

Government of India  
Department of Posts  
(SR Section)

Dak Bhawan, New Delhi - 110001  
Dated: 17/03/2021

OFFICE MEMORANDUM

**Subject: Scrutiny of Constitutions/ By laws of Service Association in accordance with CCS (RSA) Rules, 1993 for verification process held in the year 2020.**

With reference to OM of even number dated 24.07.2020 (copy enclosed), all applicant associations are requested to submit its revised constitution along with required Memorandum of association.

2. In a precedent case, this Department's letter no.6-2/2002-SR (Vol-II) dated 24.04.2007 (copy enclosed) was already issued in consultation with DoP&T to then Secy. Gen., NFPE.
3. Almost all applicant associations cited that the constitution of their association can only be amended by the General Body through AIC/CWC etc. The matter has been examined and it has been decided that to rectify the mistakes, contained in their constitutions, there is no need to obtain approval of All India Conference. Further, how replacement of the word 'union' by 'association' (not in their names) will change their basic character and fundamental principles has not been clearly explained by the associations.
4. All applicant associations are requested to submit a draft constitution/bye-rules or assure the Department that the constitution may be amended as per our OM dated 24.07.2020 within one month.

Encl. A/a.

*(Handwritten Signature)*  
17.03.2021  
(Chandan Kumar)  
Assistant Director General (SR & Legal)

1. All Applicant Service Associations (as per list).
2. GM, CEPT for uploading this OM on the India Post web site.



*Portal upload*

**TIME BOUND**Government of India  
Department of Posts  
(SR Section)

Dak Bhawan, New Delhi - 110001

Dated: 24<sup>th</sup> July, 2020**OFFICE MEMORANDUM****Subject: Scrutiny of Constitutions/ Bye laws of Service Association in accordance with CCS (RSA) Rules, 1993 for verification process held in the year 2020.**

With reference to this Deptt. OM no.13-01/2020-SR dated 03.03.2020, applications have been received from thirty-one associations (details given in para-3 below) in respective distinct categories.

2. On scrutiny of said applications in accordance with CCS (RSA) Rules, 1993 and extant guidelines, following discrepancies are observed:

2.1 The Associations/Federations of the Central Government employees are not recognized under Indian Trade Union Act. Therefore, the Constitution of association should not contain any reference to the Indian Trade Union Act.

2.2 The word "Union" may be replaced by the word "Association" at all places in the constitution of associations except in their name/identity (if any).

2.3 The objective of the Association/Federation is to safeguard and promote the interest of the employees. The aim of the Association/Federation cannot be publishing any journals. For this they can take approval of the Government separately.

2.4 The accounting year should be 01st April to 31st March.

2.5 Interpretation and Amendment:

i. The Constitution should contain the following para:

"The Constitution shall be construed with references to the provisions of the Central Civil Services (Recognition of Services Association) Rules, 1993 and the Rules Guidelines related to recognition of Associations. If any question arises as to the interpretation of the above Rules/Guidelines, the government's decision shall be final."

ii. Any amendment in the constitution/bye-laws of the Service Associations, after its recognition under these Rules, shall be made only with the prior approval of the Government.

2.6 Constitution of an Association must lay down procedure for conduct of elections to elect office bearers/members of Executive Committee. Such election should be conducted by Association themselves.

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



elected representative of the Association

2.8 The Associations should have the right to associate with the Federation of their choice.

3. As per para-2 above and extant guidelines, the constitution of following associations is required to be amended/deleted as under:

Sr	Name of Applicant Service Association	Para of Constitution required to be deleted/amended
1.	All India Postal Employees Union Group 'C'	Para-3(e); The portion "...and the ideological objectives of the Trade Union" to be deleted. Para 3(g), 3(i) to be deleted. Para-5 should be replaced with para 2.5 (i) & (ii) above;
2.	National Association of Postal Employees Group 'C'	Para-2(f) & 3 to be deleted. There shall be no reference to any Trade Union Act. Para 2.5(i) & (ii) above should be included in Para-43 and the last sub-para under Para-43 to be deleted.
3.	Bhartiya Postal Employees Association Group 'C'	Para 2(b), 2(f), Para-3 are to be deleted. There shall be no reference to any Trade Union Act. Para-10 : Financial Year from 1 <sup>st</sup> April to 31 <sup>st</sup> March. Para-15(a) & 23(a) : Once in 3 years to be replaced by once in 2 years. Para 2.5 (i) & (ii) above should be included in Para-43.
4.	All India Postal Employees Union Group 'C' (United)	Para 2(f) & Para-3 to be deleted. There shall be no reference to any Trade Union Act. Para-5 should be replaced with para 2.5(i) & (ii) above. Para-8: The financial year shall be specifically stated from 1 <sup>st</sup> April to 31 <sup>st</sup> March.
5.	All India Association of Supervisor Circle (Gr.B)	Para-3(h) to be deleted. Para-4 should be replaced with para 2.5(i) & (ii) above
6.	All India RMS & MMS Employees Union Group 'C'	Para-3(f) & 4 to be deleted. There shall be no reference to any Trade Union Act. Para 5 to be deleted. Para-6 should be replaced with para 2.5(i) & (ii) above
7.	National Union of RMS & MMS Employees Group 'C'	Para-3(f) & Para-5 to be deleted. There shall be no reference to any Trade Union Act. Para-7 should be replaced with para 2.5(i) & (ii) above
8.	Bhartiya RMS & MMS Employees Union, Class III	Para-2(h), Para-3, Para-5(a), 5(b) to be deleted. There shall be no reference to any Trade Union Act. Para-6 should be replaced with para 2.5(i) & (ii) above. Para-7(c) should be deleted. Para-13: Financial year is from 1 <sup>st</sup> April to 31 <sup>st</sup> March. Para-14, Para 25(a) & Para-16(a) : Instead of three years, duration will of two years.
9.	All India Postal Employees Union Postmen & MTS	Para-3(f) & Para-4 to be deleted. There shall be no reference to any Trade Union Act. Para-7 should be replaced with para 2.5(i) & (ii) above
10.	National Union of Postal Employees Postmen & MTS Group 'C'	Para-2(f), 2(h) & 3(i) to be deleted. There shall be no reference to any Trade Union Act. Para 2.5(i) & (ii) above should be included in Para-43.
11.	Bhartiya Postal Employees Association Postman & MTS	Para-2(h) & Para-3, Para 5(a) 5(b) & Para 7(c) to be deleted. There shall be no reference to Any Trade Union Act. Para-6 should be replaced with para 2.5(i) & (ii) above; Para-13 : financial year from 1 <sup>st</sup> April to 31 <sup>st</sup> March. Para 25(a), 46(a) : It shall be once in 2 years instead of once in 3 years.
12.	All India Postal Employees Union Postmen & MTS (United)	Para-2(e) & Para-3 to be deleted. There shall be no reference to any Trade Union Act. Para-5 should be replaced with para 2.5(i) & (ii) above. Para-8: Financial year shall be specifically


		mentioned from 1st April to 31 March.
13.	All India RMS & MMS Employees Union Mail Guards & MTS Group 'C'	Para-3(f), Para-4 & Para 5 to be deleted. There shall be no reference to any Trade Union Act. Para-6 should be replaced with para 2.5(i) & (ii) above
14.	National Union of RMS & MMS Employees Mail Guard & MTS (Group - C)	Para-2(f) & Para-3 to be deleted. There shall be no reference to any Trade Union Act., Para10: Financial year from 1 <sup>st</sup> April to 31 <sup>st</sup> March. Para 2.5(i) & (ii) above should be included in Para-46
15.	Bharatiya RMS & MMS Emp. Union Mail Guard & Group 'D'	Para-2(h), Para-3, 5(a) & 5(b) to be deleted. There shall be no reference to any Trade Union Act. Para-6 should be replaced with para 2.5 (i) & (ii) above; Para-7(c) to be deleted, Para-13: Financial year from 1 <sup>st</sup> April to 31 <sup>st</sup> March. Para 25(a), 46(a): It will be once in two years.
16.	All India Postal Administrative Offices Employees' Union Group 'C' & 'D'	Para-2(h) & Para-3: To be deleted. There shall be no reference to any Trade Union Act. Para-4 should be replaced with para 2.5(i) & (ii) above.
17.	National Union of Postal Administrative Offices Group C & MTS	All points of para-2 above are to be included in Constitution.
18.	Bharatiya Postal Administrative Offices Employees Union	Para-2(h), Para-3, 5(a) & 5(b) to be deleted. There shall be no reference to any Trade Union Act. Para-6 should be replaced with para 2.5 (i) & (ii) above; Para-7(c) to be deleted, Para-13: Financial year from 1 <sup>st</sup> April to 31 March. Para-25(a), 44(a) : Once in 2 years instead of 3 years.
19.	National Union of Postal Civil Wing Non-Gazetted Employees	Para-2(f), 2(h) & 3(i)-To be deleted. There shall be no reference to any Trade Union Act. Para-2.5(i) & (ii) above should be included in Part-V of Constitution.
20.	Bharatiya Postal Civil Wing Non-Gazetted Employees Union	Para-4 to be deleted. There shall be no reference to any Trade Union Act., Para-5 should be replaced with para 2.5 (i) & (ii) above; Para-6 to be deleted. Para-18: Financial year is from 1 <sup>st</sup> April to 31 <sup>st</sup> March. Para-31(a): Once in 2 years, not 3 years.
21.	All India Postal Accounts Employees Association	Para-3(h) & 3(j) of Part I to be deleted. Para-4 of Part I should be replaced with para 2.5(i) & (ii) above; Para-14(b) of Part II : CCS (RSA) Rules, 1959 to be deleted.
22.	Bharatiya Postal Accounts Offices Employees Association	Para-4 to be deleted. There shall be no reference to any Trade Union Act. Para-5 should be replaced with para 2.5 (i) & (ii) above; Para-6 to be deleted. Para-18: Financial year is from 1 <sup>st</sup> April to 31 <sup>st</sup> March. Para-31(a): Once in 2 years, not 3 years.
23.	All India Postal Accounts Offices Association	All points mentioned under para-2 above are to be included in the constitution.
24.	All India Savings Bank Control Employees Union	Para-2(e) & Para-3 to be deleted. Para-2.5(i) & (ii) above should be included in Constitution.
25.	All India Postal SBCO Employees Association	Para-2(e), 2(g) & para 3 to be deleted. There shall be no reference to any Trade Union Act. Para-5 should be replaced with para 2.5(i) & (ii) above, Para-8: Financial year shall be specifically mentioned from 1 <sup>st</sup> April to 31 <sup>st</sup> March.
26.	Bhartiya Postal SBCO Employees Association	Para-2(h), Para-3 & Para-5(a) & (b) to be deleted. There shall be no reference to any Trade Union Act. Para-6 should be replaced



		With para 2.5(i) & (ii) above. Para-7(c) to be deleted. Para-13: Financial year is from 1 <sup>st</sup> April to 31 <sup>st</sup> March. Para-14, 25(a), 44(a): Once in 2 years in stead of 3 years.
27.	Postal Officers' Association (India)	All points mentioned under of para-2 above are to be included in the Constitution.
28.	All India Association of Inspectors and Asst. Superintendents, Posts	Para-2(c) & Para-3 to be deleted. There shall be no reference to any Trade Union Act. Para 14(a): To be replaced by para 2.5 (i) above.
29.	All India Postal Stenographers' Association	Para-3(h) to be deleted. Para-4 should be replaced with para 2.5(i) & (ii) above; Para-17: Financial year shall be from 1 <sup>st</sup> April to 31 <sup>st</sup> March.
30.	All India Postal Engineers' Association	Para-26 should be replaced with para 2.5 (i) & (ii) above;
31.	All India Mail Motor Services Officers' Association	Para-3(h) to be deleted. Para-4 should be replaced with para 2.5 (i) & (ii) above;

4. In addition to above, the associations to ensure all the points stated in para 2 above are inserted in their constitutions.

5. In view of above, the applicant associations are required to submit revised constitution along with requisite Memorandum of associations **within one week** by email (at ssection20146@gmail.com). In case of non-receipt of revised constitution, it may be assumed that such association is agreed to amend its constitution, and application of such association may be processed further on provisional basis.

  
 (S.R. Amin)  
 Director (SR & Legal)

1. All Applicant Service Associations (as per list).
2. GM, CEPT for uploading this OM on the India Post web site

Government of India  
Ministry of Communications & IT  
Department of Posts

Dak Bhawan, Sansad Marg,  
New Delhi - 110 001.

No.6-2/2002-SR(Vol-II)

dated the April 24, 2007

To

The Secretary General,  
National Federation of Postal Employees,  
1<sup>st</sup> Floor, North Avenue Post office Building,  
New Delhi - 110 001.

Subject: Recognition of National Federation of Postal Employees and Federation of  
National Postal Organisations.

Sir,

I am directed to refer to your letter No. PF-124/2006 dated 26<sup>th</sup> June 2006 on the above mentioned subject.

2. The matter was examined in consultation with the Ministry of Personnel, Public Grievances and Pension, DOPT, and their observations in this regard are as follows:

- i. The Associations/Federations of the Central Government employees are not recognized under Indian Trade Union Act. Therefore, para 2 and also rest of the draft Constitution may be suitably amended so as to make no reference to the Indian Trade Union Act. Also the word "Union" may be replaced by the word "Association" at all places.
- ii. The object of the Federation is to safe guard and promote the interest of the employees. The aim of the Federation cannot be publishing any journals. For this they can take approval of the Government separately. Accordingly, para 4(g) may be amended/deleted.
- iii. The EDAs (now designated as GDSs) are not eligible for inclusion in the Federation. Therefore, EDAs may be excluded in para 5 (i) & (ii) of the draft constitution.
- iv. In part (a) of the bottom note of para 5 it has been mentioned that the federating Unions shall not have the right to secede from the Federation. This does not seem to be appropriate. The Unions should have the right to associate with the Federation of their choice. Accordingly, part (a) may be amended.
- v. Retired/ex-employees can neither be member nor office bearers of an Association/Federation. Therefore, para 6(ii) and/or any other para having such reference may be deleted/amended suitably.
- vi. In para 12(d)(iii), it may be added in the last line "and the Laws, Rules and regulations and guidelines in force, as notified by the Government".



vii. Since EDAs are not eligible for inclusion in the Federation they cannot subscribe to the Federation. Para 15(a) may be suitably amended.

viii. In note (1) of para 15(a) it has been mentioned that:-

"accounts of the NFPE will be kept open upto 31st January of the following year to enable it to adjust quota remitted by branches on or before 31st December (not in cash) but received thereafter"

It seems from the above para that the Federation has decided to count the financial year from January to December. The Deptt of posts is requested to advise the Federation to have accounting year from 1st April to 31st March and amend the draft Constitution suitably.

ix. Constitution of a Federation must lay down procedure for conduct of elections to elect office-bearers/members of Executive Committee. Such election should be conducted by Association themselves.

x. Para 20 of the draft Constitution may be replaced with -  
"The Constitution shall be construed with references to the provisions of the Central Civil Services (Recognition of Services Association) Rules, 1993 and the Rules/Guidelines related to recognition of Federations. If any question arises as to the interpretation of the above Rules/Guidelines, the governments decision shall be final." Subject to the above, DOP&T have conveyed their "No Objection" to the proposal.

3. Attention of Secretary General, NFPE is also drawn to the Department's letters of even number dated the 6th July 2006 and 13th July 2006 with the request to keep contents of these letters in view while amending constitution.


4. It is requested to amend/include the above provisions in the constitution of the federation and submit an updated copy to the undersigned so that approval of the competent authority for recognition of the federation could be obtained.

Yours faithfully,

  
(Subhash Chander)  
Director (SR & Legal)

Copy to

The Secretary General, Federation of National Postal Organisations, T-24, Atul Grove Road, New Delhi - 110 001, with the request to suitably amend the constitution on the lines suggested by the DOPT in case of NFPE and submit an updated copy of the constitution for further processing at this end. Attention of Secretary General is also drawn to Department's letter of even No. dated 06.07.2006 and 13.07.2006 having a bearing on the subject.

  
(Subhash Chander)  
Director (SR & Legal)

Issued  
(Signature)  
26-4-07

76