

State Bank of Mysore Pensioners' Commune

Constitution/Rules & Bye-Laws

01. Name :

The name of the organization shall be the State Bank of Mysore Pensioners' Commune, hereinafter, referred to as the 'Commune'. The registered office of the Commune shall be at Bangalore.

02. Definition :

The following expressions used shall mean unless the context otherwise provided :

- a) 'Commune' means State Bank of Mysore Pensioners' Commune
- b) Membership :
 - i. 'Member(s)' means retired employees/workers/officers surviving spouse/family pensioner of State Bank of India and its Associate Banks ;
 - ii. 'Associate Member' means surviving spouse of retired employees/workers/officers/pensioner or family pensioner of State Bank of India and its Associate Banks
- c) 'Bank' means State Bank of Mysore and/or State Bank of India or any of its present or erstwhile Associate Banks, their successors, assignees, administrators, institutions, changed to any other name by virtue of merger, takeover, amalgamation, etc.
- d) Office Bearers means the Chairman, President, Working President, Senior Vice President, Vice Presidents, General Secretary, Deputy General Secretaries, Organising Secretaries, Secretaries, Joint Secretaries, Treasurer & Asst. Treasurer in respect of Office Bearers, who are elected/nominated/co-opted at the General Body Meeting or by the Executive Committee
- e) Executive Committee & General Council
 - i. 'Executive Committee' means the committee so elected from out of the General Body – which includes Office Bearers and honorary members, if any and
 - ii. 'General Council' means the committee so elected from out of the General Body – which includes Office Bearers and Executive Committee members, if any
- f) 'Members' means ordinary members, Life members and honorary members of the Organisation
- g) 'Contestant' means a member whose nomination for a post has been accepted by the returning officers.

03. Objects :

The objects of the Organisation shall be :

- a. To organize all former officers/executives/employees /workers of State Bank of India and its Associate Banks including State Bank of Mysore in the country

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- b. To Secure to the members fair conditions of life and service and to redress their grievances ;
- c. To secure improvement in pension and other benefits to its members either through discussion or negotiation or both or through Courts of Law, either through members or launching/filing/raising Cases/disputes/ Appeals/Petitions in any Court/s or Forum or Tribunal, etc. on behalf or for the benefit of its members ;
- d. To endeavour to arrange with the Management for provision against sickness, retirement, infirmity, old age and deaths, for Pensioners;
- e. To endeavour to settle disputes between Bank Management and members amicably ;
- f. To endeavour to provide legal assistance to members in respect of matters rising out of or incidental to their retirement benefits ;
- g. To take such other steps as may be necessary to ameliorate the social, economic and civic conditions of its members and the society at large, including establishment of various facilities to achieve them ;
- h. To provide assistance to members, financially or otherwise, in the matters pertaining to Health including, but not restricted to Medical Insurance, launch any Medical Insurance Scheme/s, etc. ;
- i. To Co-operate, Co-ordinate and affiliate with the Organisations particularly those having similar objects in India and outside ;
- j. To edit and publish a periodical voicing, inter-alia, the grievances of members/workers and containing matters of the Bank(s) and other persons interested in the Industry ;
- k. To endeavour thrift and cooperation and to promote co-operative societies to the benefit of the members ;
- l. To rise and acquire such money or monies by subscriptions, levies, donations, or loans from members/other persons and/or agencies, as may be determined by the Executive Committee and as may be necessary for the furtherance of the objects of the Organisation ;
- m. To invest the money/funds of the Organisation, not immediately required, in such investments as may, from time to time, be determined by the Executive Committee/General Council/General body, as the case may be ;
- n. To draw, make, accept, endorse and negotiate cheques, promissory notes, bills of exchange, hundies and other negotiable instruments ;
- o. To promote and launch any such Schemes, such as Death Relief Fund, etc. either directly or through Trust specifically formed for this specific purpose ;
- p. To acquire, dispense off, lease and let out any moveable and immoveable property(ies) in furtherance of the object of the organization ;
- q. To establish Holiday Homes/Guest Houses/Transit Houses, Home/s for Aged, Convention Halls/Kalyana Mantapams, etc. or any such facilities for the benefit of members of Commune or members of their families or any other

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person or persons, as decided by the General Council/Executive Committee either in the name of the organisation or in the name/s of Trust/s formed for specifically for owning and managing Holiday Homes/Guest Houses/Transit Houses, Home/s for Aged, Convention Halls/Kalyana Mantapams, etc. or any such facilities. However, Trust/s so formed shall not act in any manner in contravention of objects of the organisation ;

- r. To secure participation in the Management and to lay down a code of conduct for observance ;
- s. To promote and fasters the spirit of the brotherhood amongst all retirees of the Bank ;
- t. To promote education, science, literature or fine arts, etc through effective participation or in collaboration with others or through sponsoring such institutions for furtherance of such causes;
- u. To enlist the cooperation and patronage of all employers/workers/officers of State Bank of India and associates and
- v. Generally to do all such acts, matters and things as may be necessary, incidental and conducive to the attainment of the above objects or any of them.

04. Powers to frame rules and regulations :

The organization shall have the power to frame rules for the purpose and proper conduct of its affairs. Such rules may be framed by the General Council provided nothing contained thereon shall be repugnant to the clauses already contained in this Bye-Laws/Constitution. Any amendment to the Bye-Laws/Constitution contrary to the existing provisions, be made with the prior approval of the General Body. In the event of exigencies or to facilitate implementation of objects, General Council is empowered to amend Bye-laws, subject to ratification by the General Body. However, insofar as subscription, levies and other collections, as enumerated in clause is concerned, the E.C, will have the powers to amend, alter, replace, rescind or add to the existing provisions, subject to the conditions that the same is to be notified at the next immediate General Council.

05. Membership:

- a) Membership shall be open to all retired employees/workers/officers of State Bank of India or any erstwhile Associate Bank of State Bank of India including State Bank of Mysore ;
- b) Life Membership :
Life Membership – Member : Any retired employee/worker/officer of State Bank of India or any erstwhile Associate Bank of State Bank of India including State Bank of Mysore qualifies to be members, by paying

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a sum of Rs.2,000/-. They may be admitted as Life member of the Organisation by the E.C

Life Membership – Associate Member : Surviving spouse of deceased employees/workers/officers/pensioners or family pensioner of State Bank of India and its Associate Banks. They may be admitted as Life member of the Organisation by the Executive Committee or General Council by paying a sum of Rs.500/-

- c) Admission : Rs.100/- for each member at the time of application
- d) The claimants/beneficiaries of Family Pension may also be admitted as Life member
- e) The E.C or the General Body, at its discretion, shall have the absolute powers to grant honorary membership to persons of outstanding nature, in trade union, restricting such membership to maximum two, they would not be subjected to payment of subscription, levies, etc., they shall also be entitled to be co-opted/elected as office bearers by the E.C or the General Body.

06. Admission of members :

Any former employee/worker/officer of the Bank or others as mentioned in clause 5 supra, shall be eligible to become member of the organization on his/her making a written application in the prescribed form containing a declaration that he/she will abide by the constitution and rules of the organization and on payment of admission fee and subscription in advance for the month/year in which the application is presented. One copy of the membership application submitted to the E C duly recommending for admission or non-admission and the E.C shall be competent to accept or reject any application without assigning any reason there for, subject however, to its affording an opportunity to the person to present his/her case, in case of any grievance he/she prefers. In the event of Executive Committee not agreeable to rescind or alter its decision of not admitting such person/s, he/she/they are entitled to appeal to General body and General Body shall decide after hearing such person, in person

07. Duties and Privileges of Members :

Every member shall be bound to further the objects, interests and prestige of the Organisation to the best of his/her ability and shall abide by the Constitution and rules and the decisions of the Organisation. Members shall be entitled to take part in the meetings of the General Body of the organization and those elected to the General Council shall be entitled to protection while acting in pursuance of constitution and to get their cases represented.

08. Subscription, Levies and other collections :

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- a) Every Life member shall pay an admission fee of Rs.100/- and life membership of Rs.2,000/- Every member shall also pay such levies and other monies imposed on them by the organization from time to time.
- b) Every Associate member shall pay an admission fee of Rs.25/- and life membership of Rs.500/- Every member shall also pay such levies and other monies imposed on them by the organization from time to time.
- c) Any member who fails to pay such levies or monies within the period fixed by the Executive Committee, will suffer ineligibilities as decided by the Executive Committee/General Council/General body in the constitution.

09. Register of members :

- a) The Organisation shall keep a register of all the members containing their names and particulars of work, residence, etc.
- b) The registers shall be open for inspection by any member of the organization at the registered office during the hours when the office of the organization is open on week days, excluding after giving maximum of 15 days notice to the General Secretary

10. Removal of Members :

- a) The Executive Committee of the Organisation shall be competent to remove from the register the name(s) of any member(s) –
 - I. Who has submitted his/her resignation in writing ;
 - II. Whose conduct, in the opinion of the Executive Committee, is contrary and detrimental to the interests of the organization and who has, or is likely to bring the organization to disrepute.
- b) No member shall be removed from the membership unless he/she has been given a fair opportunity by the Executive Committee, to explain his/her position.
- c) A member who is removed from the membership by the Executive Committee, for misconduct, shall have right to appeal at the ensuing Triennial meeting of the General Body.

11. Executive Committee and Management :

- a) The affairs of the Organisation shall be managed by a General Council and its absence, Executive Committee. General Council consists of President, Working President, Senior Vice Presidents, Vice Presidents, General Secretary, Deputy General Secretaries, Organising Secretaries, Secretaries, Joint

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Secretaries, one Treasurer, Assistant Treasurers, Executive Committee members and General Council members duly elected by the General Body at its Triennial Conference.

Provided, number of Office Bearers or members of Executive Committee and General Council shall be decided by the General Body or the General Council or the Executive Committee.

However, number of Office Bearers shall not exceed 0.5%, number of Executive Committee shall not exceed 1% and General Council 3% of Total membership as on the preceding 31st day of March

- b) The Executive Committee and General Council shall meet atleast once in six months and twelve months respectively, on such days and at such places, as may be fixed by the General Secretary in consultation with the President/Working President. The presence of atleast ten members of the Executive Committee or General Council, as the case may be shall form Quorum for meetings. The presence of atleast five members of the Executive Committee or General Council, as the case may be shall be necessary for adjourned meetings. Ordinarily, 15 days notice shall be given for a meeting of the Executive Committee or General Council. Any vacancy in the Executive Committee or General Council. shall be filled by co-option from amongst the members by the Executive Committee or General Council respectively ;
- c) The Executive Committee and General Council shall keep the members informed of the affairs of the Organisation and circularize to them all the resolutions of the Executive Committee and/or General Council. from time to time. Only the General Body &/or General Council &/or Executive Committee shall have the power to take decisions on any issue of general importance and also for implementation of objectives of the organization, including direct action ;
- d) Any member of the General Council &/or Executive Committee, who absents himself/herself for three consecutive meetings without notice of absence or valid reasons therefore, shall be deemed to have vacated his/her seat from the committee. The Committee shall, however, have the right to waive the operation of this rule in deserving cases, at their option.
- e) Any member of the Executive Committee can be removed by the General Council, on the recommendation at its meeting by three-fourths majority of the members present and Any member of the General Council also can be removed by the General Council, on the recommendation at its meeting by three-fourths majority of the members present, for misconduct or having

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acted against the interests of the organization or for committing any fraud provided such member to be removed is given adequate opportunity to explain his/her conduct.

- f) All matters moved at the Executive Committee or General Council meeting shall be decided by a majority of voters by those present. The President or the Chairman of the meeting shall have a casting vote.
- g) The Executive Committee and General Council shall have power, according to exigencies, to appoint sub-committee/action committee/District/Regional Committee/s with one or more Office Bearers as its ex-officio members with the necessary powers to fulfill objectives entrusted to it. District/Regional Committees shall restrict their activities to furtherance of , but not contrary to the objectives of the Commune (supra).
- h) The office bearers and other members of the E.C, representing organization shall continue to hold the Executive Offices until such time the new committee is constituted

12. Duties of Office Bearers:

- a) Chairman : Chairman will look after the overall interest of SBM Pensioners' Commune and his advice and guidance shall be taken in all the matters ;
- b) President : The President shall preside over all meetings of the organization preserve order, sign all minutes and shall have a casting vote. He/She shall co-ordinate with Head/Corporate Office of the Bank, in consultation/co-ordination with the General Secretary ;
- c) Working President :The Working President shall preside over all meetings of the organization preserve order, sign all minutes and shall have a casting vote, in the absence of the President. The Working President shall have power to cause summoning of special meetings of the Executive Committee or the General Council whenever necessary. He/She shall co-ordinate with Head/Corporate Office of the Bank, in consultation/co-ordination with the General Secretary ;
- d) Senior Vice President/Vice Presidents: Shall assist and act for the President and Working President/Senior Vice President in their absence
- e) General Secretary: The General Secretary shall act and perform all such duties for conducting the affairs of the Organisation and generally for achieving the objects of the organization. He shall take minutes of all Executive Committee, meetings, conduct all correspondence, convene meetings and exercise this supervision over the affairs of the organization. He shall prepare, at the close of the period a report on the working of the

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Organisation for the period showing its activities, progress, financial condition, etc. He shall cause to prepare a balance sheet annually, showing clearly every item of receipts and expenditure. He shall be responsible for submitting to the registrar of societies, all returns and notices that are required to be sent to that Officer and Societies Act. He shall engage, in consultation with the President and subject to the approval of the Executive Committee, any assistance for organizing and clerical purposes, if considered necessary and all such staff shall be under the control of the General Secretary. He shall conduct negotiations and also sign agreements alongwith the President or Working President or Senior Vice President on behalf of the Organisation with the consent of the Executive Committee

- f) Deputy General Secretary :He/She shall assist the General Secretary in all respect and He/She shall act as the General Secretary, in his absence. He/She shall be responsible for membership mobilisation and address grievances ;
- g) Organising Secretary :He/She shall co-ordinate with various District/Regional/State Committees of the Organisation. He/She shall co-ordinate and manage Central Office.
- h) Secretary : He/She shall assist the General Secretary or do such job/activities as directed by Executive Committee or General Council ;
- i) Joint Secretary : He/She shall assist the General Secretary or do such job/activities as directed by Executive Committee or General Council ;
- j) Treasurer : He shall receive all monies payable to the organization issue receipts for all monies received, disburse all payments for and on account of the organization he shall make payments towards all expenditure sanctioned by the General Secretary/ President/Wprking President/Executive Committee or General Council. All Drawals of money from the Bank shall be under joint signatures of any two of General Secretary, President, Working President and Treasurer. He shall keep accounts and have custody and be responsible for all properties and valuables of the organization. The Treasurer of the organization shall be from the place where from the General Secretary is elected.

Asst. Treasurer : He/She shall assist the Treasurer and shall act as Treasurer in the absence of Treasurer

13. Meetings:

There shall be an Ordinary meeting of the General Body Triennially, to transact the following : -

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- a) To adopt the triennial report and statement of accounts of the Commune, (adopted at the Annual Executive Committees subject to ratification in the Triennial General Body);
- b) To elect Office Bearers and E.C Members. To elect honoraries, if any & Auditors;
- c) To consider amendments to Bye-Laws and Rules and other propositions, given notice of by the members of the E.C
- d) 1) To transact such other business as may be approved by the E.C, may decide;
2) Such meetings shall ordinarily be held at Bangalore or such other centres as E.C may decide;
3) The General Secretary shall give fifteen days clear notice for the Triennial General Meeting to its members. A copy of the Triennial Report and Statement of accounts of the Commune shall be circulated among members present in the meeting
4) If a member wants to move any resolution or amendments to Bye-laws and Rules, he shall give ten days clear notice to the General Secretary. Copies of such amendments and resolutions shall be sent to all members atleast three days before the meeting;
5) Extra-ordinary General Body Meeting shall be convened within 15 days, if atleast 50% of total members on the rolls request the General Secretary in writing or on the motions of the E.C, seven days notice shall be given for such meeting specifying the nature of business of such meetings;
6) The Non-receipt by any member of the notice, for ordinary or Special General Body Meetings or copies of Resolutions and Amendments to be moved in the meeting shall not invalidate the proceedings of the meeting.

14. Funds:

The General funds of the organization shall consist of subscription from members, donations, levies, etc. Such amount shall be deposited in a Bank/Co-operative Bank/Co-operative Credit Societies of the Employees of the Bank, approved by the E.C, in the name of the Organisation

15. Objects for which the funds can be expended:

Subject to the provisions under the Bye-laws, the General Funds of the organization shall not be spent on any, other than the following, viz.,

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- a) The Payment of salaries to the employees of the Organisation and allowance and expenses to the office bearers, etc.
- b) The Payment of expenses for administration of the organization including audit of accounts of the general funds of the organization ;
- c) Expenses relating to Court Cases, such as Advocate Fees, and any other expenditure incidental thereto, filed/launched by members/organisation or on behalf of members or against members/organisation, etc ;
- d) The prosecution or defence in any legal proceedings to which the organisation or any member thereof, is a party when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the organisation as such or any rights arising out of relations of any member with his employer.
- e) Conduct of disputes under any law on behalf of the organisation or any member thereof.
- f) Up-keep of a periodical published mainly for the discussion of questions affecting the Bank and Retirees as such, voicing grievances of the retirees and containing matters of interest to the members.
- g) Payment in furtherance of any of the objects on which the general funds be spent, provided that the expenditure in any financial year shall be subject to approval/ratification by the Executive Committee/General Council/General body.

15. Inspection of books of accounts:

The books of accounts of the organisation shall be open for inspection by any member at the registered office during the hours when the organisation office is open on any day, excluding holidays. In respect of the Unit's accounts, similar facility shall be allowed to the members of the Unit.

16. Amendments:

The constitution and rules may be amended, altered, replaced, rescinded or added to any time by atleast two thirds of the members present at the General Body. 50 members or more forms quorum. However, that no such quorum shall be necessary for an adjourned meeting. However, in so far as subscriptions, levies and other collections, etc. as enumerated in Clause 08 is concerned, the Executive Committee will have powers to amend, alter, replace, rescind or add to the existing provisions subject to the condition that the same has to be ratified at the immediate next General Body meeting.

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17. Dissolution of the Organisation:

The Organisation shall not be dissolved except by the vote of a majority of three fourth members present at the General Body meeting called for the purpose, provided that the total number of votes cast at such meeting is not less than two thirds of the total numbers of the members in the General Body. The funds of the organisation after meeting all liabilities, shall be disposed off in accordance with the directions of the dissolution meeting.

Disputes, if any, pertaining to the organisation elections be subject to the jurisdiction of the courts of law located at the centre, where the Head-quarters of the organisation is situated.