



AITUC DIGITAL ARCHIVE - 2021

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Amendments

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Subject ~~AITUC Constitution (Amendments)~~

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AMENDMENTS TO CONSTITUTION.

- and
2. (e) (iii) Freedom of association/collective bargaining.
4. (a) Delete "or an equivalent etc."
- (g) Under 16 years.
- (k) Payment of wages to ^{women}workers 7 weeks before and 7 weeks after child birth.
- (o) Educational facilities including technical education.
6. (a) Rs.10/- for 200 membership and Rs.15/- up to 500 and 3 pies per membership above 500 with a minimum of Rs.20/-
9. General Council and Trade Groups
- (e) Cotton Textiles,
Jute "
Wool "
Silk "
- (p) Building, Wood, Tile and Cement and other building material industries.
- (q) Food group including, Hotel, Restaurants, Food manufacturing industries, beverages etc.
12. 30 members elected by the General Council by a system of cumulative voting.
13. (b) The General Council shall meet twice a year.
- (c) The Working Committee shall meet thrice a year.

2
E III Freedom of association & the right of organizing

- 4
- (e) delete or "an equivalent etc"
- (g) Under 16 years
- (k) Payment of wages to women workers 7 weeks before & 7 weeks after child birth
- (o) Educational facilities including technical education

6. (a) Rs 10 for 200 memberships and Rs 15 up to 500 and 3 pias for membership above 500 with a minimum of Rs 20/

9. General Council & Trade groups

- e. Cotton Textiles -
- g. W. "
- h. Wool "
- i. Silk "

p. Building & Wood, Tile & Cement & other building Material industries

2. Food group including Hotel, restaurants, food manufacturing industries, breweries etc.

12- 30 members elected by the general Council by a system of cumulative voting.

13 (b) The General Council shall meet twice a year

(c) The Working Committee shall meet three a year

ALL INDIA TRADE UNION CONGRESS CONSTITUTION

Name.

1. The name of the organisation shall be the All-India Trade Union Congress, (to be designated in abbreviated form as the A.I.T.U.C).

Aims and Objects.

2. The objects of the AITUC shall be
- (a) To establish Socialist State in India;
 - (b) To socialise and nationalise the means of production, distribution and exchange as far as possible;
 - (c) To ameliorate the economic and social conditions of the working class;
 - (d) To watch, promote, safeguard and further the interests, rights and privileges of the workers in all matters relating to their employment;
 - (e) To secure and maintain for the workers
 - (i) The freedom of speech;
 - (ii) The freedom of press;
 - (iii) The freedom of association;
 - (iv) The freedom of assembly;
 - (v) The right to strike, and
 - (vi) The right to work or maintenance.
 - X (f) To support and actively participate in the struggle for India's political freedom, from the point of view of the working class;
 - (g) To co-ordinate the activities of the Labour Unions affiliated to the AITUC and
 - (h) To abolish political or economic advantage based on caste, creed, community, race or religion.

3. The AITUC shall endeavour to further the aforesaid objects by all legitimate, peaceful and democratic methods such as legislation, education, propaganda, mass meetings, negotiations, demonstrations and, in the last resort, by strikes and similar other methods, as the AITUC may, from time to time, decide.

Demands.

4. The demands of the AITUC shall be
- (a) A statutory enactment providing for a six-hours' working day;
 - (b) Minimum living wage;
 - (c) Weekly payment of wages;
 - (d) Equal wages for equal work, without racial or sex discrimination;
 - X (e) One month's leave with full pay, (or an equivalent amount of compensation when leave is not granted);
 - (f) Unemployment, sickness, old age, accident and maternity insurance;
 - (g) Pensions for widowed mothers and dependent children;
 - (h) Proper housing;
 - X (i) Formation through Trade Unions of the workers' committees in factories, workshops, business houses and all other places where collective work is performed, with a view to control conditions of work, inside these places;
 - (j) Abolition of the employment of children under 15 years of age;

- (k) Payment of wages to women workers six weeks before and six weeks after child-birth;
- (l) Abolition of all other systems of recruiting labour, except through Trade Unions;
- (m) Abolition of fines and debts; and
- (n) Effective control of the subscribers over the Provident Funds.

Affiliation of unions.

5. (a) The AITUC may affiliate to itself any bona fide Trade Union which satisfies the following conditions:-

- (i) The Trade Union seeking affiliation shall make an application according to the form.

Explanation.- A Trade Union is an organ of class struggle; its basic task, therefore, is to organise the workers for advancing and defending their rights and interests; and although collective bargaining is the necessary implication of a Trade Union and although in the transitional period to socialism, negotiations, representation, joint action and other methods of collective bargaining must remain an integral part of trade union activities, labour and capital cannot be reconciled within the capitalistic system.

- (ii) It shall pay an annual contribution and special levies, as provided in these rules.
- (iii) It shall send a copy of its rules and regulations, a list of its office-bearers, a copy of the statement of accounts for the official year, giving an average paying membership for the period, duly audited by a qualified auditor and such other information or materials as the General Secretary of the AITUC may require.
- (iv) The application for affiliation shall be forwarded through the Provincial Committee, wherever such a Committee exists, to the General Secretary of the AITUC, with remarks if any, made by the Provincial Committee regarding the eligibility of the Union for affiliation, under the Rules of the AITUC. Such applications shall be forwarded by the Provincial Committee to the General Secretary within a period of two months.
- (v) The minimum fee which a Union desiring affiliation to the AITUC shall charge to its members shall not be less than rupee one per year. The General Council, however, shall have power to permit a lesser membership fee in cases of unions consisting of workers from seasonal or sweated industries.

(b) The Working Committee of the AITUC shall have the authority of accepting or rejecting any application for affiliation from a Trade Union, provided, however, that in case of the acceptance or rejection of any such application by the Working Committee, it will be open to the General Council, or to the General Body of the A.I.T.U.C. to confirm or set aside such a decision.

(c) The General Council shall have power to disaffiliate any Union, which is proved to have been guilty of breaches of this Constitution, provided that it will be open to the General Body to affirm or set aside that decision.

Affiliation fees.

6. Each Affiliated Union shall pay to the AITUC.-

- (a) An annual contribution (i) of Rs.15/- for 500 membership and below (ii) and at the rate of three pies per member with a minimum of Rs.20/- for Unions with a membership above 500.
- (b) A delegation fee of Rs.2 per delegate and
- (c) Such other levy as may be fixed by a majority of not less than 2/3rds of the members of the General Council.

7. (a) The annual contribution shall be paid by the 30th of June each year. The special contribution or levy shall become payable as and when fixed in each case. Non-payment of any contribution or levy that has become due shall disqualify the defaulting Union from voting at or participating in the meetings of the AITUC, or any of its constituent bodies, until the payment is made; the disqualification shall also apply to the voting on the circulars that may be issued by the Secretariat, till the fees are paid; provided that the Working Committee may, in special cases for reasons to be recorded, remit the disqualifications.

(b) A Union, when disqualified for non-payment of contributions or levies, may be reaffiliated on payment of the arrears and the current fees.

(c) In case a Union is disqualified, within the meaning of clause (a), for a period of not less than twelve months, the General Secretary may issue a notice to the Union concerned to make good within three months, all the dues at the date of the notice. In case, the Union fails to pay all such arrears, demanded within the time given, it shall be liable for disaffiliation.

Composition of the AITUC.

8. The AITUC shall consist of

- (i) The Affiliated Unions;
- (ii) The delegates assembled at the General or special Session;
- (iii) The General Council including the office-bearers;
- (iv) The Working Committee of the General Council;
- (v) The Provincial Bodies.

General Council & Trade Groups.

9. (a) The General Council shall consist of

- (i) A President
- (ii) Five Vice-Presidents
- (iii) A general secretary
- (iv) A Treasurer
- (v) Not more than four Assistant Secretaries, and
- (vi) Other members elected by the AITUC under the following Trade Groups:
 - (a) Railways
 - (b) Shipping
 - (c) Transport other than Railways and Shipping
 - (d) Cotton Textile
 - (e) Jute Textile
 - (f) Mining and Quarrying
 - (g) Engineering and allied Trades and Industries
 - (h) Printing and Paper
 - (i) Non-manual
 - (j) Agricultural
 - (k) Municipal
 - (l) Distributive
 - (m) General
 - (n) Tobacco
 - (o) Communications.

The General Council may determine the list of Trade Groups from time to time by addition, amalgamation or omission as deemed desirable.

(The new arrangement of Trade Groups shall come into operation after an interval of three months, after intimation of such a change to the Affiliated unions.

The minimum membership for a Trade Group shall be 2,000. When membership in Unions in a group does not come upto 2,000, the Union will be included in the General Group.)

(b) The Union shall, in its application for affiliation, state the particular Trade Group to which it would like to belong and the Working Committee shall allocate to such Union its appropriate Trade Group, subject to the right of appeal to the General Council, whose decision in the matter shall be final.

(c) Delegates alone shall be eligible for election to the General Council. Election of membership of the General Council shall be made during the annual session of the AITUC, by the delegates present at the session, meeting separately in the Trade Groups as mentioned in clause 9(a), by the system of cumulative voting.

(d) Casual vacancies shall be filled at a meeting of the General Council from the Trade Group where vacancies have occurred.

(e) The representation of the different Trade Groups on the General Council shall be on the following scale:-

- Two representatives for a Group with a membership upto and including 3,000;
- Three representatives for a Group with a membership between 3,000 and 6,000;
- Four representatives for a Group with a membership between 6,000 and 9,000;
- Five representatives for a Group with a membership between 9,000 and 12,000;
- six representatives for a Group with a membership between 12000 and 16000;
- Seven representatives for a Group with a membership between 16000 and 20000;
- Eight representatives for a Group with a membership between 20000 and 24000;
- Nine representatives for a Group with a membership between 24000 and 30000;
- Ten representatives for a Group with a membership between 30000 and 36000;
- Eleven representatives for a Group with a membership between 36000 and 42000;
- Twelve representatives for a Group with a membership between 42000 and 50000;
- Thirteen representatives for a Group with a membership between 50000 and 60000;
- One representative to be added for each 10,000 membership above 60,000.

10. A member of the General Council who ceases to be a member of any Trade Group on whose behalf he has been elected to the General Council, shall cease to be a member of the General Council.

11. The representatives of the Trade Groups elected on the General Council, in the manner prescribed in these rules, shall co-opt members on the Council, not necessarily connected with any trade union organisation but who have taken part in the trade union movement and whose presence on the Council may be considered essential in the interest of the Movement. The number of such co-opted members shall not be more than one-sixth of the total number of representatives of the affiliated organisations.

Working Committee.

12. There shall be a Working Committee of the General Council consisting of

- (a) All office-bearers of the AITUC as ex-officio members;
- (b) Twenty members elected by the General Council by a system of cumulative voting.

Meetings.

13. (a) The AITUC shall meet once every year;
- (b) The General Council shall meet at least once a year;
- (c) The Working Committee shall meet twice a year.

14. The Working Committee shall have power to call a special session of the AITUC, On a requisition from the Unions representing 1/4th. of the total strength of the AITUC, the General Secretary shall, in consultation with the President, call a Special Session of the AITUC within six weeks of the receipt of the requisition, for

the purpose of transacting the definite business mentioned in the requisition.

15. (a) Notice of the time and place of meeting of the Working Committee, General Council and General and Special Session of the AITUC, shall be given by the General Secretary.

(b) For the meeting of the Working Committee, at least 15 days' notice shall be given; for the meeting of the General Council and the General Session of the AITUC, at least a fortnight's and a month's notice respectively shall be given.

(c) Emergency meeting of the Working Committee can be called by giving a notice of seven days.

16. (a) For the General or the Special Session of the AITUC, the affiliated Unions shall be entitled to elect delegates on the following basis:-

One delegate for each union having a membership of 200 or less, and one additional delegate for every complete set of 200 members, and a further delegate for the last fraction of 200, if the said last fraction consists of 100 or more members.

(b) To ascertain the number of delegates which an Affiliated Union is entitled to send to the AITUC; the basis shall be the number of paying members existing on the register of the Union, as disclosed in the balance sheet of the Union, ~~as~~ for the year prior to the Session of the AITUC, duly certified by the auditor.

(c) An Affiliated Union shall furnish to the General Secretary the names and addresses of the delegates two weeks before the date fixed for the session of the AITUC.

(d) Delegate's card will be issued on production of a certificate of election by the Secretary of the Union concerned.

(e) No person who is neither an office-bearer of the Affiliated Union, nor a member of the Affiliated Union shall be entitled to be elected as a delegate of the AITUC.

(f) Propositions for the agenda of the General Session of the AITUC must be signed by the President or the Secretary of the Union sending them, and must reach the General Secretary of the AITUC, at least two weeks before the time fixed for the meeting of the AITUC.

(g) A Trade Union shall not be allowed to send more than five resolutions, but in order that important labour questions may not be omitted from discussion at the Session, the General Council is empowered to place important propositions on the Agenda.

(h) At the meeting of the AITUC the official business shall have priority over other business.

17. On a motion being put to the Session of the AITUC, the President shall declare the result on a show of hands. But if any delegate demands a division, the voting shall be by Unions, and each Union is then entitled to as many votes as the number of delegates it is entitled to send as per rule 16 above. On a poll, the voting shall be by means of a card.

Questions for Decision.

17-A. Questions coming for decision before the Working Committee, the General Council and the Session of the AITUC, shall be decided by a majority of votes, provided, however, that questions of political nature, and those relating to strikes to be declared by the AITUC, and the affiliation of the AITUC to any foreign organisation shall be decided by a three-fourths majority.

Reception Committee.

18. (a) The Provincial Committee for the place where the Session is to be held, will form a Reception Committee for the purpose. In places where a Provincial Committee is not functioning, a committee appointed by affiliated unions of the place shall be the Reception Committee.

(b) The Reception Committee shall have power to collect funds for the expenses of the AITUC Session. After meeting the expenses of the Session, if there be any surplus, the same shall belong to the Provincial or local Trade Union organisation of the place, where the Session is held.

Quorum.

19. The quorum at the sessions of the AITUC and at the meetings of the General Council and the Working Committee shall be one-third of the delegates or members of the respective bodies.

Time of the Session.

20. The General Session of the AITUC shall be ordinarily held in December.

Powers of General Council & Working Committee.

21. (a) The General Council shall have the authority to take all proper steps to carry out the work of the AITUC in accordance with the constitution;

(b) The Working Committee shall have the authority

(i) To take all proper steps for carrying out the resolutions passed at the previous Session of the AITUC;

(ii) To deal with any emergency that arises during the year, affecting the interests of the working class; and

(iii) Generally to advance and further the aims and objects of the AITUC.

General Secretary's Report.

22. The General Secretary shall present a report of the work done during the year by the Working Committee and the General Council and an audited statement of accounts and balance sheet, duly certified by auditors.

Election of Office-bearers.

23. Office-bearers shall be elected by the annual General Session, after having received nominations duly proposed and recommended by one or more delegates. Nominees must be persons, who are either delegates at the session, or are retiring office-bearers.

President of Sessions.

24. The outgoing President shall preside at the General Session, and any Special Session that may be held during his term of office.

Election of delegates to International and other Conferences.

25. Delegates and advisers to the World Federation of Trade Unions and other international and national Conferences and meetings shall be ordinarily elected at meetings of the General Council or the Working Committee, whichever is being in session. In case of emergency, and when either the General Council or the Working Committee cannot be convened, decisions may be taken by circular to the members of the Working Committee.

International Affiliation.

26. The AITUC may be affiliated to such International bodies as have same or similar object and methods.

Political Committee.

27. The Working Committee may appoint, from among its members, a political Committee consisting of seven members. The Committee shall endeavour

(i) To encourage the Affiliated Unions to build up their political funds;

(ii) To organise, in consultation with the General Council, elections to the local bodies and the legislatures;

- (iii) To keep a watch over the taxation proposals of the Central and Local Govts and over the development of the labour legislation in India, from the point of view of the working class;
- (iv) To initiate legislation in the interests of the working class; and
- (v) To do such other political propaganda in consultation with the Working Committee, as may not be inconsistent with this Constitution.

Bye-Laws.

28- The General Council shall have power to make bye-laws, not inconsistent with this constitution, and in particular on questions relating to

- (a) the election of delegates, (b) the submission of returns and (c) the affiliation fees.

Provincial & Regional Units.

29. (a) Affiliated unions in every provincial administrative unit, shall form a Provincial Trade Union Congress Committee. Every Union in the Province, affiliated to the AITUC, shall automatically form a part of the Provincial Committee, and a Union which has not secured affiliation to the AITUC cannot become a member of the Provincial Committee. The Provincial Committee and the individual Unions shall have power to manage their affairs according to their own rules, subject to the provisions of this constitution.

Where a Provincial Administrative Unit consists of two or more linguistic units, separate Provincial Trade Union Committees may be permitted to be formed by the General Council.

(b) The Provincial Committee may enrol as Associate Member any Union, which has not secured affiliation to the AITUC but which proposes to observe the constitution of the AITUC, except sub-rule a(iv) of Rule 5. The Associate Unions will have no power of voting at the meeting of Provincial Committees, nor will they be entitled to have any privileges of Affiliated Unions, under the constitution of the AITUC.

(c) Regional Trade Union Councils: Where the General Council finds that if affiliated Trade Unions in an area are grouped together, (taking into consideration homogeneity of language and nearness or affinity of industrial units in the area) in a Regional Trade Union Council, the work of the organisation will be more efficiently done, the General Council may authorise the Provincial Committee to organise such Trade Union Councils. The Regional Trade Union Councils will have their own working constitution, which will be consistent with that of the AITUC and of the Provincial Committees. In matters of representations etc., to the Government concerning regions, the Regional Council may directly approach the Government but when such matters concern the province as a whole, the Regional Council will only function through the Provincial Committees.

Amendment.

30. It shall be open to the AITUC on the report of the General Council to make any additions or changes in this Constitution by a majority of 3/4th votes.

CONSTITUTIONAL AMENDMENTS ADOPTED BY THE 23RD SESSION
OF THE A.I.T.U.C.

1. Clause 28: "Emergency Decision: On all occasions of emergency decisions may be taken by the General Secretary in a meeting of the members of the Working Committee available at the headquarters. Other Working Committee members shall be posted with information of all such decisions taken by the General Secretary."
2. Clause 29: "Disciplinary Action: The General Council may take disciplinary action against any office bearer or member of the General Council who acts in a way harmful to the interests of the AITUC."
3. "Filling up Vacancies. In case of a vacancy or vacancies from amongst the members of the Working Committee or in case of a vacancy of any of the office-bearers other than that of the President or the General Secretary, the Working Committee may fill up the vacancies by electing new members of Office-bearers as the case may be subject to the approval of the next meeting of the General Council. In case of vacancy in the post of the President or the General Secretary due to death or resignation, the General Council is authorised to fill up the vacancy and in case of vacancy due to detention, the General Council is empowered to elect persons to act in their place. The General Council may also fill up any vacancy in any Trade Group from amongst the members of that particular Trade Group."

23

(1) Election of Delegates:- Delegates to the session of the AITUC shall be elected in a meeting of the Executive Committee or some duly authorised committee or the General Body of the Union. A Delegates' Form should be issued by the General Secretary, AITUC, to each Union in which the names of the delegates and the other details required, shall be entered. The General Secretary, AITUC, shall register only those persons as delegates whose names are sent to him duly entered in the form.

Rules

(2) Submission of Returns:- Every Affiliated union shall send to the General Secretary, every year, such information or material as the General Secretary may require. The General Secretary, should issue a form in the month of April every year. The information must reach the office of the AITUC by the end of August. A report of the information received may be presented to the General Council at its next meeting held after October.

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