

AIR TRAFFIC CONTROLLERS' GUILD (INDIA)

CONSTITUTION

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PART I - MAIN LAWS

Article I PRELIMINARY

Clause A. NAME, SHORT TITLE AND APPLICATION

Section 1. The union constituted in accordance with the provisions made in this constitution shall be known as "Air Traffic Controllers' Guild (India)".

Section 2. Short names "ATC Guild (India)" or "ATC Guild" or "ATCGI" or "Guild" would generally mean "Air Traffic Controllers' Guild (India)", when used in context with the air traffic control service, or ATC profession in India.

Section 3. This Constitution shall be called "Air Traffic Controllers' Guild (India) Constitution" Part I MAIN LAWS & Part II BYE LAWS and its short title shall be "ATC Guild (India) Constitution" or simply "Guild Constitution".

Section 4. It shall apply to all Members of the Guild wherever they may be.

Clause B. DEFINITIONS

Section 1. The terms used in this Constitution will carry the meaning as defined in the ICAO Annexes & DOCs, or Indian Aircraft Act 1934, or Indian Aircraft Rules 1937, or AIP India or as defined specifically by the Articles of this Constitution or by the Bylaws made under this constitution, unless the context otherwise specifies.

Section 2. For the purpose of provisions contained in this constitution "Air Traffic Controller" would mean a person who has undergone or is undergoing an approved/ prescribed course of training leading to profession of Air Traffic Control and/or is engaged in the profession of Air Traffic Control or in such profession as to eventually become an Air Traffic Controller (by General Definition - as defined in the ICAO Annexes & DOCs, Aircraft Manual - India).

Section 3. Word "profession" in this constitution would mean profession of air traffic control, unless context specifies otherwise.

Section 4. CHQ/RHQ shall mean Central Headquarter or Regional Headquarters of the organisation concerned.

Clause C. OBJECTIVES

Section 1. Generally

- a. To watch-over and protect, the honour and dignity of the profession, improving and enhancing its stature and outlook.
- b. To Promote and maintain in the profession a high standard of efficiency and integrity
- c. To collect, compile and disseminate information pertaining to the profession and publish the same in the form of journals, Papers, Pamphlets or otherwise

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- d. To Provide opportunity and facilities for the discussion and study by all or any person, of matters concerning or affecting Air Traffic Control and enlighten the public regarding the profession

Section 2. Guild shall strive;

- a. To Safeguard and improve the conditions of service of the members of the Guild
- b. To protect professional and personnel interest of the members and to compensate members for all and any loss arising out of any trade/industrial dispute
- c. To extend all assistance and to compensate for all and any loss to each such member, who is persecuted or victimised for promoting interest of the Guild
- d. To promote fraternal relations among members and maintain a high calibre of conduct and code of ethics for the ATC profession
- e. To promote fraternal relations or seek affiliations with body associations or air traffic controllers, national and international

Section 3. Guild shall make efforts;

- a. To promote discussion, facilitate exchange of information and raise the standard of knowledge of those engaged in the profession
- b. To promote and maintain in all respects efficient and friendly co-operation between the profession and those who seek their livelihood or pleasure in the air traffic services.
- c. To assist, whenever practicable, in carrying out any research or other scientific work, concerning aviation industry in general and ATS in particular.

Section 4. Guild shall nominate and make Air Traffic Controllers available;

- a. To act as members of, or to hold seats on, or to give evidence before Commissions, Court of Enquiry, Committees or Boards of any description whatsoever governing, examining or other Authority and who will be available for advice or consultation of all question affecting the individual or collective business of its members in relation to Air Traffic Control or Judicial, commercial, Scientific, Educational, Technical, Legislative, or Administrative matters relating thereto.
- b. To take up the cases of the members with the Authorities concerned on charges of violation and/ or adverse remarks against an Air Traffic Controller arising out of difference of opinion on the proper interpretation of Air Traffic Rules, or due to the defective planning of the system and adverse working conditions or improper applications of the rules or administration of personnel with a view to assist the authorities in establishing the real cause of the incident, correct course of action to be followed and suggesting ways and means of avoiding recurrence of similar incidents, whenever possible.

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- c. To act as members in standing committees as and when decided by the General Council / Central Council / Central Executive Council/REC as per the terms and conditions to be specifically formulated.

Section 5. Guild shall render efforts to make investigations into and to furnish assistance and advice to any person, body, or authority, of such nature which may be concerned or may affect the profession directly or indirectly on the issues such as;

- a. Civil Air Regulations,
- b. Design, Function and Location of navigation aid,
- c. Design, Function and Application of the ATC equipments,
- d. Evolution, Modification, and improvement of ATC procedures,
- e. Adequate staffing of ATC Units and facilities,
- f. Rules governing the administration of personnel / service conditions of Air Traffic Controllers.

Section 6.

- a. All properties and money belonging to the Guild shall be applied solely for the promotion of its objects as herein set-forth and/or objects specified in the Section 15 of the Trade Unions Act 1926(as amended from time to time), and no portion thereof shall be paid or transferred directly or indirectly by way of profit to the members of the Guild. Except nothing herein contained shall prevent the payment made in good faith or remuneration to any member in return of any service rendered to the Guild.
- b. The Guild shall rigidly exclude all questions of politics, general and local.

Article II MEMBERSHIP

Clause A. MEMBER

Section 1. MEMBER shall be a person who having been admitted according to the provisions of this constitution shall have signed the membership form, and not in default of subscription dues as defined in Byelaws for 3 consecutive months or more.

Section 2. MEMBERSHIP is open to all Air Traffic Controllers of India wherever they may be working.

Clause B. RIGHTS OF MEMBERS

Section 1. Rights of the members shall be personal and non-transferable.

Section 2. All Members shall have right to vote, and will exercise this right, in the manner prescribed for, whenever voting is called for in any meeting of Guild, or otherwise.

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Section 3. Only those members who are in the membership register of the Guild continuously for the last three years and who have not defaulted in paying subscription for three months or more shall be eligible for election to any office of the Guild.

Section 4. Member shall have inviolable right of information from Councils of Guild, on matters connected with Guild activities.

Section 5. Member shall have the right to criticise policy of the Guild, or action of any Council of the Guild or members thereof, and to make suggestions or proposals for the guidance of the Guild either at the meetings of Guild or through letters addressed to the General / Regional / Branch Secretary.

Clause C. DUTIES OF THE MEMBERS

Section 1. All members shall abide by the Constitution of the Guild and implement all decisions of the Guild, as directed by the Councils.

Section 2. All members shall abide by the decisions of the Guild or Councils of Guild and assist Guild and its Councils to achieve smooth and efficient working of the Guild.

Section 3. All members shall attend all meetings of the Guild except when exempted on specific grounds.

Clause D. DISCIPLINARY ACTION

Section 1. Any member of the Guild found to be working against the interest of the Guild may be suspended from the Guild by 2/3-majority vote of the Central Council after giving due opportunity to the Member concerned to clarify her/his position within reasonable time.

Section 2. The suspended member shall have the right of appeal by distributing a well-founded letter to the members of the General Council of Guild.

Section 3. It will be upto the General Council to decide in its meeting by 2/3 majority votes whether the member shall be expelled from the Guild.

Section 4. Any member offending the Constitution of the Guild shall at the discretion of the General Council be subject to admonition.

Clause E. REGISTER OF MEMBERS

Section 1. A register of all members containing their name, date of birth, particulars of their employment, address of workplace and residence shall be maintained at the Central Headquarter of the Guild by CEC.

Section 2. Branch Council shall submit the details of the members as specified through a quarterly return to the Regional Council for onward transmission to the CEC.

Article III COMPOSITION

Clause A. THE GUILD

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Section 1. The Guild shall consist of General Body, General Council, Central Council, Central Executive Council, Regional Bodies, Regional Councils, Regional Executive Councils, Branches, Branch Councils and may have Patrons.

Clause B. BODIES OF GUILD

Section 1. General Body: General Body of the Guild shall comprise of all the members of the Guild wherever they may be and shall be the supreme authority as far as the matters of the Guild are concerned. All assets, properties and liabilities of the Guild shall be vested with the General Body.

Section 2. Regional Bodies: Regional Body shall consist of all the Members of Guild posted/residing within the Region, and shall be supreme as far as the affairs of the Guild within the Region are concerned, without prejudice to the authority of the General Body, General Council, Central Council and Central Executive Council.

Section 3. Branches: Branches of the Guild shall exist at each such station where more than five members are posted/residing. Branch shall consist of all the Members of Guild posted/residing within the Branch station, and shall be supreme as far as the affairs of the Guild within the Branch are concerned, without prejudice to the authority of the General Body, General Council, Central Council, Central Executive Council, Regional Council, Regional Executive Council, and Regional Body.

Section 4. Branches with more than 15 Members will be generally referred as Major Branches.

Section 5. Members of stations, which have less than five members, shall be attached to the nearest Major Branch or Branch at the seat of the Regional Council, within Region in which the station of posting/residence is located.

Clause C. COUNCILS OF GUILD

Section 1. Councils of the Guild shall be constituted through election, as per Article VIII and shall have tenure not exceeding two years. Elections shall be so held as to constitute New Council before end of tenure of the previous council expires.

Section 2. Subject to provisions of this Constitution, every Member (as envisaged in Article II of this constitution) shall be eligible to hold office in the Councils of Guild.

Section 3. Any person who ceases to be a Member of the Guild (as envisaged in Article II of this constitution) shall cease to be an office bearer of any council of the Guild.

Section 4. Office of the President, Vice President, General Secretary, Assistant General Secretary, & Treasurer in the Central Council and of the Regional President, and Regional Secretary, in the Regional Councils shall not be held by one (same) individual for more than two consecutive terms.

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- Section 5.** General Council (GC): General Council shall consist of, members of the Central Executive Council, Regional Executive Councils, Branch Councils, and Delegates elected by the General Body in the manner prescribed in Article VIII. Total number of members of this council shall not exceed 10% of the Membership as per Register of Members. This body shall be supreme deliberative body of the Guild and shall be responsible to the General Body.
- Section 6.** Central Council (CC): Central Council shall consist of all Elected Office bearers of the CEC, all Regional Secretaries, and all Branch Secretaries of the Major Branches. This Council shall be apex deliberative and administrative body of the Guild after General Council, and will be responsible to the General Body and General Council.
- Section 7.** Central Executive Council (CEC):
- a. Central Executive Council shall consist of, one President, one Vice President, one General Secretary, one Assistant General Secretary, one Treasurer and four Secretaries.
 - b. This Council shall be resident at Central Headquarter of Guild and shall be primary deliberative and administrative body of the Guild, after General Council and Central Council, and shall be responsible to the General Body, General Council and Central Council.
 - c. Any member of the Central Executive Council shall be removed from the office only by a vote of no confidence adopted by a 2/3 majority of members of the General Council at a meeting called for this purpose after a notice of fourteen days, and confirmation of the same by majority of Members of the General Body through a Notice for Referendum.
- Section 8.** Regional Councils (RC): Regional Councils shall consist of all Office bearers of REC, all Branch Secretaries and one Delegate Member from Major Branch within the Region concerned. These Councils shall be apex deliberative and administrative bodies of the Guild in the Region concerned and shall be responsible to respective Regional Bodies, Central Executive Council, Central Council, General Council and General Body of the Guild.
- Section 9.** Regional Executive Council (REC)s:
- a. The Regional Executive Councils of the Guild shall be seated at Delhi, Calcutta, Mumbai, Chennai and Guwahati.
 - b. These shall consist of a Regional President, a Regional Secretary, an Assistant Regional Secretary, a Treasurer, and three Members from the seat of Regional Council.
 - c. These Councils shall be apex deliberative and administrative bodies of the Guild in the Region concerned, after Regional Council and shall be responsible to respective Regional Council, Regional Body, Central Executive Council, Central Council, General Council and General Body of the Guild.

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- d. Any member of the Regional Executive Council shall be removed from the office only by a vote of no confidence adopted by a majority of members present at a meeting of the Regional Body called for this purpose after a notice of seven days.

Section 10. The Regional Executive Council at Delhi, Mumbai, Calcutta, Chennai and Guwahati shall also function as the Branch Council of these stations respectively.

Section 11. Branch Councils (BC)s:

- a. Branch Council shall consist of a Branch President, and a Branch Secretary-cum-treasurer.
- b. Branches with more than 15 Members (Major Branches) shall have a Treasurer additionally.
- c. Branches with more than 25 Members shall have a Treasurer and Two Executive Council Members additionally.
- d. Branch Councils shall be responsible to respective Branch, Regional Executive Council, Regional Council, Central Executive Council, Central Council, General Council and General Body of the Guild.
- e. Any member of the Branch Council shall be removed from the office only by a vote of no confidence adopted by a majority of members of the Branch at a meeting called for this purpose after a notice of seven days.

Article IV POWERS DUTIES AND RESPONSIBILITIES - COUNCILS

Clause A. GENERAL COUNCIL

Section 1. Without prejudice to powers of the General Body, General Council shall be supreme deliberative and legislative body of the Guild, and shall be responsible to the General Body.

Section 2. The General Council shall manage the income, funds and properties of the Guild and its affairs and may do all such things as shall appear to it necessary or expedient in relation thereto.

Section 3. General Council shall have powers to take all necessary steps to carry out policies and decisions, which the General Body or this Council may decide upon.

Section 4. General Council shall have powers to amend constitution as may be necessary from time to time for proper administration of the Guild, however, no such rule amendments shall be inconsistent with Constitution of the Guild.

Section 5. General Council shall have powers and shall be responsible for carrying out disciplinary action against offending members as per stipulation made in this Constitution or Byelaws of the Guild.

Section 6. General Council shall decide on all matters concerning Policies of the Guild, and Collective Bargaining, by consensus or simple majority.

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Section 7. General Council may invite to its meetings any person other than member of the General Council, without voting rights.

Section 8. Without prejudice to the provisions laid in Art VI, General Council shall meet together for dispatch of business, adjourn, or otherwise regulate its meetings, as it deems fit but at least once in two years.

Section 9. The General Council will review all the Byelaws or amendments thereof made by the Central Council/ Central Executive Council and will ratify/annul or amend these Byelaws as deemed necessary. Such nullification/amendment of any Byelaw will however have only a prospective effect.

Section 10. Decisions arrived at by the General Council will remain irrevocable and can be superseded only by the General Body through referendum.

Section 11. Without prejudice to the rights of Members, General Council shall have powers to admonish, suspend, expel, or readmit any member as per stipulation made in this regard in the Constitution of the Guild.

Clause B. CENTRAL COUNCIL

Section 1. Without prejudice to powers of General Body and General Council, Central Council shall have all powers and responsibilities of the General Council stipulated in this Constitution, while General Council is not in session.

Section 2. Central Council may invite to its meetings any person other than member of the Central Council, without voting rights.

Section 3. Without prejudice to the provisions laid in Art VI, Central Council shall meet together for dispatch of business, adjourn, or otherwise regulate its meetings, as it deems fit but at least once in six months.

Section 4. The Central Council will review all the Byelaws made by the Central Executive Council during period since last meeting and will ratify/annul or amend these Byelaws as deemed necessary. Such nullification/amendment of any Byelaw will however have only a prospective effect.

Section 5. Decisions arrived at by the Central Council will remain irrevocable and can be superseded only by the General Council or by General Body through referendum.

Section 6. Without prejudice to the powers of General Council, and rights of the Members, Central Council shall have powers to admonish, suspend, or readmit any member as per stipulation made in this regard in the Constitution of the Guild.

Clause C. CENTRAL EXECUTIVE COUNCIL

Section 1. Without prejudice to powers of General Body, General Council, and Central Council, Central Executive Council shall have all powers and responsibilities of the General Council stipulated in Section 1 to 6 of Article V Clause A of this Constitution, while General Council is not in session.

Section 2. Central Executive Council may invite to its meetings any person other than member of the Central Executive Council, without voting rights.

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Section 3. Without prejudice to the provisions laid in Art VI, Central Executive Council shall meet together for dispatch of business, adjourn, or otherwise regulate its meetings, as it deems fit but at least once in a month.

Section 4. Decisions arrived at by the Central Executive Council will remain irrevocable and can be superseded only by Central Council, or General Council or by General Body through referendum.

Section 5. Without prejudice to the powers of General Council and Central Council, and rights of the Members, Central Executive Council shall have powers to admit, or suspend any member as per stipulation made in this regard in the Constitution of the Guild.

Section 6. All vacancies in the Central Executive Council caused by expulsion, resignation or transfer of members may be filled by co-option, provided that at no time co-opted members shall continue to hold the office for more than three months consecutively.

Section 7. No member who is not a member already of the Central Executive Council shall be co-opted to function as General Secretary or President.

Clause D. REGIONAL COUNCILS

Section 1. Subject to overall supervision and Guidance of the Central Executive Council, the Regional Council shall take steps, consistent with the Constitution of Guild, as necessary to promote and protect the interest of the Guild and its members in the Region.

Section 2. Regional Council may invite to its meetings any person other than member of the Regional Council, without voting rights.

Section 3. Without prejudice to the provisions laid in Art VI, Regional Council shall meet as often as necessary and at least once in six months.

Section 4. Ordinary meeting of the Regional Council may be called at 30days notice, and an emergency meeting at 24 hours notice.

Clause E. REGIONAL EXECUTIVE COUNCILS

Section 1. Regional Executive Council shall have all powers and responsibilities of the Regional Council, while Regional Council is not in meeting.

Section 2. Without prejudice to the provisions laid in Art VI, Regional Executive Council shall meet as often as necessary and at least once in a month.

Section 3. Ordinary meeting of the Regional Executive Council may be called at 3 days notice, and an emergency meeting at 24 hours notice.

Section 4. All vacancies caused by expulsion, resignation or transfer of members may be filled by co-option, provided that at no time co-opted members shall continue to hold the post for more than three months consecutively.

Section 5. No member who is not a member already of the Regional Executive council shall be co-opted to function as Regional Secretary or Regional President.

Clause F. BRANCH COUNCILS

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- Section 1.** Branch Council shall be responsible for the affairs of the Guild as far as the Branch is concerned, and shall within the overall supervision and Guidance of the Regional Council take all steps, consistent with the Constitution and Byelaws of Guild, as necessary to promote and protect the interest of the Guild and its members in the Branch.
- Section 2.** Without prejudice to the provisions laid in Art VI, Branch Council shall meet as often as necessary and at least once in three months.
- Section 3.** Ordinary meeting of the Branch Council may be called at 3 days notice, and an emergency meeting at 24 hours notice.
- Section 4.** All vacancies caused by expulsion, resignation or transfer of members may be filled by co-option from among the member of the Branch, provided that at no time co-opted members shall continue to hold the post for more than three months consecutively.

Article V DUTIES AND RESPONSIBILITIES - OFFICE BEARERS

Clause A. CENTRAL EXECUTIVE COUNCIL

- Section 1.** President: Shall generally supervise the work of the Guild and shall preside over all the meetings of the Guild, General Council, Central Council and Central Executive Council, preserve order, sign all minutes and have a casting vote in case of a tie.
- Section 2.** Vice President: Shall act as President in the absence of the President.
- Section 3.** General Secretary: Shall conduct all affairs of the Guild as per policies, objectives, resolutions adopted by the General Body, and decisions of the General Council, Central Council, and Central Executive Council. Shall conduct all correspondence, convene all meetings of the Guild, and maintain all records except the account books. Shall have powers to incur expenditure on any single item upto rupees one thousand when not provided in the budget.
- Section 4.** Assistant General Secretary: Shall maintain a register of members, keep minutes of all meetings of the Guild, General Council, Central Council, and Central Executive Council, and have them signed by the President. Shall act as General Secretary in the absence of General Secretary.
- Section 5.** Treasurer: Shall be responsible for collection of funds from the Regional and Branch Councils, be responsible for all sums of the money that may be paid to the Guild from time to time, make all payments sanctioned by the General Council, Central Council, or Central Executive Council, and confirmed by the General Secretary. Shall keep accounts of the Guild, prepare annual statements of receipts and expenditure, and prepare budget of the Guild for ensuing year.
- Section 6.** Secretary: All four Secretaries shall assist the General Secretary as deemed necessary or directed by the General Council, or Central Council, or Central Executive Council.

Clause B. REGIONAL COUNCIL

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Section 1. Regional President: Shall generally supervise the work of the Guild within the Region and shall preside over all the meetings of the Regional Body, Regional Council, and Regional Executive Council, preserve order, sign all minutes and have a casting vote in case of a tie.

Section 2. Regional Secretary:

- a. Shall conduct all affairs of the Guild within the region as per policies, objectives, resolutions adopted by the General Body, Regional Body, and decisions of the General Council, Central Council, Central Executive Council, Regional Council and Regional Executive Council.
- b. Shall conduct all correspondence, convene all meetings of the Guild for the Region, and maintain all records except the account books for the Region.
- c. Shall have powers to incur expenditure on any single item upto rupees six hundred when not provided in the budget.
- d. Shall submit to the Central Executive Council quarterly reports on the following;
 - i. Membership details for the region on the last day of the quarter
 - ii. Number of persons who have ceased to be members during the quarter and reasons thereof
 - iii. Brief summary of the events within the region and results achieved, progress made on various matters
- e. On half yearly basis he shall submit reports to the Central Executive Council on the following matters;
 - i. Summary of the receipt for the half-year period and the central share thereof
 - ii. Summary of the receipt by the various branches during the half-year period and the share of the Regional share

Section 3. Assistant Regional Secretary: Shall maintain a register of members within the Region, keep minutes of all meetings of the Regional Body, Regional Council, and Regional Executive Council, and have them signed by the Regional President. Shall act as Regional Secretary in the absence of Regional Secretary.

Section 4. Treasurer:

- a. Shall be responsible for collection of subscription dues from the members at the seat of the Regional Council and from members at such stations within the region having no branch.
- b. Shall collect share of Regional Council from the Branches within the Region. Shall keep accounts of the Guild for the Region.
- c. Shall operate Bank accounts, prepare and maintain statement of income and expenditure for the region.
- d. Shall make payments for the expenditure sanctioned by the Regional Council, Regional Executive Council and confirmed by the Regional Secretary.

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- e. Shall report to the regional secretary any defaults in subscriptions or any other financial matter.

Section 5. Members: The members shall assist the Regional Secretary in conducting the affairs of REC.

Clause C. BRANCH COUNCIL

Section 1. Branch President: Shall generally supervise the work of the Guild within the Branch and shall preside over all the meetings of the Branch, and Branch Council, preserve order, sign all minutes and have a casting vote in case of a tie.

Section 2. Branch Secretary:

- a. Shall conduct all affairs of the Guild within the Branch as per policies, objectives, resolutions adopted by the General Body, Regional Body, Branch, and decisions of the General Council, Central Council, Central Executive Council, Regional Council, Regional Executive Council, and Branch Council.
- b. Shall conduct all correspondence, convene all meetings of the Guild for the Branch, and maintain all records except the account books for the Branch.
- c. Shall have powers to incur expenditure on any single item upto rupees three hundred when not provided in the budget.
- d. Shall submit to the Regional Executive Council quarterly reports on the following:
 - i. Membership details for the branch on the last day of the quarter
 - ii. Number of persons who have ceased to be members during the quarter and reasons thereof
 - iii. Brief summary of the events within the branch and results achieved, progress made on various matters
 - iv. Summary of the receipt for the half-year period and the central share, and regional share thereof

Section 3. Treasurer:

- a. Shall be responsible for collection of subscription dues from the members at the branch.
- b. Shall operate Bank accounts, prepare and maintain statement of income and expenditure for the Branch and shall keep accounts of the Guild for the Branch.
- c. Shall make payments for the expenditure sanctioned by the Branch, and confirmed by the Branch Secretary.
- d. Shall report to the branch secretary any defaults in subscriptions or any other financial matter.

Article VI MEETINGS

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Clause A. REFERENDUM

Section 1. The matters requiring decision by the General Body will be put to the Members of Guild by the Central Executive Council through respective RECs by way of Notices for Referendum.

Section 2. Each such Notice for Referendum shall contain the date of issue and date of closing of the Responses.

Section 3. All members who are entitled to vote will send their Responses to such Notices for Referendum positively before closing date of Response to Notice for Referendum, to the Central Executive Council through the respective RECs.

Section 4. On 14th day after the Closing Date of the Responses, Central Executive Council will open these Responses and based on receipt of such Responses to the Notices for Referendum, matters will be decided.

Section 5. The Central Executive Council will intimate the result of such Referendum to the Members of Guild on 15th day after the closing date of the Response to the Notices for Referendum.

Clause B. GENERAL COUNCIL

Section 1. A Meeting of the General Council shall be held at least once in two years in the second half of the March to;

- a. Consider the report of the General Secretary, on activities of the Guild in the past;
- b. Consider and pass accounts of the Guild for the Year presented by the Treasurer and suitably amended,
- c. Consider and pass the Budget for the ensuing year.

Section 2. In such Meeting the General Council will also deliberate on the programme and policies of the Guild.

Clause C. CENTRAL COUNCIL

Section 1. Meetings of the Central Council shall be held to;

- a. Discuss and finalise report of the General Secretary, on activities of Guild,
- b. Collate and finalise accounts of the Guild,
- c. Discuss and finalise the Budget,
- d. Discuss issues and finalise the agenda for the General Council Meeting, when due.

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Clause D. CENTRAL EXECUTIVE COUNCIL

Section 1. Meetings of the Central Executive Council shall be held to;

- a. Prepare report of the General Secretary, on activities of the Guild,
- b. Prepare accounts of the Guild,
- c. Prepare Budget till next meeting,
- d. Prepare agenda for next Meeting.

Clause E. REGIONAL COUNCIL

Section 1. Meetings of the Regional Council shall be held to;

- a. Discuss and finalise report of the Regional Secretary, on activities of Guild in the Region,
- b. Collate and finalise accounts of the Guild (for the Region),
- c. Discuss and finalise the Budget till the next meeting,
- d. Discuss issues and finalise the agenda for the next meeting.

Clause F. REGIONAL EXECUTIVE COUNCIL

Section 1. Meetings of the Regional Executive Council shall be held to;

- a. Prepare report of the Regional Secretary, on activities of the Guild,
- b. Prepare accounts of the Guild,
- c. Prepare Budget till next meeting,
- d. Prepare agenda for the next meeting.

Clause G. BRANCH COUNCIL

Section 1. Meetings of the Branch Council shall be held to;

- a. Prepare report of the Branch Secretary, on activities of the Guild,
- b. Prepare accounts of the Guild,
- c. Prepare Budget till the next meeting,
- d. Prepare agenda for the next Meeting.

Clause H. EXTRA-ORDINARY MEETING OF THE GUILD

Section 1. An extra-ordinary meeting of the General Council may be convened by the Central Executive Council or requisitioned by any 20% of the members of Guild or half the number of members of any Regional Body, subject to a minimum of 25 members, with adequate notice to all members, the period of notice being not less than 14 days, to consider any matter of importance to the Guild and its members.

Section 2. When members as aforesaid requisition an extra-ordinary meeting of the General Council, the General Secretary shall convene the same within a period of one month, failing which the President shall do so.

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- Section 3.** An extra-ordinary meeting of the Regional Body may be convened by the Regional Executive Council or requisitioned by any 30% of the members of the Region subject to a minimum of 15 members, with adequate notice to all members, the period of notice being not less than 7 days, to consider any matter of importance to the Guild and its members.
- Section 4.** For the purpose of such meeting, the Regional Body shall constitute of all the Members of seat of the Regional Council, and the Regional Council.
- Section 5.** When members as aforesaid requisition an extra-ordinary meeting of the Regional Body, the Regional Secretary shall convene the same within a period of 14 days, failing which the President shall do so.
- Section 6.** An extra-ordinary meeting of the Branch may be convened by the Branch Council or requisitioned by any 30% of the members of the Branch, with adequate notice to all members, the period of notice being not less than 3 days, to consider any matter of importance to the Guild and its members.
- Section 7.** When members as aforesaid requisition an extra-ordinary meeting of the Branch, the Branch Secretary shall convene the same within a period of 7 days, failing which the President shall do so.

Clause I. QUORUM

- Section 1.** Quorum for the meeting of the Guild councils shall be more than 50% of the total number of members concerned.
- Section 2.** Quorum for the Branch General Body meeting shall be at least 25% of the total number of members.
- Section 3.** For an adjourned meeting, no quorum is required.

Clause J. VOTING

- Section 1.** All decision shall be taken by simple majority vote, except where a different requirement is specifically prescribed.
- Section 2.** Voting in all meetings shall be by show of hands or by any other method, decided by the chairperson of the meeting.

Article VII ELECTION TO THE COUNCILS OF GUILD

Clause A. GENERAL

- Section 1.** Elections for the office in the Councils of the Guild will be held by a single non-transferable secret ballot. No member shall vote by proxy.

Clause B. GENERAL COUNCIL

- Section 1.** General Body shall elect delegates of General Council on a percentage representation method at least 45 days before the Meeting of General Council.
- Section 2.** At least two months before the Meeting of General Council, number of delegates to be elected from each Branch will be decided and informed to the respective RCs by the Central Executive Council based on the number of Members (as per Membership Register) at the Branches concerned.

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Section 3. Regional Council shall inform the Branches regarding the number of delegates to be elected by them.

Section 4. Election of the Delegates will be by the Branch for the number of delegates assigned to branch concerned.

Clause C. OTHER COUNCILS

Section 1. Election to the Central Executive Council/ Regional Executive Councils/ Branch Councils shall be completed by the 31st December/ 15th December/ 1st December respectively of the year in which they are due to be held.

Section 2. Election commission shall be appointed by 5th October of the Year of Election.

Section 3. The membership list as on 30th September of the year of election shall comprise the voters' list for the purpose of the elections.

Section 4. Elections to the Central Executive Council/ Regional Executive Councils/ Branch Councils shall be held by election commissions appointed for this purpose after due notification to the members concerned, as per schedule of programme to be decided by the Election Commission concerned.

Section 5. The decision of the Election Commissions shall be final on all matters concerning the elections, but the commissions shall reply to all objections raised by any agent or contestant in writing within a period of one month from the date of announcement of the programme of the elections or the declaration of the result as the case may be.

Section 6. In case any member is not satisfied with the decision of the election Commission, he shall have recourse to the court of Law located at the seat of the Central/ Regional/ Branch Council concerned.

Section 7. Any Member of Guild, subject to Article II Clause C Section 3, shall be eligible for the election to the posts of President, Vice President, General Secretary, and Assistant General Secretary.

Section 8. Members from seat of Central Executive Council only will be eligible for the posts of Treasurer and Secretaries of the Central Executive Council.

Section 9. Members from the seat of Regional Executive Council only shall be eligible for the election to the posts in Regional Executive Council.

Section 10. Members from the seat of Branch Council only shall be eligible for the election to the posts in Branch Council.

Article VIII FUNDS OF THE GUILD ACCOUNTS AND AUDIT

Clause A. BOOKS OF ACCOUNT

Section 1. The Central Executive Council, the Regional Executive Councils, and Branch Councils shall maintain account of assets, credits and liabilities of the General body, Regional Bodies, and Branches of the Guild, respectively.

Section 2. For the purpose of opening and closing of books of accounts of the Guild, year shall begin on 1st of April and end on 31st of March of each year. All accounts of the Guild shall be closed on 31st of March each year.

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Section 3. All Regional Councils shall submit the statements of accounts along with membership list, subscription details and counterfoils of the used receipt books to the Central Executive Council, within 20 days of the closing of accounts i.e. by 20th of April of the year.

Section 4. All Branch Councils shall submit the statements of accounts along with membership list, and subscription details, to the Regional Executive Council within 10 days of the closing of accounts i.e. by 10th April of the year

Section 5. On receipt of the accounts from all the Regional Councils, Central Executive Council shall prepare and circulate accounts of the Guild for the past year by 15th May of the year.

Clause B. FUNDS

Section 1. Guild shall have a consolidated fund to be operated as prescribed in the Constitution at the CHQ, RHQ and Branch level and shall be utilised as per provisions of the constitution.

Clause C. AUDIT

Section 1. Once in every year, the accounts of the Guild shall be audited.

Section 2. Any two members nominated by the Branch shall audit accounts of the Branch. These members shall not be members of the Branch Council concerned.

Section 3. Any two members nominated by the Regional Body shall audit accounts of the Region. These members shall not be members of the Regional Council concerned.

Section 4. Accounts of the Guild maintained by Central Executive Council shall be audited in accordance with the provisions of the Central Trade Union Regulations, 1938 (as amended from time to time).

Article IX AMENDMENT TO CONSTITUTION AND DISSOLUTION OF THE GUILD.

Clause A. MAIN LAWS

Section 1. Whenever it shall appear that it is advisable to alter, extend or abridge the Main Laws, it shall be done by $\frac{2}{3}$ rd majority of the General Council, unless otherwise it is determined to refer to the General Body.

Section 2. To amalgamate or affiliate the Guild wholly or partially with any other society, only General Body of the Guild shall determine it.

Section 3. Proposal for such amalgamation or affiliation shall be made by any 50 (Fifty) Members of the Guild, or any Regional Council, or Central Council.

Section 4. Every such proposal shall be forwarded to the Central Executive Council, who shall thereafter, within a month convene a Special Meeting of the General Council to discuss such proposal.

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Section 5. Proposal for amalgamation or affiliation shall be discussed and passed by the General Council and it shall be notified to all the members of the Guild.

Section 6. One month after such notification a Notice for Referendum shall be issued and only if $\frac{3}{5}$ th majority of the votes polled agree to such proposal, it shall be carried.

Clause B. BYE-LAWS

Section 1. Central Executive Council, Central Council, and the General Council shall be empowered to amend such bye-laws as are considered necessary from time to time to carry out work according to the foregoing provisions, and to overcome if any difficulty in smooth operation of the activities of the Guild.

Section 2. Such amendments shall be notified to the members by Central Executive Council and shall become effective from the date mentioned in such notification or from the date of notification if none specified in the notification.

Section 3. Amendments made by the Central Executive Council will become ineffective if at least 10% of the total members have sent written objections to such byelaw within one month of the notification, and in that case, such byelaw would become effective only when passed by the Central Council.

Section 4. Amendments made or ratified by the Central Council will become ineffective if at least 20% of the total members have sent written objections to such byelaw within one month of the notification, and in that case, such amendments would become effective only when passed by the General Council.

Section 5. Amendments made or ratified by the General Council will become ineffective if at least 30% of the total members have sent written objections to such byelaw within one month of the notification, and in that case, such amendments would become effective only when passed by the General Body. In such situation a Notice for Referendum shall be issued and votes of the members obtained. In case majority of the votes polled ratify such amendments, it shall become effective.

Section 6. Amendments made by the Central Executive Council shall be placed for ratification in the next meeting of the Central Council.

Section 7. Amendments made or ratified by the Central Council shall be placed for ratification in the next meeting of the General Council.

Section 8. Amendments made or ratified by the General Council, if has not been objected to by at least 30% of the total Members, within a period of one month from the notification, shall remain effective unless amended, or deleted, by the General Council.

Clause C. DISSOLUTION

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Section 1. Any number not less than $\frac{3}{5}$ th of the members of the Guild may determine that it shall be dissolved, and thereupon it shall be dissolved forthwith, or at any time agreed upon, and all necessary steps shall be taken for disposal of the property of the Guild, its claim and liabilities, by the Central Executive Council as directed by the General Council of the Guild.

Section 2. Provided that in the event of the any dispute arising among the members of the Guild or among the members of the Central Executive Council, the adjustment of its affairs shall be referred to the Principal Court of original civil jurisdiction of the district in which the Headquarters of the Guild is situated for the time being.

Section 3. No proposal for the dissolution of Guild shall be put to members unless the same has been discussed and ratified in a special meeting of the General Council called for such purpose.

Section 4. Once General Council has ratified the proposal for dissolution of the Guild, another special meeting of the General Council shall be called after a gap of three months for the confirmation of the proposal of dissolution, and to decide upon steps to be taken for disposal of property of the Guild, its claim and liabilities.

Section 5. Once General Council has confirmed its ratification of the proposal for dissolution of Guild, the Central Executive Council shall put forward the proposal to the General Body of the Guild by issuing a 'Notice for Referendum' for such purpose.

Section 6. Guild shall not be dissolved unless $\frac{3}{5}$ th of the members of Guild shall have expressed a wish for such dissolution by their votes delivered, subsequent to such 'Notice for Referendum'.

Clause D. UPON DISSOLUTION NO MEMBER TO RECEIVE PROFIT

Section 1. If upon the dissolution of the Guild, there shall remain, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed amongst the members of the Guild or any of them, but shall be given to some other society, to be determined by the votes of not less than $\frac{3}{5}$ th of the members through a Notice for Referendum at the time of dissolution, or in default thereof, by such court as aforesaid.

Clause E. SEAT OF HEADQUARTERS

Shall be at Delhi for the time being.

PART II - BYELAWS

I. APPLICATION FOR MEMBERSHIP

Every person who is eligible for membership shall submit an application in the prescribed form (Appendix) to the Regional Executive Council or the Branch Council as the case may be, who shall accept the application for membership after proper scrutiny and forward the same to the Central Executive Council. Central Executive Council shall on acceptance of the Membership inform the Member & Branch / Regional Executive Council along-with Membership No., Membership Card and copy of the Guild Constitution.

II. CONSOLIDATED FUND

Consolidated Fund shall consist of two parts:

- Subscription Fund and
- Ephemeral Fund.

II - A. SUBSCRIPTION FUND

Every member shall pay:

- II - A [1]. On admission a fee of Rs. 100/- as admission fee.
- II - A [2]. An annual fee of Rs. 1200/-, payable in advance annually, half yearly, quarterly or monthly.
- II - A [3]. Any specific amount, as decided by the Central/ Regional/ Branch Council towards expenditure on any specific purpose, if the funds available do not make it feasible to expend the same from the available resources.
- II - A [4]. Affiliation/membership fee, in the event of the Guild's affiliation to any International/ National Association/ Union, e.g. IFATCA.

II - B. EPHEMERAL FUND

Funds generated through publication of souvenirs, books, periodicals or by conducting seminars, workshops or through any other revenue generating activities shall be called Ephemeral Fund.

III. DISTRIBUTION OF FUNDS

III - A. SUBSCRIPTION FUND:

- III - A [1]. Admission fee shall go entirely to the CHQ.
- III - A [2]. Annual Fee shall be distributed among the CC/RC/BC in the proportion: 50/25/25 percentage respectively.
- III - A [3]. Specific amounts called for in exigencies shall go entirely to the councils calling for such contributions.

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III - A [4]. Affiliation/membership fees will go only to the Association/ Union to which the Guild is affiliated.

III - B. EPHEMERAL FUND:

III - B [1]. Ephemeral funds shall be distributed among the CC/RC/BC in the proportion - 70/20/10 percentages respectively.

IV. OPERATION OF FUNDS

IV - A. CENTRAL COUNCIL:

Amounts received by Central Council, shall be deposited in any reputed/scheduled Bank, in the name of "Air Traffic Controllers' Guild (India) Consolidated Fund" and such account(s) shall be operated jointly by General Secretary, Assistant General Secretary, and Treasurer. Withdrawals can be made by any two of the three mentioned above jointly.

IV - A [1]. The day-to-day expenses of the Central Council, Office of the Guild shall be met from this fund.

IV - A [2]. Specific amounts called for in case of exigencies shall be used for exigency requirements.

IV - B. REGIONAL COUNCILS:

Amounts Received by Regional Councils shall be deposited in any Scheduled Bank in the name of "ATC Guild (India) Consolidated Fund (name of the Region) Region" and to be operated jointly by Regional Secretary, Assistant Regional Secretary, and Treasurer. Withdrawals can be made by any two of the three mentioned above jointly. This Fund shall be utilised to meet the day-to-day expenses of the Regional Council.

IV - C. BRANCH COUNCILS:

Amounts Received by Branch Councils shall be deposited in any Scheduled Bank in the name of "ATC Guild (India) Consolidated Fund (name of the Branch) Branch". In case of Major Branches (In branches with 15 or more members) the bank account shall be operated jointly by Branch President, Branch Secretary, and Treasurer. Withdrawals can be made by any two of the three mentioned above jointly. In case of other branches the bank account shall be operated jointly by Branch President and Branch Secretary-cum-treasurer. Withdrawals can be made by the two mentioned above jointly. This Fund shall be utilised to meet the day-to-day expenses for the functioning of the Branch Council.