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(भारत क संसद के अधिनियम द्वारा वर्ष 2007 में स्थापित और नैक (एगएएसी) द्वारा वर्ष 2015 में प्रत्यायित केंद्रीय विश्वविद्यालय)
(A central university established by an Act of Parliament of India in 2007 and accredited by NAAC in 2015)

SU/2016/REG-03/SUNSA/3267/1500

Date: 20th December 2016

Notification - 118 /2016

Subject: **Constitution of Sikkim University Non-Teaching Staff Association (SUN TSA)**

The Executive Council in its 26th meeting held on 21st November 2016 approved the Constitution of Sikkim University Non-Teaching Staff Association (SUN TSA) as given in Annexure to this notification.

Tej K. Shan Kaul
(T.K.Kaul)
REGISTRAR

Distribution:

1. PS to Vice-Chancellor for kind information of the Vice-Chancellor
2. PS to Registrar
3. Finance Officer
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सिक्किम विश्वविद्यालय
Registrar
Sikkim University

**CONSTITUTION
OF
SIKKIM UNIVERSITY NON-TEACHING STAFF ASSOCIATION**

PREAMBLE:

Whereas it is expedient to form and establish an Association of the Non-Teaching Staff of Sikkim University for maintaining better relationship through mutual respect, cooperation and understanding between the authorities, officers, teachers and students on the one hand and the Non-Teaching Staff of the University on the other and to secure for the latter better service conditions and facilities congenial to the advancement of human personality both physical and intellectual and better social and economic welfare through unity, brotherhood among ourselves and thereby helping in fulfilment of the purposes of the University.

AND THEREFORE, we, the Non-Teaching Staff of Sikkim University having assembled in a meeting, resolved to form an association of the Non-Teaching Staff, and hereby adopt this CONSTITUTION.

ARTICLE- I SHORT TITLE, APPLICATION, STATUS AND COMMENCEMENT:

- (a) The Association shall be called the Sikkim University Non-Teaching Staff Association and abbreviated name will be SUNTSA.
- (b) This applies to the Non-Teaching Staff appointed and posted anywhere by the University.
- (c) The Association shall be non-political and will be a registered society under the Societies Registration Act.
- (d) It shall come into force with effect from the date of approval by the Executive Council of the University.

ARTICLE- II DEFINITIONS:

In this Constitution, unless stated otherwise in the subject or context-

- (a) “Constitution” means the Constitution of the Sikkim University Non-Teaching Staff Association.
- (b) “General Body” means a general body of the members of the Association.
- (c) “Non-Teaching Staff” means all Cadres of the Non-Teaching staff of the University, other than Group ‘A’ & Statutory Officers.
- (d) “Staff Council” means the staff council constituted under Article VIII (2) of this Constitution.

- (e) "Association". The Association shall be a body corporate with perpetual succession and a common seal and shall sue and be sued by the name of the Sikkim University Non-Teaching Staff Association. It shall be competent to acquire and to hold both movable and immovable property, to transfer any such property so held by it and to do all other acts necessary for carrying out the purpose of this Constitution and the rules made there under.

ARTICLE-III

HEADQUARTERS OF THE ASSOCIATION:

The Headquarters of the Association shall be at the Headquarters of the University and it may have units at such other places as the Association may decide.

ARTICLE-IV

AIMS AND OBJECTS:

The Association shall endeavour for the fulfilment in particular of the following objects:

- (i) To promote and encourage fellowship and unity among its members.
- (ii) To create an atmosphere of mutual respect and cooperation between the non-teaching staff on the one hand and University Authorities on the other, and thereby increasing the work efficiency of the University.
- (iii) To make efforts to promote socio-economic welfare of its members by securing better service conditions and facilities.
- (iv) To achieve intellectual advancement of the members and also to help and guide them for the betterment of their career.
- (v) To safeguard the service interest including adequate security of service of the members of the Association.
- (vi) To arbitrate on issues and unresolved problems relating to policy matters and general principles concerning the overall interest of the non-teaching staff.
- (vii) To cooperate with the sister organizations within the University and educational institutions and organizations in the country striving to achieve similar aims and objectives and thereby create a bond of brotherhood and a sense of belonging to one family within one nation.
- (viii) To provide recreational facilities for physical and mental advancement of the members.
- (ix) To promote harmony amongst the non-teaching staff, students and teachers.

- (x) To cooperate with the students of the University for fulfilment of their academic life, and
- (xi) To participate in the corporate life of the University.
- (xii) To promote the objectives for which the Sikkim University has been established.
- (xiii) To protect the welfare of the members of the Association and their families.

ARTICLE-V

MEMBERSHIP:

1. Membership of the Association shall be open to all the regular non-teaching staff (other than Group A) of Sikkim University. Membership shall be renewed annually after paying the prescribed membership fee.
2. Every new member shall apply to the General Secretary for registration in the Association in the prescribed form accompanied with enrolment fee of ₹ 300/-.
3. Annual membership subscription fee - ₹ 500/-.

ARTICLE- VI

CESSATION OF MEMBERSHIP:

A member ceases to be a member of the association if he or she:-

- (i) Retires/resigns or is removed from the service of the University.
- (ii) Joins a post in the University or outside it by reasons of which s/he becomes ineligible to continue as a member of the Association.

ARTICLE-VII

DISCIPLINARY ACTION:

1. A member may be suspended or removed from the membership of the Association if s/he
 - (i) Wilfully violates the provisions of this Constitution.
 - (ii) Refuses to comply with the directives of the Association.
 - (iii) Behaves or acts in a manner prejudicial to the interest and fair name of the Association.
 - (iv) Is found and charged with violation of the University rules and regulations.
2. The General Body may, by its own motion or on the recommendations of the Staff Council, remove or suspend any member of the association if it is

satisfied that he/she has been guilty of any or all of the reasons stated under clause 1 of this Article.

Provided that, no such member shall be so removed unless such removal has been made by a resolution passed by the General Body convened after a notice of not less than 15 days at which at least two-thirds of members are present.

Provided further that, no member shall be so removed nor shall any resolution recommending his/her removal have any effect unless he/she has previously been given a reasonable opportunity of showing cause why he/she should not be so removed or why such recommendation should not be made.

3. **Impeachment of member(s) of Staff Council**

A motion for impeachment of member(s) of Staff Council can be moved by not less than 10 members of the Association. The General Body through a resolution passed by 2/3rd majority of members present may remove a member of the Staff Council from his/her post. Provided that the number of members voting is not less than simple majority of the total members of the Association.

ARTICLE-VIII **STAFF COUNCIL**

1. There shall be a Staff Council of the association which shall be the principal Executive Body of the Association.

2. **Constitution of the Staff Council:**

The Staff Council shall be constituted with the following members:

- (i) President
- (ii) Vice-President
- (iii) General Secretary
- (iv) Assistant General Secretary
- (v) Treasurer
- (vi) Secretary- Social and Cultural
- (vii) Nine (9) elected members from different cadres.

3. **Term of office:**

The tenure of the members of the Staff Council shall be for 1 (one) year from the date of the assuming the charge of the office.

Notwithstanding the expiry of the term, every member of the Staff Council shall continue to hold office until his/her successor takes over the charge. S/he shall, however, be eligible for election for a second term.

4. All members of the Staff Council shall be elected by direct election by the members of the Association in the manner prescribed under Article-XI.

5. **Quorum:**

One-third of the members present shall form a quorum for a meeting of the Staff Council.

6. **Vacancy:**

A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in the office of the Association. The vacant membership of the Staff Council shall be filled up by the other members of the Staff Council for the remainder of the term of office, except that its choice of President, General Secretary and Treasurer shall be subject to confirmation by the general body at their next meeting.

If any person in any of the offices mentioned above does not attend meetings of the Staff Council without sufficient cause for three consecutive meetings, he shall be deemed to have vacated his seat, without prejudice to his being re-eligible for the same office.

ARTICLE- IX

POWERS AND FUNCTIONS OF THE STAFF COUNCIL:

1. Subject to the provisions of this Constitution, the Staff Council shall exercise the following powers and functions:

- (i) Formulate the policy of the Association and to take steps to carry it out;
- (ii) Hold, control and manage the property and funds of the Association;
- (iii) Determine hold in safe custody and control the use of the seal of the Association;
- (iv) Organise and manage the office of the Association;
- (v) Prepare and submit the budget estimates every year to the General Body for its approval;
- (vi) Submit to the General Body the audited statement of accounts of the association with such observations as it may consider necessary;
- (vii) Frame and submit rules under the provisions of this Constitution to the General Body for approval;
- (viii) Submit the Annual Report of the Association to the General Body;

- (ix) Sanction, subject to availability of funds, expenses incurred in carrying out the purposes of this Constitution;
 - (x) Issue bulletins or other publications bearing on the well-being and interests of Non-Teaching Staff;
 - (xi) Take practical steps towards the carrying out of the various aims and objects of the Association specified in the Constitution;
 - (xii) Accept donations from any public authority*, private body, or individual to promote the aims and objects of the Association; and
 - (xiii) Perform such other duties and functions as may be entrusted to it by the General Body.
(*non-political)
2. The Staff Council shall perform its duties and functions in accordance with such rules of business as may be prescribed.
- Provided that the President may direct a general procedure to be followed such time as the rules are prescribed.

ARTICLE- X

DUTIES AND FUNCTIONS OF STAFF COUNCIL:

The Staff Council of the Association shall perform the following duties and functions:

1. **The President**

The President shall-

- (a) Preside over the meetings of the Staff Council and the General Body;
- (b) Exercise general supervision and control over the affairs of the Association; and
- (c) Have powers to convene an emergency meeting of the Staff Council or the General Body.

2. **The Vice-President**

The Vice-President shall-

- (a) In the absence of the President, preside over the meetings of the Staff Council or the General Body;
- (b) Be the Chairman of the Committees constituted by the Staff Council or the General Body;
- (c) Exercise such other powers of the President whenever the office of the President is vacant; and

(d) Exercise such other powers and performs as may be delegated to him by the Staff Council.

3. **The General Secretary**

The General Secretary shall-

- (a) Be responsible for the day-to-day business of the Association;
- (b) Convene the meetings in consultation with the President;
- (c) Record and maintain the minutes of the meetings;
- (d) Incur expenses within the approved budget with the approval of the Staff Council;
- (e) Prepare and submit the Annual Report of the Association;
- (f) Perform such other duties and functions as may be entrusted to him by the Staff Council.

4. **The Assistant General Secretary**

The Assistant General Secretary shall-

- (a) Assist the General Secretary in the discharge of his duties and shoulder such responsibilities as may be assigned by the Staff Council.
- (b) Perform such duties and functions as may be entrusted to him by the General Secretary; and
- (c) Perform the duties and functions of the General Secretary in his absence.

5. **The Treasurer**

The Treasurer shall-

- (a) Be responsible for the proper maintenance of the accounts;
- (b) Be responsible for the receipts, deposits and custody of the cash;
- (c) Issue receipts on behalf of the association;
- (d) To maintain the income and expenditures of the Association as per the existing financial laws.
- (e) Prepare and submit the Annual Financial Report and Budget of the Association; and
- (f) Perform such duties as assigned by the Staff Council.

6. **Social and Cultural Secretary shall-**

Perform his/her duties and functions, subject to overall supervision of the General Secretary.

ARTICLE- XI

ELECTIONS:

1. The Association shall constitute an Election Committee consisting of 3 (three) members nominated by the General Body to supervise and conduct the elections to the Staff Council. One of the three members shall be nominated as Chairman under whose directions Election Committee shall function.
2. Every member of Election Committee shall perform its functions in accordance with such rules as may be prescribed.

Provided that the Election Committee shall prescribe its own rules and procedures regarding all matters concerned with the election subject to ratification by the General Body.

3. A member of the Election Committee shall not be eligible for contesting the Elections for which it is responsible.
4. All members of the Staff Council of the Association shall be elected by the entire members of the Association.
5. The voting shall be done by secret ballot under rules framed for the purpose by the Staff Council, approved by the General Body and carried out by the Election Committee.
6. Election results shall be declared by the Chairman of the Election Committee or in his absence by any member of the Election Committee to whom the Chairman has delegated such authority in writing.
7. An appeal/complaint against any matter concerning the election shall be preferred immediately to the Election Committee. The Election Committee shall consider such appeal/complaint immediately as per rules & procedures. The decision of the Election Committee shall be final and binding.
8. The outgoing Staff Council shall hand over charge to the new team immediately after the declaration of the results. The new team shall take over the charge of the office the very next day of declaration of the results.
9. Any member of the Association is qualified to file his/her candidature in the election of Staff Council of the Association.
10. A member of the Association who has been found guilty of financial irregularities, physical violence, and/or sexual harassment by a statutory inquiry or any equivalent thereof as prescribed by the rules of the University shall be debarred from contesting the SUNTSA elections. However, he/she may retain the right to vote. Each candidate will be required to follow a 'full disclosure norm' while filing the nomination stating whether any such inquiry was instituted against her/him, and if any, whether it is pending, or has been dismissed, on what grounds. Any such information shall be widely circulated among the electorate.

11. A member of the Staff Council will be eligible for re-election for the same post for not more than two consecutive terms.
12. A senior officer not below the rank of Joint Registrar who is part of the University but not a member of association and/or a neutral observer accepted by the General Body may act as the election observer.

ARTICLE-XII

RESIGNATION OF THE MEMBERS OF THE STAFF COUNCIL:

1. Under unavoidable circumstances a member of the Staff Council may submit resignation in writing to the President. The resignation shall take effect from the date it is accepted by the Staff Council.
2. The resignation of the President may be considered by the Staff Council at a meeting presided over by the Vice-President. The acceptance of the resignation on the grounds stated therein by the President shall be recorded by a resolution of the Staff Council.

ARTICLE-XIII

RIGHTS AND PRIVILEGES:

1. Every bona fide member of the Association shall enjoy equal right and privileges under the Constitution.
2. Every bona fide member of the Association shall have the right to participate in the election and the deliberations of the Association.

ARTICLE- XIV

MEETINGS:

1. The General Body of the Association shall meet at least twice in a year.
2. An emergency meeting of the General Body may be convened at such short notice as the President may decide.
3. It shall be mandatory for all members of the Association to attend the meeting. However, the members may be excused subject to their communication in writing or through mail to the General Secretary mentioning his/her genuine reasons for absence.
4. The first meeting of the Staff Council shall be convened within one month from the date of the announcement of the election result. The staff council shall meet as per requirement and the direction of the President.
5. Quorum for a General Body meeting will be one-third of the membership at the time of the meeting.

ARTICLE- XV

FUNDS OF THE ASSOCIATION:

1. A fund called the Sikkim University Non-Teaching Staff Association Fund shall be created and maintained by the Staff Council. The fund shall be used to manage the activities of the Association.
2. The fund will be raised from the following sources:
 - i) Membership fee
 - ii) Donation from SU
 - iii) By organising sports/cultural events or showing movies
 - iv) Interest obtained from the money deposited in the bank
3. The fund shall be deposited into an account opened with any of the Nationalised Banks approved by the Staff Council and jointly operated by the General Secretary and the Treasurer.

ARTICLE-XVI

AUDIT

The accounts of the Association shall be audited by an expert appointed by the Association.

ARTICLE- XVII

FINANCIAL YEAR:

The Financial Year of the Association shall commence from the 1st of April and end on the 31st of March of the following year.

ARTICLE-XVIII

AMENDMENTS:

Any provisions of the Constitution may be amended, annulled or added to in the manner provided hereunder:

1. Amendments in the Constitution may be made as per the need of the General Body.
2. A member of the Association may propose an amendment, first to the Staff Council, for its consideration. A proposal for the amendment may be moved by the resolution of the Staff Council.
3. A second proposal may be moved in the General Body provided it is jointly moved by at least one-third of the members of the Association present in the meeting signifying their desire to do so in written form;
4. A proposal accepted by the General Body shall be introduced by the President for general discussion.

Provided that no discussion on the proposed amendment shall be taken up unless the General Body is convened with a prior notice of at least fifteen days and wherein at least two-third of the members are present.

5. A resolution amending the Constitution shall require at least two-third majority of the members present and voting.

Provided that the number of members voting is not less than simple majority of the total members of the Association.

6. The resolution amending the Constitution shall be submitted to the administration for consideration of the Executive Council of the University. An amendment shall take effect from the date the University notifies its approval accorded by the Executive Council.

ARTICLE-XIX

REMOVAL OF DIFFICULTY

Notwithstanding anything given above, the Vice-Chancellor shall have powers to suspend operation of any Article(s) to ensure smooth functioning of the University.