

No. 2/5/94-JCA
Government of India
Ministry of Personnel, P.G. & Pensions
(Department of Personnel & Training)

New Delhi, Dt. 28-7-1974

Subject: Recognition of Service Associations- vetting of sample cases.

✓ It is suggested that the Constitution/Bye-laws of the Association may be examined in terms of Recognition Rules and it may be ensured that they conform to the Recognition Rules. In addition, it may also be ensured that the constitution/bye-laws have the following features:

(i) Accounting Year

1st April to 31st March

(ii) Procedure for holding elections

Constitution of an Association must lay down procedure for conduct of elections to elect office-bearers/members of Executive Committee. Such election should be conducted by Association themselves. Government Department should not in any manner associate with the process. However, if so requested by the association, an official may be deputed to function as an observer having nothing to do with the actual conduct of elections.

(iii) Term of Office-bearers

An office-bearer should have a fixed term not exceeding two years. If elections are not held within three months of expiry of the term, the office-bearer would cease to be duly-elected representative of the Association.

(iv) Total number of office bearers/members of Executive Committee

The total number should not be disproportionate to the total membership of an association and keeping in view the functioning/working requirement of an association.

(v) Amendment to the Constitution

The Constitution should provide that any amendment would be done by the association after seeking prior approval of the Government. (Rule 6 (g))

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(vi) Membership Subscription

The Constitution should provide that the membership subscription at the prescribed rates may be deducted [annually] from the pay-rolls of member-employees.

(vii) Number of delegates

The number of delegates from branches/units for attending the Annual General Meeting should be specifically laid down in the Constitution. Such number will, however, depend upon the membership and coverage of the association.

As regards composition of the Association and membership clause, it is left to the Departments to ensure that the Association is formed with the object of promoting common interest of a distinct category of Government employees so that the commonality of interest can be secured to the maximum extent and the Association functions as a homogenous group. However, it is left to the Department to define distinct category keeping in view the functional/administrative/organisational set up. However, there may also be no objection to a composite Association consisting of different groups/categories subject to the administrative convenience. The Association may be advised to amend the Constitution as indicated, and, thereafter, refer to this Department for final vetting.

Rg
22/7/94
(RANBIR SINGH)
Desk Officer (JCA)

Syomal Mukherjee
Secy
21/4/94
Asst. Secy, Borealis

Office of C & A.G. (Mrs. Revathi Iyer, Asst. (HR))

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