

# **CONSTITUTION OF ALL INDIA CENTRAL EXCISE INSPECTORS' ASSOCIATION**

## **'PREAMBLE'**

Whereas it is expedient to substitute constitution of "All India Federation of Central Excise Executive Officers" to suit the present requirement, we do hereby adopt and give to ourselves the new Constitution in the Convention held at Pune on this 5<sup>th</sup> day of December, 2006.

[As amended in the Convention held at Patna on the 16<sup>th</sup> and 17<sup>th</sup> December, 2012.]

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## **CHAPTER : 1**

### **GENERAL**

#### **ARTICLE: 1    SHORT TITLE EXTENT AND COMMENCEMENT**

- (1) The All India Federation of Central Excise Executive Officers shall henceforth be known as "All India Central Excise Inspectors' Association" and this Constitution shall be the Constitution of All India Central Excise Inspectors' Association. It shall extent to the whole of India and shall come into force on the 6<sup>th</sup> of December, 2006.
- (2) This shall be called as the Constitution of All India Central Excise Inspectors' Association, henceforth referred to as the Constitution.
- (3) Emblem as agreed by the Convention which is as below may be used:



#### **ARTICLE: 2    DEFINITIONS**

In this Constitution unless the context otherwise requires;

- (1) 'Association' means All India Central Excise Inspectors' Association representing all the Inspectors of Central Excise working under the various formations of Central Board of Excise and Customs.
- (2) 'Branch' means the organization formed by all the Units of one or more Commissionerates located at a particular station/place [or by

all the units of the Commissionerates with inter-Commissionerate transferability of Inspectors falling in the jurisdiction of one or more administrative Chief Commissioner]<sup>[1]</sup>, but not with any unit belonging to the jurisdiction of another Branch.

*(Note:- All the Federating Units as on the date of the adoption of this Constitution, representing only a part of any Cadre zone shall be known as Branches).*

<sup>[1]</sup>Amended at 2012 Patna Convention

- (3) 'Branch Committee' means the Executive Committee at the level of Branches.
- (4) 'Circle' means the organization at the level of the State(s)/Union Territory or at the level of the Cadre Controlling authority, formed by the Branches of One State or more or One Cadre Controlling authority, but not with any Branches belonging to the jurisdiction of another Circle.  
*(Note: - Presently all the Federating Units affiliated to the erstwhile A.I.F.C.E.E.O. are deemed as Circles/Branches of this Association and all members of the erstwhile Federating Units are deemed to be the members of this Association).*
- (5) 'Circle Committee' means the Executive Committee at the level of Circles.
- (6) 'Convention' means the APEX body of the Association representing all members being on the working strengths of each unit.
- (7) 'Elected Officer Bearer of the Association' means the President, the Working President, the Secretary General, the Assistant Secretary General, the Liaison Secretary, the Vice Presidents, and the Joint Secretaries who have been elected in a 'Convention' of the Association or co-opted by the Central Executive Committee of the Association, as the case may be.
- (8) 'Central Executive Committee' means the executive committee of the All India Association.
- (9) 'Headquarters' means the headquarters of the Association, which shall be the headquarters of the Secretary General.
- (10) 'Member of the Association' means, all the members who are subscribing to the Association through the Circles or Branches.  
*(Note:- All members of the Federating Units at the time of adoption of this Constitution are deemed to be the members of this Association).*
- (11) 'Office Bearers of the Association' means the Office Bearers elected in the Convention or Co-opted by the Executive Committee and also nominated by the Secretary General as per the provisions of this Constitution.
- (12) 'Office Bearers of the Circle/Branch' means the Office Bearers elected by the members of the respective Circle/Branch.

- (13) 'Unit' means the organization at the level of the Division or its equivalent.
- (14) 'Unit Representative(s)' means the representative of the Unit elected by the members of the Unit.
- (15) 'Year' means a period running from 1<sup>st</sup> April of the year to 31<sup>st</sup> March of next year.

### **ARTICLE : 3    AIMS AND OBJECTIVES**

- (1) The main aims and objectives of the Association shall be:-
  - a) Upliftment of the members, and to devise ways and means to enlighten and guide them in law and procedure;
  - b) To organise and to unite the Inspectors borne on the establishment of Central Excise department, and to develop among them spirit of solidarity and brotherhood;
  - c) To safeguard and promote the rights, interests and privileges of the members of the Association;
  - d) To redress the grievances (including harassment and victimisation) of the members, and to adopt constitutional measures to secure fair service conditions;
  - e) To foster the spirit of cooperation among the members in furtherance of the interests;
  - f) To promote general welfare of the members and to endeavor for their social, economic and cultural progress;
  - g) To strive for intellectual improvement of the members;
  - h) To ensure through peaceful and constitutional means the correct implementation of government policies affecting the cadre in general and the members in particular;
  - j) To suggest to the administration proposals to improve the functioning of the Commissionerates in particular and the Department in General;
  - k) To publish a journal;
  - l) To promote participation of members in cultural and sports activities;
  - m) To confederate, if necessary, with organisations having similar aims and objectives.

(2) The Association shall raise, maintain and utilise the funds for the fulfillment and the realisation of the aims and objectives enumerated above, and, may raise donation for specific or general purposes pertaining to the welfare of its members.

## **ARTICLE : 4 FUNDAMENTAL DUTIES**

(1) It shall be the duty of every member:-

- (a) To abide by the Constitution;
- (b) To strive for the achievements of Aims and Objectives of the Association by being an active member of the Association;
- (c) To promote the spirit of common brotherhood amongst all the staff of the Department;
- (d) To act with decency and dignity;
- (e) To strive towards excellence in all spheres of individual and collective activity so that the cadre in particular, the department in general and the nation as a whole rises to higher levels of endeavor and achievements.

## **CHAPTER : 2**

### **MEMBERSHIP**

## **ARTICLE : 5 ELIGIBILITY:**

All the Inspectors of Central Excise working in various formations under the Central Board of Excise and Customs borne on the establishment of the Commissionerates, whether serving in the Commissionerates or on deputation elsewhere, shall be eligible for the membership of the Association.

*(Note:- All members of the Federating Units at the time of adoption of this Constitution are deemed to be the members of this Association).*

## **ARTICLE: 6 ADMISSION FEES:**

Any Inspector of Central Excise desirous of becoming a member of the Association shall make an application, in writing in the prescribed form given in Annexure-A, in quadruplicate to the Association along with a payment of Rs. 200/- through their Branch/Circle Secretary. The application along with 50% of admission fees so collected, by the Branch/Circle Secretary, shall be remitted to the Secretary General of the Association within a period of thirty days. The Secretary General of the Association will be competent to consider all such applications and decide to admit or reject membership.

*(Note: - However it is clarified that all the Federating Units affiliated to the erstwhile A.I.F.C.E.E.O. are deemed as Circles/Branches of this Association as per the jurisdiction represented by them and all members of the erstwhile Federating Units are deemed to be the members of this Association. Membership forms received along with remittances towards membership fees in respect of members joining after 1.1.2007 should be forwarded to the All India Association for inclusion in the membership register).*

## **ARTICLE: 7     SUBSCRIPTION**

- (1) Every member of the Association shall effect payment of a monthly subscription at the rate of Rs 60.00<sup>[2]</sup> per month.
- (2) The Circles/Branches will retain 2/3<sup>rd</sup><sup>[3]</sup> of the subscription collected from the member and shall remit 1/3<sup>rd</sup><sup>[4]</sup> to the Secretary General within the period of 60 days from the date of deduction.

[2],[3],[4] – Amended at 2012 Patna Convention.

## **ARTICLE: 8:             MEMBERSHIP REGISTER**

The membership register will be maintained by the Association at the All India level and at the level of the Circles/Branches by retaining one copy of application form for admission. It will be the responsibility of the Circles/Branches Secretary to update the membership register and to communicate all changes made every year at the time of renewal.

## **ARTICLE :9   LAPSE OF MEMBERSHIP**

The membership shall lapse if the renewal/ subscription is not paid by the member for one year. The member, whose membership is lost, may rejoin after payment of arrears and readmission fee of Rs 50/- (Rupees Fifty only).

## **ARTICLE : 10   TERMINATION OF MEMBERSHIP**

The membership of a member of the Association shall be terminated on any of the following grounds:

- (1) Resignation or retirement from the service;
- (2) Resignation from membership;
- (3) Becoming the member of any other Service Association / Federation;
- (4) Expulsion from the Association;
- (5) Promotion<sup>[5]</sup>

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[5]    Inserted at 2011 Bangalore Convention.

**ARTICLE : 11    SUSPENSION AND EXPULSION FROM MEMBERSHIP**

- (1) A member can be suspended from the Association by the Central Executive Committee of the Association if in its opinion:
  - (a) The conduct of the member is objectionable and lowers the dignity of the Association or, impairs its unity or solidarity; or
  - (b) The conduct of the members infringes any of the objectives of the Association or its cherished ideals; or
  - (c) The member engages in activities detrimental to the interests of the Association.
- (2) Membership can be suspended by the executive committee of Circles/Branches, if in its opinion the conditions stipulated in clause (a),(b) or<sup>[6]</sup>(c) of article 11 (1) are fulfilled and the said decision of the Circle/Branch Committee should be placed before very next Executive Committee Meeting of the Association for ratification and if the Executive Committee finds it required it may cancel the Suspension or revoke the same depending upon the merits of the case;
- (3) A member who has been suspended by the Executive Committee or Circle Committee/Branch Committee can be expelled only by the Convention by simple majority of the members present and voting.
- (4) Suspension of a member may be revoked by the very same Committee or by the Executive Committee of the Association after considering the reply/reasons for conduct/misconduct of the particular member who has been suspended.
- (5) The Convention shall be the competent to, suo-moto, suspend or expel a member on the grounds mentioned in Article 11(1).
- (6) In matters relating to Suspension/expulsion, a member shall have the right to represent his case before the Executive Committee/Circle Committee/Branch Committee / Convention, where such decision is sought to be taken.

[6] Amended at 2012 Patna Convention.



## **ARTICLE : 12    RIGHT TO VOTE**

- (1) At the Unit level every member shall have one vote each and decisions in the meetings of the Units shall be arrived at as per the majority of votes polled by members present and voting.
- (2) At the level of the Circles/Branches, for the purposes of election to the Circle Committee, the voting rights of the members may be decided as per the local requirements, considering whether the Elections are to be held by secret ballot where all members shall have one vote for each post or whether the Elections are to be conducted in the General Body meetings of the Circles/Branches where delegates from Units in proportion to the subscribed strength shall vote with one vote being exercised by every delegate for every post.
- (3) For the Committee meetings of the Circle/Branch the number of votes per delegate attending the meeting of the Circle/Branch Committee may be regulated as per the subscribed strength of each Unit represented.
- (4) In the Executive Committee of the Association, all elected Office Bearers will have one vote each and the representatives of the Circles (and where Circles are not available, the Branches) shall have votes equal to the number of Commissionerates the Circle/Branch is representing.
- (5) In a Convention, the voting for each Circle (and where Circles are not available, the Branches) shall be fixed on the basis of one vote for every hundred fully subscribed membership or part thereof [provided the part is 50 or more] with every delegate present and voting entitled to exercise one vote for every post/issue.

## **CHAPTER : 3**

### **‘ORGANISATION AND MANAGEMENT’**

## **ARTICLE : 13    ORGANISATION**

- (1) `The Association will have the following structure:
  - (a) ‘Unit’ at the level of the Division or its equivalent to be formed with 10 or more members with at least one representative but not more than two elected from amongst the members to represent in the Branch Committee;

- (b) 'Branch' at the level of the Commissionerate or its equivalent, formed by the Units of one Commissionerate or more than one Commissionerate, but not with any unit belonging to the jurisdiction of another Branch with a committee consisting of a President, Vice-President(s), Secretary, Joint Secretary(ies) and Treasurer by method of direct election from the membership or by means of elections by delegates.
- (c) 'Circle' at the level of the State(s)/Union Territory or at the level of the Cadre Controlling authority, formed by the Branches of One State or more or One Cadre Controlling authority, but not with any Branches belonging to the jurisdiction of another Circle with a Circle Committee consisting of the Office Bearers of all the Branches in the Circle or by a set of Office Bearers to be elected from the members as required in the respective Circles; where circle committee is elected through direct franchise, in such a situation, Branch Secretary could be nominated by the Circle committee and he will be ex-officio member of the circle committee.
- (d) 'Zones' consisting of the following Circles with one Vice-President and One Joint-Secretary each from the All India Body to co-ordinate:
- East:** Orissa, West Bengal, Andaman Nicobar and Sikkim, and North Eastern States.
- West:** Maharashtra (excluding Vidarbha), Goa, and Gujarat, Daman & Diu
- Central:** Bihar, Chhattisgarh, Vidarbha region Maharashtra of Madhya Pradesh, Bihar and Jharkhand.<sup>[7]</sup>
- South:** Karnataka, Kerala, Andhra Pradesh, Tamil Nadu and Pondicherry.
- North:** Rajasthan, Punjab, Haryana, Jammu & Kashmir, Delhi and Uttar Pradesh, Himachal Pradesh
- (e) Central Executive Committee of the Association consists of :
- i. President,
  - ii. Secretary General,
  - iii. Working President,
  - iv. Assistant Secretary General,
  - v. Liaison Secretary,
  - vi. Organising Secretary<sup>[8]</sup>
  - vi. Five Vice Presidents representing each zone,<sup>[9]</sup>
  - vii. Five Joint Secretaries representing each zone,<sup>[10]</sup>
  - viii. Treasurer nominated by the Secretary General

- ix. Office Secretary nominated by the Secretary General and,
- x. All the Presidents and Secretaries of the Circles (and where Circles are not represented, in such cases Branches) or the nominated representatives of the Presidents/Secretaries of the Circles/Branches.

(2) The Association shall be managed as below:

- (a) The Convention shall be the supreme authority of the Association. The Convention shall comprise of all members of the Executive Committee and the delegates from the Circles (and where Circles are not available from the Branches) who shall be based on the numerical strengths of paid up membership of each Circle/Branch represented on the ratio of one delegate for every hundred members or part thereof. [Provided the part is 50 or more].
- (b) The Executive Committee of the Association will be the apex executive forum of the Association.
- (c) The Office Bearers of the Zones shall co-ordinate within their zones and between the Circles/Branches of their Zones and with the All India leadership.
- (d) The Circles/Branches shall perform the activities of the Association limited to the members in their jurisdiction; They shall, in keeping with the spirit of this Constitution, hold meetings of their general membership and hold elections at their levels once in two years, hold Circle/Branch Committee meetings once in a quarter, maintain the accounts and place their audited accounts before the Convention of the Association and intimate the developments in their jurisdiction to the Secretary General from time to time.
- (e) The Circle/Branch Committees shall perform the activities as that of the Executive Committee of the Association, limited to the members of their jurisdiction;

[7],[8],[9] & [10] – Inserted at 2008 Daman Convention.

#### **ARTICLE : 14    THE CONVENTION/SPECIAL CONVENTION OF THE ASSOCIATION**

- (1) The Convention will be held once in two years, with dates to be decided in the Executive Committee or in case of any difficulty as decided by the Secretary General and notified 60 days in advance. In an exceptional case the period can be extended for a period of maximum six months by a motion to this effect in the Central Executive Committee supported by 2/3<sup>rd</sup> of the members present and voting. In no case shall the extended period be more than one year.
- (2) A Special Convention shall be called:
  - (a) On a requisition by the Executive Committee with a two third majority, for deliberating on any subject or agenda including no-confidence motion or removal/ election of any office bearer and
  - (b) In case of promotion of the Chief Executive of the Association.<sup>[11]</sup>

<sup>[11]</sup> Amended at 2012 Patna Convention.

- (3) The manner of deciding on the venue and date and the manner of issue of notice for the Special Convention shall be as provided for the Convention.
- (4) The power and functions of the Convention are as under:
  - (a) To read and confirm the minutes of the last Convention;
  - (b) To evaluate and adopt the report of the Secretary General;
  - (c) To approve the audited accounts;
  - (d) To consider and adopt resolution on various problems of the member and units and formulate guidelines for the implementation by the Federation Executive Committee;
  - (e) To fix responsibility for any loss of property or unauthorised expenditure/misuse of funds and to decide on the course of action for recovery;
  - (f) To elect Office bearers of the Association;
  - (g) To review financial position of the Association and suggest ways and means to augment its fund;
  - (h) To review working of the Executive Committee;
  - (i) To write off irrecoverable amount;
  - (j) To act as final Appellate authority against decision taken by the Executive Committee;
  - (k) To terminate, expel or suspend defaulting members by a 2/3<sup>rd</sup> majority of the members present and voting, in accordance with Article 11;
  - (l) To adopt a new constitution and or amend the existing constitution;
  - (m) All other residuary powers mentioned or not elsewhere.

- (5) All decisions in the convention unless otherwise provided in this Constitution shall be arrived at by a simple majority out of the votes of the delegates present and voting.
- (6) The Special Convention may perform any of the functions of the Convention and only in the case of a no-confidence motion shall have elections for the posts of the Office Bearers of the Association, unless the normal period of the post of the Office Bearers as per the Constitution has expired.

#### **ARTICLE : 15 THE CENTRAL EXECUTIVE COMMITTEE**

- (1) The Central Executive Committee of the All India Association should meet once in every six months. There should not be a gap of more than one year between two consecutive Central Executive Committee meetings. Similar exercise would be followed by the Circle/Branch Committee of the Associations. The notice of the Executive Committee Meeting shall be given four weeks in advance prior to the date of the meeting. However, 15 days notice can also be given in emergent cases.
- (2) The power and functions of the Central Executive Committee of the Association are as under;
  - (a) Review the working of the Association,
  - (b) Discuss and take steps to find solution for the problems of the Cadre/ members/Circles/Branches;
  - (c) Review the financial position of the Association and suggest ways and means to augment its funds;
  - (d) Authorise the Secretary General to call for donations from the members/Branches/Circles after determining the amount of donation, which shall be uniform to all members/Branches/Circles depending upon from it is requested;
  - (e) Sanction the expenditure connected with the activities of the Association (within its financial reports)
  - (f) Scrutinise and approve the vouchers produced by the Secretary General or any other office bearer of or member who spends the money on behalf of the Association with prior sanction for such expenditure from the Secretary-General;
  - (g) Write off as irrecoverable the amount which falls within its financial powers;

- (h) Examine and discuss the proposals for expressing no-confidence in or for suspending, expelling or removing any office bearer and to take suitable action in such matters;
- (i) Whenever any post falls vacant, to co-opt the Office Bearer for the said post till the elections in the next convention;
- (j) Select the scheduled bank in which the funds of the Association shall be deposited;
- (k) Call for Special Convention, when exigencies arise;
- (l) To examine and discuss motion for expelling/terminating membership;
- (m) To approve the appointment of Auditor;
- (n) To supervise proper and smooth functioning of the Circles and Branches as per the Constitution;
- (o) To Constitute/form/declare new Circles/Branches as per the requirements of the membership/association from time to time.
- (p) In the event of promotion/ retirement of the Chief Executive shall choose new executive through the representatives of the Central Executive Committee by selection/by election.
- (q) In case of any election the voting power of different Circle Committee and branch Committee shall be the proportion of their respective membership strength to the tune of 1: 100.

#### **ARTICLE:16 ORGANISATION AT THE LEVEL OF CIRCLES AND BRANCHES**

- (1) The Circles/Branches shall perform the activities of the Association limited to the members in their jurisdiction; They shall, in keeping with the spirit of this Constitution, hold meetings of their general membership and hold elections at their levels once in two years, hold Circle/Branch Committee meetings once in a quarter, maintain the accounts and place their audited accounts before the Convention of the Association and intimate the developments in their jurisdiction to the Secretary General from time to time.
- (2) The Circle/Branch Committees shall perform the activities as that of the Central Executive Committee of the Association, limited to the members of their jurisdiction;
- (3) There shall be a meeting at the level of the State or the Circle with delegates from all the Branches at least once in two years, to perform the activities of the General Body or the Convention in respect of its jurisdiction and the report of the meeting should be sent to the Secretary General.
- (4) There shall be a meeting at the level of the Branch with delegates from all the Units at least once in a year, to perform the activities of the General

Body or the Convention in respect of its jurisdiction and the report of the meeting should be sent to the Secretary General/Circle Secretary.

- (5) The Committee meetings of the Circles may be held at least once in six months and that of the Branches at least once in three months.
- (6) The meetings of the Circles and Branches shall be presided over by its President of the respective Circles and Branches and conducted by the Secretary of the respective Circles and Branches.
- (7) Meetings of the Units shall be held at least once a month.
- (8) All Office Bearers of Circles/Branches shall have a tenure of 2 years from the date of election, extendable upto not more than 3 more months by a 2/3 majority of their respective Executive Committees. All representatives of the units shall have a tenure of one year from the date of election.

#### **ARTICLE: 17 CREATION OF NEW CIRCLES AND BRANCHES**

- (1) No new Circles or Branches shall be formed automatically on re-organisation of the department.
- (2) Any proposal for a new Circle/Branch should be submitted to the Secretary General by way of a memorandum signed by at least 2/3<sup>rd</sup> members of the proposed new Circle/Branch. The Secretary General shall place the memorandum before the next Executive Committee, which shall after satisfying itself regarding the genuineness of the request send observers in whose presence the election of office bearers of the new Circle/Branch should be conducted.
- (3) The Secretary General after getting results of such elections and duly satisfied as per the will of the members may notify the creation of the new Circle/Branch on payment of Rs 1000/-as initial fees.
- (4) Till all the above formalities are completed, the recognized Circle/Branch from which the new Circle/Branch is to be formed shall continue to look after all the affairs as if undivided.

#### **ARTICLE : 18 QUORUM FOR MEETINGS**

The quorum of the convention/special convention and Executive Committee Meeting/ Emergency Meeting shall be as under:

- (1) Convention/ Special Convention - one-third of the total of strength of the official delegates.
- (2) Executive Committee Meeting/ Emergency Meeting - one-third of the total of strength of elected office bearers.

- (3) The quorum for the General Body Meetings of the Circles/Branches and the Circle/Branch Committees shall be on the same basis as the Convention and Executive Committee of the Association.

#### **ARTICLE : 19 DELEGATION FEES**

There shall be a delegate fee of Rs. 500/- (Rupees Five hundred only) per delegate per day for attending Convention/ Special Convention and Executive Committee Meeting and Emergency Meeting, which shall be paid to the host unit.

### **CHAPTER: 4**

#### **MANNER OF ELECTION AND APPOINTMENT OF THE OFFICE BEARER**

#### **ARTICLE: 20 THE PROCEDURE OF CONDUCTING ELECTIONS**

1. The convention shall appoint a Returning Officer to conduct free and fair elections of the Office Bearers of the Association as mentioned in article 14 of the Constitution. The Returning Officer shall not be a member of the Executive Committee/ Convention. The Returning Officer may appoint two Assistant Returning Officers for his assistance.
2. Returning Officer shall accept the nomination/ allow the withdrawal nomination, conduct election and announce the results during the time period fixed by the convention.
3. In case of any dispute relating to election, the complaint shall be lodged with the Returning Officer. The decision of the Returning Officer on any matters relating to elections shall be final.
4. Every Circle/Branch Secretary shall inform the names of the delegates of the units who will vote. Voting shall be held through secret Ballot.
5. The number of votes of each Circle/Branch shall be announced in the Conference/ exhibited on the Notice Board, prior to commencement of election.
6. All the Office Bearers of the Association shall be elected by the Conference for a period of two years. In an exceptional case the tenure can be extended for a period of maximum six months by a motion to this effect in the Executive Committee supported by 2/3<sup>rd</sup> of the members present and voting. In no case shall the extended period be more than one year.



**ARTICLE: 21 ELECTION DAY & DECLARATION OF RESULTS**

The last day or any other day of the Convention as decided by the Convention, will be considered as the Election Day. Counting shall be done after completion of polling in presence of Returning Officer on the spot and the result(s) shall be declared by him.

**CHAPTER : 5****‘DUTIES AND RESPONSIBILITIES OF OFFICE BEARERS  
OF ALL INDIA ASSOCIATION’****ARTICLE: 22 PRESIDENT**

The duties and responsibilities of the President are as under:

1. The President shall be the head of the association and shall exercise supervisory control over its working and administration.
2. He shall preside over the Convention and the meeting of the Central Executive Committee.
3. All points of order raised during the Convention or the meeting shall be decided by the President and his ruling shall be final. The President shall have a casting vote in case the voting on any point results in a tie.

**ARTICLE: 23 WORKING PRESIDENT**

The Working President shall assist the President in the discharge of his duties and shall perform the functions of the President in his absence.

**ARTICLE: 24 SECRETARY GENERAL**

The duties and responsibilities of the Secretary General are as under;

1. The Secretary General shall be the Chief Executive of the Association and shall have the overall responsibility to ensure that all the items of business connected with the affairs of the Association are carried out promptly and efficiently.
2. He shall maintain all records of the Association (except those connected with the finances) and shall be empowered and responsible for all correspondence emanating from the Association.
3. He shall be responsible for the proper maintenance of the record of activities of the Association.
4. He shall keep the other members of the Executive Committee informed of a very important event affecting the members.

5. He shall ordinarily convene and attend the Convention and the meetings of Association executive committee.
6. He shall present the minutes of the previous convention and or the meeting as the case may be and get them approved before taking up the business of the convention or the meeting.
7. He shall during every meeting of the Association Executive Committee present a brief resume of the activities of the Association from the date of the previous meeting.
8. He shall present a report to the convention regarding activities of the Association from the date of holding the previous convention.
9. He shall intimate and pursue action on all decisions taken during convention and during the meeting of Executive Committee.
10. He shall nominate and appoint Treasurer and office Secretary.
11. He shall be responsible for the timely and proper collection of the funds of the Association and its utilisation.
12. He shall pass for payment all bills for expenditures incurred on account of the conduct of affairs of the Association, whether such expenditure is sanctioned or awaiting post facto sanction by the competent authority subject to the rules, if any, framed under article 33.
13. He shall sanction that traveling allowances admissible to the office bearers according to the rules framed under article 33, for attending the convention or the meetings of the Central Executive Committee, all for the journey performed by them, in connection with the activities of the Association.
14. Any resolution passed by the Central Executive Committee/ Convention should be signed by the Secretary-General.
15. He shall normally lead all the delegations of the Association and shall represent the Association wherever necessary and shall be its official spokesperson.
16. He shall open and maintain a Bank account in the name of the Association at the Headquarters of the Association and sign all cheques and bank documents jointly with the Treasurer of the Association.

#### **ARTICLE: 25     ASSISTANT SECRETARY GENERAL**

The duties and responsibilities of the Assistant Secretary General are as under:

1. The Assistant Secretary General shall be the executive next to the Secretary General in discharge of the latter's duty.
2. He shall perform any duty specially assigned to him in the convention or by the Executive Committee or by the Secretary General.

3. All the powers of Secretary General shall stand devolved on the Assistant Secretary General in case of vacation of former's post on account of promotion/retirement/resignation or any other reason. <sup>[12]</sup>

<sup>[12]</sup> Inserted at 2012 Patna Convention

#### **ARTICLE: 26     VICE-PRESIDENTS**

The Vice Presidents elected for each of the zones shall make an over all supervision of the functioning of the Branches/Circles and co-ordinate among the Branches/Circles and reporting in the meetings of the Executive Committee/Convention.

#### **ARTICLE: 27     JOINT SECRETARIES**

The Joint Secretaries elected for each of the zones shall ensure that all the programmes of the Association are properly carried out in their zones and give necessary feed back to the President/Secretary General from time to time and during the meetings of the Central Executive Committee/Convention.

#### **ARTICLE: 28     LIAISON SECRETARY**

- (1) The Liaison Secretary shall have his headquarters preferably at New Delhi.
- (2) The duties and responsibilities of the Liaison Secretary are as under:
  - (a) He shall do all those liaison work as authorized to him from time to time, by the Secretary General or the elected office bearers for furthering the cause of the Association.
  - (b) He shall act as the facilitator of official delegation in New Delhi and maintain an effective relationship with the executives of various departments.
  - (c) Any other work, which will be assigned to him by the Secretary General.

#### **ARTICLE: 28(A)     ORGANISING SECRETARY<sup>[13]</sup>**

1. The organizing Secretary shall be the person to look after the organization on behalf of Secretary General.
2. The duties and responsibilities of the Organising Secretary are as under:
  - (a) He shall intimate Chief Executive about expansion of organization in different parts of this country. He will be responsible for timely conduction of Central Executive Committee meetings.

(b) He shall help Secretary General in every organizational activity.

<sup>[13]</sup> Inserted at 2008 Daman Convention

## **ARTICLE 29     TREASURER**

- (1) The treasurer shall be nominated by the Secretary General with the approval of the elected office bearers and shall be the custodian of finances and the accounts of the Association, and shall have his headquarters at the headquarters of the Association.
- (2) He shall attend the Executive Committee Meetings and the Convention and shall function as under;
  - (a) He shall maintain the proper accounts of the funds received and expenditure incurred on behalf of the Association.
  - (b) He shall receive all money on behalf of the Association and the issue receipts of the money so received by him.
  - (c) He shall pay all bills for the expenditure incurred on account of the affair of the Association, after these bills are duly passed or payment by the Secretary General.
  - (d) He shall place before every meeting of the Executive Committee a statement showing the financial position of the Association with arrears of initial fee/ subscription/ readmission/ donation and a list of defaulters.
  - (e) He shall place before every meeting of the Executive Committee all records pertaining to every monetary transaction, such as receipts and expenditure, made from the date of the previous meeting of the committee and shall ensure that the vouchers produced in support of the expenditure incurred during periods are critically scrutinised and approved by the committee. A certificate to the effect that the vouchers have been scrutinised and approved in the whole or in part, shall be incorporated in the minutes of the meeting of the Executive Committee.
  - (f) He shall place the audited accounts of the Association, before every Convention of the Association through the Secretary General.
  - (g) It will be the responsibility of the Treasurer to keep the Secretary General informed about non-receipt of the initial fee/ readmission/ subscription/ donation fees and a list of members.

**ARTICLE: 30**

**OFFICE SECRETARY**

- (1) The Office Secretary shall be nominated by the Secretary General/ Secretary (Branch & Circle level) with the approval of the elected office bearers and shall maintain the files/Correspondences/records of the Association, and shall assist the Secretary General/Secretary (Branch & Circle level) in the execution of his functions.
- (2) In consultation with the Treasurer, he shall maintain the register of the members of the Association and up date it from time to time.
- (3) He shall attend the Executive Committee Meetings and the Convention and also accompany the Secretary General during his visits if so required by the Secretary General.
- (4) The number of Office Secretaries so appointed should not be more than 3 (three) and they have voting rights if they attend meetings only as an elected delegate from their respective Circle/Branch. <sup>[14]</sup>

<sup>[14]</sup> Inserted at 2008 Daman Convention

**ARTICLE 30(A)\* ADVISORY MEMBER**<sup>[15]</sup>

<sup>[15]</sup> Deleted at 2012 Patna Convention.

**CHAPTER : 6**

**ARTICLE 31 : DUTIES AND RESPONSIBILITIES OF OFFICE BEARERS OF THE CIRCLES/BRANCHES**

- (1) The Office Bearers of the Circles and Branches shall perform the duties similar to that of the Office Bearers of the All India Association, but limited to their respective jurisdictions and as per local requirements without prejudice this Constitution.
- (2) The Functions of the Office Bearers of the Circles/Branches are:
  - (a) To conduct periodic meetings of their Circles/Branches as required by the Constitution and as per requirements of the members.

- (b) To attend the meetings of the Association as required by the Constitution and to ensure implementation of the decision/call of the Association.
  - (c) To take up the problems faced by their Circle/Branch not settled at their local level with the All India leadership;
  - (d) Not to indulged in any activity, which affects the cadre interests.
- (3) The Secretary of the Circle (and where Circles are not available, the Branch) shall be responsible:
- (a) To keep the All India Office Bearers and particularly the Secretary General informed of every important event/development with regard to the membership of their jurisdiction;
  - (b) To provide up to date list of the members to the Secretary General/Office Secretary;
  - (c) To furnish details and data to the Secretary General as and when required and to carry out within their jurisdictions the call of the Association from time to time and work towards achieving its aims and objectives;
  - (d) To ensure timely remittance of admission/readmission/ subscription;
  - (e) To give proper feeder to the members of the Circle/Branch as the case may be and vis-à-vis give feed back from the members to the Executive of the Association;
  - (f) Any other functions assigned by the Secretary General/Executive Committee/Convention;
- (4) In the case of Branch Secretaries, where Circles are available, they may send the particulars and details as required as per Article 31 (3) above to their Circle Secretaries and may provide similar assistance to their Circle Office Bearers.

## **CHAPTER : 7**

### **MISCELLANEOUS**

#### **ARTICLE : 32 FINANCE**

- (1) The finance of the Association shall consist of admission fees and subscriptions received from the members.
- (2) It shall also consist of donations and whenever called by the Secretary General /Executive Committee/ Convention any other collection through lawful means.

- (3) Out of the above the Circles/Branches may retain  $2/3^{\text{rd}}$  <sup>[16]</sup> of the subscription collected from the members and all the other funds shall be remitted to the Secretary General.
- (4) The funds of the Association shall be deposited in a saving bank account of a scheduled bank. The amount with the Circles/Branches may be deposited at their stations and the amount with the Secretary General/Treasurer shall be deposited with a Scheduled Bank situated at the headquarters of the Association.
- (5) The savings bank accounts shall be jointly operated by the Secretary and the Treasurer of the Circles/Branches and by the Secretary General and Treasurer in the case of the All India Association account.
- (6) At no time shall the Treasurer of the All India Association keep on hand more than that is 5,000/- (Rupees Five thousand only) in cash.
- (7) All accounts, whether of the All India Association or that of the Circles/Branches should be placed before the Executive Committee and audited accounts before the Convention.

<sup>[16]</sup> Inserted at 2012 Patna Convention.

#### **ARTICLE : 33 FINANCIAL POWERS**

1. The Secretary General shall be competent to sanction for an expenditure not exceeding Rs. 20,000/- (Rs. Twenty Thousand only)<sup>[17]</sup>, on any single item.
2. The Executive Committee shall be competent to sanction any expenditure exceeding Rs. 20,000/-, but not exceeding Rs 50,000/- <sup>[18]</sup> on any single item.
3. The convention shall be competent to sanction expenditure exceeding Rs 50,000/- <sup>[19]</sup> on any single item.
4. In case of exigencies, however the different sanctioning authority shall be permitted to accord provisional sanction on any single item of expenditure which exceeds its financial powers. Such expenditure shall be ratified ex post-facto by the appropriate competent authority at its next meeting or at the next Convention as the case may be.

<sup>[17]</sup>, <sup>[18]</sup>, <sup>[19]</sup> Amended at 2012 Patna Convention.

#### **ARTICLE : 34 AFFILIATION**

The Association may affiliate itself with such Federation, Confederation or any other Service Organisations, the interests of which are akin to the aims and objectives of the Association. The decision to seek affiliation shall be approved by a resolution of the Convention. [Similarly Circle

Committees are eligible to be associated/affiliated with such state organizations whose national level organization has allegiance with AICEIA.]<sup>[20]</sup>

<sup>[17]</sup> Inserted at 2012 Patna Convention.

#### **ARTICLE : 35 DEPARTMENTAL COUNCIL (JCM)**

The Secretary General and the President shall be the ex-officio members of the Departmental Council.

#### **ARTICLE : 36 RESIGNATION OF OFFICE BEARERS**

Resignation of the Office Bearers shall be submitted to the President who shall place them before the Executive Committee and shall accept them with the latter's concurrence. The resignation of the President shall be forwarded to the Secretary General for submission before the Executive Committee or the Convention whichever meets first for acceptance or otherwise.

#### **ARTICLE : 37 REMOVAL OF OFFICE BEARERS**

- (1) Any Office Bearer, who is proved to have misused or abused his position and/or have worked against the interests of the Association/Cadres, shall be removed from his office by a vote of no-confidence passed by a special convention by two-thirds majority of official delegates present during the convention.
- (2) An office bearer, who fails to attend three consecutive meetings of the Executive Committee shall be removed or suspended from his post by resolution passed to that effect by the majority of members present during the third meeting of the Executive Committee.
- (3) Any Office Bearer of the Circle/Branch may be removed by a two third majority in their respective Committees or General Bodies/Conferences or by a two thirds majority by the Executive Committee of the Association or the Convention on grounds of failure to carry out the functions in keeping with the spirit of this Constitution.
- (4) In the case of the Office Bearers of the Circles/Branches, any action against them by their Circle/Branch Committee require to be ratified by the Executive Committee of Convention of the Association, which meets immediately after the event and the Executive Committee/Convention has the power to set aside the decision of the Committee of the Circle/Branch and remand the matter back to the General Body/Conference of the Circle/Branch concerned. The decision of the General Body/Conference however shall not be over ruled.



### **ARTICLE : 38 NO CONFIDENCE MOTION**

- (1) A no-confidence motion against the office bearer of the Association on the grounds mentioned in the Article 37 can be moved in a special convention especially as per the Article 14 (2) (a). As soon as the no-confidence motion is passed, the concerned office bearer shall cease to be the office bearer of the Association.
- (2) No Confidence motion against the Office Bearers of Circles/Branches shall be moved in the forum in which action is sought and on the motion being passed, the Office Bearer ceases to be an Office Bearer.

### **ARTICLE : 39 FILLING OF VACANCY**

Posts falling vacant as a result of removal of the office bearers under Article 37, or resignations under Article 36 or as a result of the office bearer being promoted, or the occurrence of any other contingency such as death, permanent disability etc of the office bearers, shall be filled by the Executive Committee, when it meets first after the posts become vacant, by co-opting the required number of office bearers from amongst the members of the Executive Committee to hold the posts till the next convention is held and the new office bearers are elected .

### **ARTICLE : 40 AMENDMENT OF CONSTITUTION**

- (1) The articles of the Constitution shall be amended or suspended or deleted in the following manner
  - (a) Resolutions seeking amendments or suspension or deletion shall be included in the agenda of the Executive Committee meeting.
  - (b) The resolutions shall come into force only if passed by two-thirds majority of the members of the Executive Committee present and voted in such meeting.
  - (c) All the amendments to the Constitution effected by the Executive Committee shall be ratified by the next convention by a simple majority of the members present and voted.
  - (d) In case the amendments not ratified by the convention it shall cease to be in force; however anything said or done in pursuance of the amendment shall not be deemed to be invalid.
  - (e) The period of suspension shall be mentioned in the resolution. No provisions of the Constitution shall be suspended for more than one year from the date of which the suspension shall come into force.

- (f) The resolutions passed by the Executive Committee amending, deleting or suspending the articles of the Constitution shall be signed by the President and the Secretary General.

(2) The Executive Committee shall be competent to frame rules and bylaws consistent with this Constitution, for the smooth and efficient conduct of the business of the Association. These rules or bylaw shall be placed before next convention for ratification.

#### **ARTICLE :41 DISSOLUTION OF THE ASSOCIATION**

The association may be dissolved by resolution passed to that effect, by majority of not less than four fifths, of the delegates attending the convention especially for the purpose. In the event of the convention passing such a resolution, the assets and liabilities of the Association shall be apportioned equality to all the members through the Circles/Branches or in the manner in which it is decided by the same convention.

#### **ARTICLE : 42 FOR REMOVAL OF DOUBTS**

1. The President, with the approval of Central Executive Committee, shall give his ruling in relation to any ambiguity content in this Constitution for the purpose of removal of doubts.
2. In respect of any powers, rights and procedures not specifically enumerated hereinabove the President shall be, with the approval of the Central Executive Committee, authorised to the exercise of such powers and the rights or adopt the procedure as may be recommended.

#### **ARTICLE : 43 REPEAL AND SAVINGS**

- (1) The Constitution of the Association as was in force prior to this convention of the AIFCEE/AICEIA held at Pune on 5<sup>th</sup> December 2006 hereby stands repealed.
- (2) Notwithstanding the repeal as aforesaid, anything done or any action taken under the provisions of the repealed Constitution shall, insofar as it is not inconsistent with the provisions of this Constitution, be deemed to have been done or taken under the corresponding provisions of this Constitution.
- (3) If any difficulty arises in giving effect to the provisions of this Constitution, the Executive Committee may for reasons recorded in writing do anything not inconsistent with such provisions, which appeared to be necessary or expedient for the purpose of removing the difficulty.

**ANNEXURE 'A'**

**Application form for admission as member of  
All India Central Excise Inspectors' Association (AICEIA)  
(To be obtained in quadruplicate)**

Applicant's Name :

(In Block letters)

Designation in the office :

Date of entry into Service :

Office in which employed :

Residential address :

I declare that the particulars furnished above are correct. I agree to abide by the Constitution, discipline, and directive of the AICEIA. I may be enrolled as a member of the AICEIA.

Station :

Date :

Signature & Name of the Inspector of CE

***(To be filled in by the Office Bearer of Branch/Circle)***

Name of the Branch in which the applicant  
is admitted as a primary member :

Name of the Circle :

Receipt No. issued to the Applicant for having  
received the admission fee :

Signature of the President / Secretary of Branch/ Circle

***(To be filled in by the Secretary General)***

It is certified that Shri / Smt.

is a member of the All India Central Excise Inspectors' Association (AICEIA).

Signature of the Secretary General, AICEIA

.....cut here & submit to DDO

**Letter of Authorisation**

**[Authority: O.M. No. 2/10/80-JCA, dated 31-1-1994]**

I, \_\_\_\_\_  
(Name and Designation) being a member of the All India Central Excise  
Inspectors' Association, hereby, authorise deduction of monthly subscription of  
Rs. 60/- (Rupees Sixty only) from my salary and authorize its payment to (Name  
Branch/Circle)\_\_\_\_\_

Signature & Name of the  
Inspector of CE