeting/Conventions and it shall be the responsibility of those units to notify the same to their individual members.
- ii)** In case of emergency, a convention may be held giving seven days notice to the Constituent units.

**11.6. Business at the Biennial conference:**

- (a) To discuss the General Secretary's Report as may be endorsed by the Executive Committee;
- (b) To discuss the audited Biennial Accounts as may be endorsed by the Executive Committee;
- (c) To discuss the Budget Estimate, if any;
- (d) To discuss any other relevant matter that may be brought up by the Executive Committee or any of the Constituent units after giving due intimation to the Executive Committee.
- (e) To present the names of members of the Executive Committee,
- (f) Such business as may be deemed necessary by the Executive Committee shall be transacted at the Biennial Conference/Annual General Meeting/Convention.

**11.7. Chairperson in a meeting:**

The President of the Association or in his absence, one of the Vice-Presidents shall preside in any meeting of the Association or in their absence the members present shall elect one of the members to be the Chairperson of the meeting.

**12. Approval and Amendment of the Constitution and Rules & Regulations:**

The Constitution may be amended, altered, replaced or rescinded at an Extra-Ordinary Meeting of the Executive Committee specially convened for the purpose and it must be passed by a two-third of the total number of members of the Executive Committee and endorsed at the Biennial Conference/AGM/Special General meeting by the majority of the members present at such conference/convention/meeting.

The Rules of the West Bengal University Officers Association may be passed and/or amended by the State Committee with presence of two-thirds of the total members of the State Committee.

**13. Discipline:**

13.1. In case of violation of any norms the decision of the Executive Committee shall be final and binding on all concerns. Non-compliance. It shall be obligatory on the part of affiliated units to strictly observe and follow the decisions taken by the Association.

13.2 The Association may take up an issue concerning a constituent unit or individual member of such unit provided it is recommended by such unit.