

# Constitution of the Social Democratic Trade Union Federation, Nepal

## Amendments:

### **Constitution of the Social Democratic Trade Union Federation, Nepal , 2019**

#### Preamble:

Since 1997, various movements led by the Nepali people have taken place in different periods, including anti-Rana protests, anti-Panchayat movements, the culmination of monarchy, peaceful people's revolutions in favor of national independence, people's war, Madhesi uprisings, movements by indigenous communities, Khas, Arya, Tharu, women, Muslims, and other oppressed groups. The Nepali labor class actively participated in these struggles. However, despite the success of these movements and the active involvement of the labor class in political change movements, political parties have not played the appropriate role in addressing the fundamental issues faced by workers.

Therefore, with the aim of realizing justice, equality, freedom, identity, progressiveness, and industriousness of the basic character of Nepali workers based on patriotism, independence, and struggle, the Trade Union Federation has been established. It seeks to unite millions of workers, whether organized or unorganized, to free Nepali laborers from brokers and work towards the economic and social transformation of the working class. The development of national capital, education, health, employment, and other fundamental needs of workers will be ensured. With the goal of eliminating all forms of exploitation and establishing a society free from oppression, the National Democratic Trade Union Federation - Independent, through its special convention, has amended its constitution and issued it under the name of the Social Democratic Trade Union Federation, Nepal.

## CHAPTER - 1

### Preliminary

#### 1. Brief Name and Commencement:

- a) The name of this constitution shall be "Social Democratic Trade Union Federation, Nepal" and will be effective from 2076 B.S.
- b) This constitution shall remain in force from the date of registration of the organization as the "Social Democratic Trade Union Federation, Nepal."

#### 2. Definitions: In this constitution, unless the subject or context otherwise requires:

- a) "Constitution" refers to understanding the "Social Democratic Trade Union Federation, Nepal."
- b) "Worker" refers to an individual engaged in physical or mental work, whether employed or self-employed, in various government or non-government institutions, offices, or businesses within Nepal, receiving compensation or wages.
- c) "Social Democratic Trade Union Federation, Nepal" refers to the organization established as per Article 3 (a) of this constitution.
- d) "Federation" **refers** to the "Social Democratic Trade Union Federation, Nepal."
- e) "National Union" refers to a union that meets the criteria mentioned in Article 7 (4) of this

constitution. f)

f) "Officer" refers to members of the working committee, including the executive committee.

g) "Affiliated Union" refers to unions that have been granted institutional membership by the Social Democratic Trade Union Federation, Nepal, as mentioned in Article 6 (1).

h) "Working Committee" refers to district, provincial, and central committees of the Social Democratic Trade Union Federation, Nepal.

i) "Convention" refers to district, provincial, and central conventions of the Social Democratic Trade Union Federation, Nepal.

j) "Council" refers to district, provincial, and central councils of the Social Democratic Trade Union Federation, Nepal.

k) "Constitutional Convention" refers to the convention called by the Central Committee of the Social Democratic Trade Union Federation, Nepal, for the purpose of approving this constitution.

l) "Quorum" refers to the various references mentioned in different sections of this constitution or the rules and regulations made under this constitution.

3. Establishment of the Social Democratic Trade Union Federation, Nepal and its Office:

a) The establishment of an organization named "Social Democratic Trade Union Federation, Nepal" is mandated. b) It will be referred to as "Socialist Trade Union Confederation, Nepal" in English. c) In abbreviations, it will be known as "S.T.U.M.N" in English. d) The central office of S.T.U.M.N will be located in Kathmandu, and district and provincial offices will be established as per the convenience.

4. S.T.U.M.N to be Autonomous and Organized:

a) S.T.U.M.N will be an autonomous and organized institution with perpetual succession.

b) S.T.U.M.N has the right to use and enjoy movable and immovable property, engage in buying and selling, and consume other forms of property. c) S.T.U.M.N may sue or be sued in its name.

d) An executive procedure will be established according to Schedule 1 for the functioning of S.T.U.M.N. e) The emblem (logo) and flag of S.T.U.M.N are mentioned in Schedules 2 and 3.

5. Objectives:

a) To organize labor and labor unions across Nepal.

b) To protect and enhance the professional rights of workers.

c) To uplift the health, security, and economic standard of affiliated labor in S.T.U.M.N.

d) To promote mutual cooperation between workers and management.

e) To maintain a legal identity for workers.

f) To represent the labor class in issues related to workers.

g) To expand the labor market and disseminate labor-related information.

h) To develop fraternal relationships at national and international levels with organizations sharing similar goals and principles.

i) To pressurize the government for the growth and promotion of employment and employment-based businesses.

j) To organize and participate in central, national, and international-level training, programs, conferences, and seminars for the skill development of workers.

k) To conduct necessary and relevant programs on a nationwide basis for the welfare and well-being of workers and their families.

l) To engage in various social activities such as social security, elimination of child labor,

promotion of gender equality, etc.

m) To actively contribute to global peace, human rights, and environmental conservation.

n) To operate a cooperative and financial institution under the direct supervision of the Federation for the availability of loans at reasonable rates for the improvement of the economic standard of affiliated labor.

o) To provide free and easily accessible health services to the families of workers and create collaborations with hospitals or other medical institutions as needed.

p) To establish and operate educational institutions for the education of the families of workers or collaborate with other educational institutions.

q) To establish and manage a relief fund or a worker welfare fund aimed at supporting workers in emergency situations.

r) To coordinate the resolution of various issues related to workers through legal means.

s) To collaborate with the Government of Nepal and other national and international organizations on issues related to labor and workers.

t) To operate a labor cooperative institution and publish a labor-related newspaper.

## 6. Membership Acquisition and Fees:

### 6.1 Ordinary Membership:

a) Workers with similar objectives applying for membership in the Federation may be granted institutional membership by the Central Committee of the Federation.

b) As per sub-section (a), the district committees affiliated to the Federation may grant institutional membership to the district committees of the Federation based on their total membership, and 50% of the total fee shall be disbursed to the central committee.

### 6.2 Honorary Membership:

Persons or organizations providing significant financial and physical contributions to labor welfare research and related work may be granted honorary membership by the Central Committee.

Please note that this translation is provided to the best of my ability and may require further review by someone proficient in the language.

## CHAPTER : 2

## **7. Federation Affiliation System:**

**7.1 Collective Nature of Affiliated Unions:** Central unions affiliated with the Socialist Trade Union Confederation, Nepal, are inherently considered part of the Socialist Trade Union Confederation, Nepal.

**7.2 Criteria for Affiliation:** Socialist Trade Union Confederation, Nepal, recognizes as affiliates only central unions that include workers of similar nature.

**7.3 Limitations on Affiliation:** Even if mentioned in subsection (2), the Confederation will not recognize more than one central union of the same nature.

**7.4 Conditions for Seeking Affiliation:** Central unions seeking affiliation with the Socialist Trade Union Confederation, Nepal, must meet the following conditions:

- (a) Have a minimum of 5,000 members, or
- (b) Have established district committees in at least five districts, or
- (c) Have formed at least 50 units in a province, or
- (d) Have a membership of at least 500 workers in the unorganized sector, or
- (e) In case of dissolution or resignation, the Confederation can take over the affiliate in an emergency.

**7.5 Rights of Affiliated Unions:** Each affiliated union to the Socialist Trade Union Confederation, Nepal, will have the following rights:

- (a) Equal voting rights
- (b) Freedom of expression
- (c) Equal participation in decision-making
- (d) Equal rights in financial accounting
- (e) Equal rights for office bearers at the central committee level in the national union.

**7.6 Responsibilities of Affiliated Unions:** Affiliated unions must not engage in activities contrary to the policies and objectives of the Socialist Trade Union Confederation, Nepal.

**7.7 Duties of Affiliated Unions:**

- (a) Even if organized independently, central unions must keep the central committee informed of their policies and programs at both the central and district levels.

- (b) Central unions must abide by all the rules and regulations established under this provision and make them known to the central committee at both central and district levels.
- (c) Central unions must recognize themselves as different bodies of the Confederation in various capacities.
- (d) Central unions must inform the relevant district committee of their activities at the central committee and district levels.
- (e) Central unions are obligated to represent themselves as distinct entities within the Confederation.
- (f) Central unions are expected to collaborate and coordinate with the central committee-level and significant programs of the Confederation, both at the central and district levels, by working in cooperation with the respective district committees of the Confederation.
- (g) Central unions must ensure that their membership cards, introduction letters, and letterheads clearly mention their affiliation with the Socialist Trade Union Confederation, Nepal.
- (h) Central unions should provide the Confederation with a list of their member unions and the amount payable within a stipulated time.
- (i) Central unions must initiate their conventions at least two months before the scheduled central convention of the Confederation.
- (j) Central unions are required to conduct their conventions every four years.

## **CHAPTER 3**

### **Departmental Structure of the Confederation:**

#### **8. Departmental Arrangement of the Confederation:**

8.1 The Socialist Trade Union Confederation, Nepal, will establish separate departments as needed, organized with workers from various sectors as per its assessment.

8.2 Despite what is mentioned in Sub-section (1), the Confederation will not grant recognition to more than one department of the same nature.

#### **8.3 Conditions for Departments Related to Various Provinces:**

- (a) Should have a minimum of 51 members or
- (b) Should have a minimum of 100 workers as members in unorganized provinces.

#### **8.4 Rights of Confederation's Departments:**

- (a) Departments will work under the direction given by the central committee or executive committee through their executive committees, conferences, or conventions as per the policies and programs decided.
- (b) Departments must inform the central office at the central level and the district office if at the district level about the policies and programs they have formulated through their own constitutions.
- (c) Departments are obligated to represent themselves as distinct entities within the Confederation.
- (d) Departments must collaborate and coordinate with the central committee-level and significant programs of the Confederation, both at the central and district levels, by working in cooperation with the respective district committees of the Confederation.

#### **8.5 Responsibilities of Confederation's Departments:**

- (a) Departments will work according to the policies and objectives under the Confederation's constitution, and their policies and programs should be made known to the central committee or working committee.
- (b) Departments must present their policies and programs to the central level if they are at the central level or to the district level if they are at the district level for coordination.
- (c) Departments must understand and follow all rules and regulations formulated under their own constitutions and the Confederation's central committee's decision should be made clear to them.
- (d) Departments must recognize themselves as different departments within the Confederation.
- (e) Departments must coordinate with the central committee-level and important programs of the Confederation at the central and district levels and work in cooperation with the respective district committees of the Confederation.

### **9. Section Structure of the Socialist Trade Union Confederation, Nepal:**

#### **9.1 Structure:**

The organizational structure of the Socialist Trade Union Confederation, Nepal, includes the following:

- (a) District Committee

- (b) Provincial Committee
- (c) Central Committee
- (d) Executive Committee

## **9.2 Formation and Composition of District Committee:**

A district convention will elect the following members:

- Chairperson 1
- Vice-Chairperson 1
- Secretary 1
- Joint-Secretary 1
- Treasurer 1
- Members 5
- Female Representatives 2
- Inclusive Representatives 2
- One member nominated by the chairperson

## **9.3 Formation and Composition of Provincial Committee:**

- (a) Each province, based on the central convention, will elect one vice-chairperson.
- (b) The district president of the respective region and the central vice-president, along with members from other provinces, will remain as members.
- (c) Provincial presidents can nominate up to three members.
- (d) The committee will elect one secretary and one treasurer from within.

## **9.5 Formation and Composition of Central Committee:**

The central convention will elect the following:

- Chairperson 1
- Vice-Chairperson 1
- Senior Vice-Chairperson 1
- First Vice-Chairperson 1
- Female Vice-Chairperson 1
- General Secretary 1
- A total of 25 members, including those elected, and additional members nominated by the president, making a total of 51 members.
- 20 members will be nominated, including representatives from marginalized groups such as women, Dalits, indigenous people, etc.
- The working committee, comprising up to 51 members, will be formed under the leadership of the chairman.

## **9.6 Executive Committee:**

The executive committee will consist of the following members:

- Chairperson 1
- Vice-Chairperson 1
- Senior Vice-Chairperson 1
- First Vice-Chairperson 1
- General Secretary 2
- Spokesperson 1

- Treasurer 1
- Female Department Head 1
- Total of 9 members

#### **9.7 Protectors:**

In the Confederation, there will be two protectors in an institutional capacity, one former president, and one representative from an organization, totaling two protectors.

#### **Section 9.8. Term of Office:**

The term of office for the elected officials of the Confederation will be four years from the date of the election. However, the president can appoint officers from the central members for the term of office.

### **Section 10: Councils:**

#### **10.1 District Council:**

The Confederation will convene district council meetings at least twice a year.

#### **10.2 State Council:**

The state council will meet annually, and it will include the following members:

- State committee officials
- Representatives from district committees
- Chairpersons of affiliated unions in the district
- Representatives from the central committee of the relevant state

#### **10.3 Central Council:**

- The central council will meet every two years at the Central Assembly.
- Officials from central committee meetings will be members of the central council.

### **Section 11: Formation of Conventions:**

#### **11.1 District Convention:**

The district convention of the Confederation will consist of the following members:

- Up to 25 members, 1 representative per 25 members, and additional 1 representative for every additional 25 members from affiliated unions in the district.
- The district committee will select members from individuals involved in trade union movements based on a percentage (1%) of the total number of members in the district.

#### **11.2 Central Convnetion:**

The central assembly of the Confederation will consist of the following elected members:

- Central office-bearers of affiliated unions/associations with the confederation.
- One representative for every 200 memebbers, based on the total membership from the district conventions.
- Districts presidents of the consideration cannot directly represent the central convention; however their candidacy is allowed for central committee positions. To become a representative, they must commit to clauses a,b and c.
- Presidents of prestigious organizations affiliated with the Confederation.
- At least five representatives from the departments formed within the Confederation.



## **CHAPTER : 4**

### **12. Arrangement Regarding Regular Council and Convention:**

#### **12.1 Arrangement Regarding Regular Council and Convention:**

- a) The meeting of the council in case of district shall be convened twice a year and once every two years in the center as per the right of the district, as decided by the relevant working committee.
- b) The Convention of the Federation shall be convened by the concerned working committee every four years.
- c) When the council and convention are convened as per clauses (a) and (b), information about the venue, date, and agenda items, as well as discussions, should be provided to the concerned members at least 30 days in advance.
- d) If more than 50 percent of the members of the relevant council or convention are present, the quorum for the council or convention shall be considered achieved.
- e) In the first instance, if the required quorum is not met in the convention or council as per subsection (d), a second meeting shall be called within 30 days, even if only one-third of the members are present, the quorum shall be considered achieved.

#### **12.2 Emergency or Special Convention Arrangement:**

- a) If at least 25 percent of the members of the relevant convention or council for valid reasons submitted in writing, request the working committee to convene a special convention or council, then within one month, a special or emergency convention or council shall be called as requested.

### **13. Discussion and Decision:**

- a) In the absence of the chairperson of the convention or council, the chairperson of the relevant working committee and, in their absence, the senior vice-chairperson shall preside.
- b) All topics for discussion in the convention or council must be presented in the form of proposals.
- c) In the order of discussion, when voting is done confidentially or by secret ballot, the decision of the convention or council shall be based on the majority opinion obtained from the members present and voting. In case of a tie, the individual presiding shall have the deciding vote.

### **14. Keeping Minutes:**

A summary of the proceedings on matters discussed in the convention or council shall be prepared, certified by at least three members present at the convention or council, and kept on record by the Chief Secretary or Secretary of the relevant working committee.

### **15. Information on Decisions:**

Information about decisions made in every convention or council Confederation shall be provided to ordinary members through the central organization.

### **16. Subjects to be presented in the Convention and Council:**

- 16.1 Subjects to be presented in the Convention and Council:
  - a) Annual program

- b) Annual budget
- c) Appointment of auditors and their remuneration
- d) Audit report
- e) Determination of staff salaries, benefits, and service conditions
- f) Other necessary topics

16.2 Proposals for Amendments to the Constitution of confederation shall only be presented in the Central Convention.

16.3 Proposals related to the enactment of regulations by S.T. University shall only be presented in the Central Council or Convention.

## **17. Meetings and Decisions of the Working Committee:**

- a) The Central Committee shall meet at least every three months, and the District Committee shall meet at least once a month. However, the Chairperson may call an emergency meeting at any time if deemed necessary.
- b) If 25 percent of the members of the working committee request in writing to hold an open meeting, the Chairperson shall, within 30 days for the Central Committee and 15 days for the District Committee, compulsorily convene the meeting.
- c) The date, time, venue, and agenda items for the meeting shall be determined by the Chairperson with the consent of the Central Committee through the General Secretary and the District Committee through the Secretary.
- d) The quorum for the meeting shall be considered achieved if more than 50 percent of the relevant committee's members are present. Even if only one-third of the members are present during the second meeting, the quorum shall be considered achieved.
- e) The Chairperson of the relevant committee shall preside over the meeting. In their absence, the Vice-Chairperson and, in the absence of both, the Senior Vice-Chairperson shall preside.
- f) Decisions at the meeting shall be valid with a majority vote. In case of a tie, the presiding individual shall have the deciding vote.
- g) Decisions made at the meeting shall be certified by the Chairperson and documented by the Chief Secretary or Secretary of the relevant committee.
- h) Information about decisions made at the meeting shall be compulsorily conveyed to the officers and members of the relevant committee by the General Secretary or Secretary.
- i) The working committee may determine its own procedures for the meeting.

## **18. Functions, Duties, and Powers of the Convention, Council, and Committee:**

### **18.1 District Council, Regional Council, and Central Council:**

- a) Evaluate the annual activities conducted by the working committee.
- b) Discuss and approve the program and annual budget presented by the working committee and approve the program for the upcoming year.
- c) Review and make decisions on the annual report of the auditor.
- d) Deliberate on and make decisions on proposals presented according to the rules.
- e) Establish policies for internal administrative management.

### **18.2 District Convention and Central Convention:**

- a) Evaluate the work carried out by the committee.
- b) Formulate the future programs of Confederation.
- c) Discuss, decide, and approve the committee's report, program, and annual income and expenditure accounts.

- d) Deliberate on and make decisions on proposals presented according to the rules.
- e) Discuss and make decisions on other proposals raised by committees and councils.
- f) Conduct the election of the committee.
- g) Grant membership to Confederation during the Central General Convention.
- h) Resolve any questions raised in committees that are under the Central Committee when the Central Grand Convention is held.
- i) Amend the constitution.
- j) The right to vote on any question raised in the convention is given only to representative members of S.T. University.

### **18.3 District Committee:**

- a) Implement the programs assigned by the District Convention.
- b) Organize and implement programs as planned by the District Council and approved proposals.
- c) Inform the committee and the council about policies and directives of Confederation.
- d) Maintain records of members.
- e) Implement various educational programs for the long-term and short-term.
- f) Carry out organizational strengthening activities.
  - g) Organize discussions for personal or group investment by workers if necessary, involving at least five individuals.
- h) Perform various tasks for the strengthening of financial programs in line with the constitution and policies of Confederation.
- i) Appoint auditors.
- j) Make appointments according to need in compliance with the established procedure.
- k) Take appropriate disciplinary action against officers working against the constitution.
- l) Determine necessary procedures for committee meetings.
- m) Establish a committee for the election of the committee.

### **18.4 State Committee:**

- a) Implement programs approved by the State Council.
- b) Organize the State Council's events and implement approved proposals.
- c) Organize various programs for worker unity among committees under the State Committee.
- d) Inform the organization of policies and directives.
- e) Maintain records of members.
- f) Implement financial programs for the growth of the State Fund in line with the constitution and policies of the organization.
- g) Conduct long-term and short-term educational programs.
- h) Undertake necessary activities for organizational strengthening.
- i) Conduct arrangements for discussions by at least five individuals if there is a need for personal or group investment by workers.
- j) Determine the working procedure for the committee itself.
- k) Appoint auditors.

- l) Make appointments according to need in compliance with established procedures.
- m) Provide the opportunity for the proper defense of officers working against the constitution in cases of work against the constitution.
- n) Establish the election committee for the committee's election.

#### **18.5 Central Committee:**

- a) Implement policies and programs approved by the Central Grand Convention.
- b) Arrange meetings of the Central Council and implement proposals approved by the council.
- c) Implement approved proposals by the Central Grand Convention.
- d) Appoint auditors.
- e) Maintain records of members.
- f) Implement financial programs for the growth of the Central Fund in line with the constitution and policies of organization.
- g) Take action against a member who, during the disciplinary action taken by the District Committee, is dissatisfied and appeals to the Central Committee without understanding the decision of the District Committee.
- h) Appoint employees as needed to run the committee's work efficiently.
- i) Determine the procedure for organizational and functional work for sub-committees as needed.
- j) Manage the role of spokesperson in case of individual or collective business dealings in situations of necessity.
- k) Present the budget details for the upcoming financial year to the Central Council.
- l) Submit the auditor's report to the council.
- m) Present details of departments and employees according to the established procedure in the council meeting.
- n) Implement departments approved by the council.
- o) Approve the resignation of officers.
- p) Represent in State, National, and International conferences, seminars, and training.
- q) Make appointments according to need in compliance with the established procedure.
- r) Resolve any internal disputes within affiliated organizations. If the working committee of an affiliated organization becomes dysfunctional or works against the organization's objectives, dissolve the committee and call for a new election or take action against such officers.

## **CHAPTER : 5**

### **19 Duties, Responsibilities, and Rights of Office Bearers**

#### **19.1 President's Duties, Responsibilities, and Rights**

- Monitoring, conservation, and control of all activities of the Trade Union.
- Chairing related conferences, councils, conventions, and committee meetings.
- Issuing decision-making votes when required.
- Providing leadership for the benefit of the Trade Union.
- Implementing decisions made by the relevant committees.
- Conduct work if deemed necessary before the upcoming meeting and decide on it in the subsequent meeting.
- Undertake other tasks for the achievement of the Trade Union's Objectives.

- Approve or accept the resignation of a member of the committee.
- Represent the organization in relation to the Government of Nepal, national and international trade unions, courts other individuals, or institutions.
- Provide guidance on the implementation of appropriate policies and rules.
- Electing or appointing committee members or filling vacant positions even in the absence of a general assembly.
- Convening immediate meetings when necessary, specifying the date, location, and time through the central committee president for the central committee and the secretary for the district committee.
- Approving expenses for emergency purposes up to NPR 50,000 for the central committee president in case of work related to the meeting's decision.

#### 19.2 Vice President's Duties, Responsibilities, and Rights

- Carry out all duties in the absence of the president.
- Provide necessary assistance in the president's work.
- Undertake other tasks for the achievement of the objectives.
- Carry out other work assigned by the committee.

#### 19.3 Senior Vice President's Duties, Responsibilities, and Rights)

- Carry out all duties in the absence of the vice president.
- Provide necessary assistance in the vice president's work.
- Undertake other tasks for the achievement of the objectives.
- Carry out other work assigned by the committee.

#### 19.4 First Vice President's Duties, Responsibilities, and Rights

- Carry out all duties in the absence of the senior vice president.
- Provide necessary assistance in the senior vice president's work.
- Undertake other tasks for the achievement of the objectives.
- Carry out other work assigned by the committee.

19.5 Duties, Responsibilities, and Rights of Women Vice President, Secretary, and Women's Department Head. Women vice president, secretary, and women's department head shall collectively perform all tasks related to women's affairs.

#### 19.6 Functions, Duties, and Rights of Deputy Chairpersons and Secretaries of Regional Committees:

- Provide guidance to the committees under their jurisdiction for the daily operation of the federation.
- Call and prepare proposals for meetings after consulting the chairperson.
- Translate the annual plan of the federation into action, conduct and implement approved programs.
- Maintain records of movable and immovable property of the federation.
- Form and inspect regional committees under their jurisdiction.

#### 19.7 Functions, Duties, and Rights of General Secretaries:

- Participate in organizational activities along with the first general secretary and work outside the office in all activities.
- The second general secretary, along with working in the entire secretariat office, prepares minutes and oversees the operation of the office.
- Provide guidance to the committees under their jurisdiction for the daily operation of the federation.

- Call and prepare proposals for meetings after consulting the chairperson.
- Translate the annual plan of the federation into action, conduct and implement approved programs.
- Maintain records of movable and immovable property of the federation.
- Form and inspect regional committees under their jurisdiction.
- Approve expenses for work related to the federation up to Rs. 10,000 from the central committee and up to Rs. 5,000 from the district committee.

**19.8 Functions, Duties, and Rights of Spokespersons:**

- Bring decisions of the central committee meeting to the media.
- Implement decisions made by the editorial committee and go to the media.
- Assist the chairperson in every aspect of their work.
- Play a leadership role in the publication of the federation's newspaper or magazine.

**19.9 Functions, Duties, and Rights of Assistant General Secretaries:**

- Carry out all tasks in the absence of the general secretary.
- Provide necessary assistance in the work of the general secretary.
- Carry out tasks for the achievement of the objectives mentioned in this statute.
- Perform other tasks assigned by the committee.

**19.10 Functions, Duties, and Rights of Central Committee, Regional Committee, and District Treasurer:**

- Control and manage the financial affairs and physical property of the federation.
- Prepare the annual budget of the federation and details related to it for approval by the committee, and present it in the assembly and council for approval.
- Raise and spend funds beyond the budget, if necessary.
- Translate various plans for the financial strengthening of the federation.
- Inspect the financial status of the committee under their jurisdiction.
- Conduct an audit of financial transactions.
- Perform other necessary tasks assigned by the committee.
- Maintain accurate records of the fees collected and distributed by each affiliated union, central committee, regional committee, and district committee.

**19.11 Functions, Duties, and Rights of Assistant Treasurers:**

- a) Work in the absence of the treasurer.

**19.11 Functions, Duties, and Rights of Members:**

- Regularly participate in committee meetings.
- Actively participate in implementing the committee's decisions.
- Cooperate in various tasks of the committee.

## **CHAPTER: 6**

### **Arrangement Regarding Vacancy and Fulfillment of Positions**

**21. Vacant Positions:**

### **21.1 Positions Shall Become Vacant:**

The following circumstances will result in the termination and vacancy of positions at the district committee, district council, central committee, central council, and convention, even if not explicitly mentioned elsewhere in this statute:

- Termination of membership and representation in the federation.
- Approval of resignation through resignation according to the statute.
- Act against the interest of the federation or engage in activities contrary to the objectives of this statute, meaning not adhering to the conduct specified in Article 6.4.
- Certification of mental incapacity.
- In case of death.
- Absence from three consecutive committee meetings without information, leading the committee to decide to remove the member. However, before ending the membership, the concerned individual should be given an opportunity to present their defense.
- Going abroad for more than a year.
- Removal through a vote of no confidence or an impeachment proposal as per Article 37.
- If an office-bearer of any committee of the federation is elected simultaneously in more than one committee, the lower committee's position shall automatically become vacant.

### **21.2 Filling Vacant Positions:**

If more than 50% of the positions in a committee become vacant, the remaining members, as nominated by the president of the federation, will conduct elections for the vacant positions. However, if the remaining term is less than six months, the remaining office-bearers will operate the committee.

### **21.3 Election:**

- All elections at all levels of the federation will be conducted through secret ballots.
- The election process of the working committee of the federation will be conducted as per the procedure determined by the constitution.
- The election of any committee will be conducted by an election commission formed according to the respective committee's election regulations.

## **CHAPTER : 7**

### **Financial Management**

### **22. Financial Structure:**

22.1 Single Fund: The federation shall maintain a single fund, which will include the following amounts:

- Membership fees collected.
- Grants or assistance received from national, international, government, and non-governmental organizations.
- Donations collected by the federation or any other amount earned through fundraising.
- Amounts received while conducting various programs.

**22.2 Expenditure from the Fund:**

The entire expenses of the federation will be met from the fund as per Article 22.1.

**22.3 Bank Accounts:**

Three bank accounts shall be opened in the name of the federation, including the main account, women's department account, and youth department account. The amounts received in the name of each department will be deposited into the respective accounts.

**22.4** As per Article 22.3, shall be operated by the President or Secretary-General and Treasurer of the central committee. In the absence of the President or Secretary-General of the central committee and President or Secretary of the district committee, the banking transactions shall be carried out jointly by the Secretary-General and Treasurer. Only the President and Secretary-General shall conduct banking transactions in the central committee and district committee during the absence of their respective committee heads.

**23. Accounts and Audit:****23.1 Double-Entry Accounting System:**

The financial transactions of the federation shall be maintained using a double-entry accounting system.

**23.2 Annual Audit:**

The financial affairs of the federation will be audited annually by an auditor approved by the Nepalese government. The audit report shall be presented to the respective convention or council.

**23.3 Appointment and Remuneration of Auditor:**

The appointment and remuneration of the auditor shall be done as per the regulations set by the convention or council.

**23.4 Financial Transparency:**

Each committee shall maintain a complete record of its financial transactions. The district committee to the central committee shall submit the details of income and expenditure annually.

**23.5 Other Financial Provisions:**

Other financial matters related to the federation shall be regulated as per the provisions in the financial law.

**24. Fund Allocation:****24.1 Special Fund Allocation:**

The decision to allocate funds for any specific purpose shall be determined by the committee as specified.

**24.2 Redistribution of Membership Fees:**

60% of the membership fee collected shall be sent to the central committee by the district committee as per Article 24.2.

## **CHAPTER : 8**

### **Impartial Inquiry and Provisions for Amendment**

**25. Impartial Inquiry:**

- A committee and an authorized union against the officials and affiliated unions of the federation will be established for an impartial inquiry.
- During such inquiries against any official or affiliated union, the individual shall be given a



fair opportunity to present their case.

- In case of dissatisfaction with the decision made by a committee as per Article 24.1 (a), an appeal can be submitted to the respective council or convention.
- Other provisions related to impartial inquiries will be as per the established regulations.

**26. Amendment of the Constitution:**

- To amend anything written in this constitution, it must be passed by a two-thirds majority in the central convention.
- If any provisions become inconsistent with prevailing laws, they will be considered invalid.
- The amended constitution will only be effective after it has been certified and endorsed by the Legislation and Professional Security Division.

**27. Interpretation of the Constitution:**

In case of ambiguity in this constitution, decisions made by the central committee shall be considered final unless declared invalid and amended by the central council or convention.

- a) The authority to provide the final interpretation of this constitution lies with the Labor and Occupational Safety Division.

**28. Resignation:**

Any member of an assembly or committee may resign before the relevant chairperson, and a member of the committee may resign before the committee by the chairperson.

**29. Advisory Committee:**

To fulfill the objectives of the federation, the central or provincial and district committees or district working committees can form an advisory committee consisting of up to 11 members.

**30. Contact with the Government of Nepal:**

The central committee shall establish and maintain contact with the Government of Nepal.

**31. Power to Make Rules:**

To achieve the objectives of this constitution, the central council or convention may make necessary regulations.

**32. Legitimacy of Federation Officials:**

The Federation officers shall be recognized in committees, commissions, and bodies formed to represent workers' rights and interests or to translate and amend related laws.

**33. Employee-related Arrangements:**

33.1 The committee, as per its decision, may appoint employees as necessary for the smooth functioning of the federation.

33.2 The remuneration and other conditions of service for such employees shall be as determined by the respective council or convention.

**34. Responsibilities and Property Distribution:**

The central committee and district working committees, formed for this purpose, shall be responsible for the property and liabilities of the federation.

**35. Remuneration for Officers:**

The remuneration for the officers of the federation committees shall be as per the regulations.

**36. Qualifications for Officers:**

36.1 a) Membership in an affiliated union with the federation.

b) Must be a Nepali citizen.

c) Must have completed at least one year of membership in the affiliated union, but this restriction does not apply to the first committee election under this constitution.

- 36.2 a) Membership in an affiliated union with the federation.  
b) Must be a Nepali citizen.  
c) Must have completed at least one year of membership in the affiliated union, but this restriction does not apply to the first committee election under this constitution.
- 36.3 Other conditions specified elsewhere in this constitution will not be applicable to the provisions of Clauses 19.1 and 35 (a), (b), (g).

**37. Transitional Arrangements:**

- Before the first meeting of the central committee formed under this constitution, members representing at least one-third shall pay their membership fees within three months.
- Actions taken by the previously formed central committee and district working committees will be valid and accepted as per this constitution.

**38. Oath:**

The chairpersons of various committees shall take an oath before the elected chairperson of the respective election committee and the members of the committee shall take an oath before their committee chairperson, and the central convention members shall take the oath before the central committee chairperson, in accordance with Schedule 4. pariched

**39. Impeachment and No-Confidence Procedure:**

**39.1 Impeachment Proposal:**

If any committee official works against the objectives of the federation, a proposal for impeachment can be presented by at least two-thirds majority of the concerned convention.

**39.2 No-Confidence Proposal:**

If any committee official has been proven to act against the objectives and interests of the federation or is unable to provide effective leadership, an emergency or special convention may pass a proposal of no-confidence by a two-thirds majority, leading to their removal from office.

**Schedule- 1**

**Stamp related to Clause 4 (gh)**

The emblem of the federation shall be a blue circular wheel with twelve teeth, inside which "Samajvadi Trade Union Federation, Nepal" is written in blue letters. The outer rim of the wheel is red, and the central committee is written in blue letters. A blue border, the map of Nepal in the center, a red circle enclosing it, and five red stars at the top, bottom, left, right, and the center of the map. In the map of Nepal, the letter (Sa) is written in red, and the numeral "5" is inscribed as the emblem.

**Schedule 2**

**Logo (Related to Clause 4 (ng))**

The emblem of the federation shall be a blue circular wheel with twelve teeth, inside which "Samajvadi Trade Union Federation, Nepal" is written in blue letters. The outer rim of the wheel is red, and the central committee is written in blue letters. A blue border, the map of Nepal in the center, a red circle enclosing it, and five red stars at the top, bottom, left, right, and the center of the map. In the map of Nepal, the letter (Sa) is written in red, and the numeral "5" is inscribed as the logo.

**Schedule 3**

**Flag (Related to Clause 4 (ng))**

The flag of the federation shall be a rectangular shape with four corners in red and the entire background in red. The emblem with the blue circular wheel and the inscribed "स" (Sa) and "5" in the center shall be the logo of the flag.

**Schedule 4**

**Oath (Related to Clause 38)**

"I, ..... (Name), elected from the central convention/district convention/district assembly of the Socialist Trade Union Federation, Nepal, hereby solemnly swear that, until someone else is elected to this position, I will serve this organization with honesty, dedication, and always in the best interest of the Socialist Trade Union Federation, maintaining confidentiality and upholding the objectives of the organization without succumbing to any pressure, coercion, or corruption.