

Estd : 1952.

Reg. No : 1396

CINE MUSICIANS' ASSOCIATION

CONSTITUTION

(As Amended on 17th May, 2017, By Annual General Body Meeting)

: Registered Office :

Crescent Tower, 206, 2nd Floor, Plot No. 36,
Near Morya House, Opp. Link Road,
Andheri [West], Mumbai - 400 053.
Tel. No. 022 2445 43 05 / 022 2639 55 36.

Email : cmamumbai@yahoo.in

Website : www.cinemusiciansassociation.com

CINE MUSICIANS' ASSOCIATION

ANDHERI, MUMBAI - 400 053.

"CONSTITUTION"

As Amended on 17th May, 2017, By Annual General Body Meeting:

RULE NO. 1

The name of the Association shall be CINE MUSICIANS' ASSOCIATION, whose members, playing musical instruments in Recording for Cinema Musical Industry and all other fields / sectors such as Private Audio / Video Cassette Companies, CD Rom Recording Companies, Television Production, Multi Channels, Serials, Albums Cassettes, Signature Tunes, Jingles, Commercial Advertisements, Stage Shows, Live, Broadcast, etc., and it shall, in the following rules, be referred to as the " Association" for abbrevity's sake.

RULE NO. 1 A

The registered office is at Crescent Tower, 206, 2nd Floor, Plot No. 68, Near Morya House, Behind Of Crystal Plaza, New Link Road, Andheri [West], Mumbai 400 053.

OBJECTS :

RULE NO. 2 A

The objects of the Association shall be:

- a. [I] A Non - Political and Non-Communal Association.
- [II] To organize, unite and assist the Professional Instrumental musicians engaged in, as mentioned in Rule No. [1 & 3 A], in the Maharashtra State and to conduct, control, regulate and guide their relations, with their employers.



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- a. [III] To try directly to inform its members for music recording dubbing / shows, etc. and live performances, as required by the [Employer Producer, Recording Companies and Music Directors]
- b. To secure to the members fair conditions of life and services.
- c. To try to redress their grievances.
- d. To try to prevent any reduction of wages, and if possible to obtain an advance whenever circumstances allow ;
- e. To endeavour to settle disputes between employers and employees amicably so that a cessation of work may be avoided;
- f. To endeavour to provide against sickness, unemployment, infirmity, Old Age and Death.
- g. To endeavour to secure compensation for members in cases of accidents under the workman's compensation act ;
- h. To provide legal assistance to members in respect of matters arising out of, or incidental to their employment;
- i. To endeavour to render aid to the members during any strike or a lockout brought about with the sanction of the Association.
- j. To obtain information in reference to the Cine Musical Industry in India and abroad;
- k. To co-operate and federate with organizations [of labor] particularly musical, having similar objects, in India and abroad;

To help, in accordance with the Indian Trade Unions Act, the working classes in India and outside in the promotion of the objects mentioned in these rules: &



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- m. Generally, to take such steps as may be necessary to ameliorate the social, economic, civic and political conditions of the members.

RULE NO. 2B-I.

B-i] For the attainment of these objects, the Association may organize centers in various localities.

ii.] To promote, improve and maintain the high standards of Professional musical competence, conduct, and integrity.

iii.] To foster brother-hood among the Cine Employees of Western India through the Federation Of Western India Cine Employees and whole of India through the Confederation and all other sectors mentioned to promote and safe guard the economic and cultural interest of it's members.

iv.] To affiliate, to amalgamate, co-operate or federate with any organization as may be decided by the General Body.

v.] To negotiate with state and/or Central Govt. for the enactment of suitable legislations for adequate safe guards, of the interest of the members and furtherance thereof.

vi.] To endeavour to get it's recognition from the Govt. approach Minister of Labour and Culture for unemployment, Insurance Scheme, Musicians Welfare Funds, performing rights, intellectual and Royalty Rights from Govt. and employers also protection of performers of the members rights globally [individually or collectively].

vii.] To engage in such other legitimate activities as such are incidental and conducive to the attainment of the aforesaid objects.



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viii.] To render justice and equality and promote the welfare to all it's members and shall not discriminate any member on grounds of caste, creed, [religion] race and sex.

ix.] To respect and uphold the dignity and respect the ideals of the Association and render his/her professional services to the Association when called upon to do so.

x.] Do all such things specified herein, to the attainment of the objects of the Association.

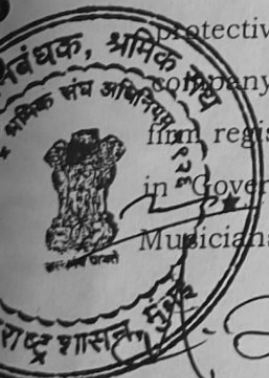
ADMISSION OF LIFE MEMBERSHIP:

RULE NO. 3 A.

Definition of CMA member means a member, who contributes with his/her professional skills in the capacity in playing professional musical instrument, Arranger, Composer, Conductor, and Writer/Copyist and who render their professional services, towards making a Cinema Film, Television Film, Television Serial, Documentary Film, Private Recording, Albums Cassettes and CD Rom Recording Companies, Jingles, Commercial Ad Films, Signature Tunes, Stage Shows, Life broadcast, etc, and all types of Recording Companies etc, for commercial purpose.

RULE NO. 3 B.

A competent and bonafide professional instrumental musician who has attained the age of 18 years and with a minimum qualification of Std. X or its equivalent in any medium, and a citizen of India and residing / living in Maharashtra State, and who is not a member of any other body of Musicians, established for protective purposes and who is not working in any public, private, or limited company, or in any organization registered under the companies Act 1956 or a firm registered under the Indian Partnership Act, or in a proprietors concern or in Government Service, shall be eligible for Life Membership of the Cine Musicians' Association on an application form prescribed by the association.



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However in exceptional cases of outstanding caliber [or in case of prodigy] age and educational qualification may be relaxed.

The application for membership shall be scrutinized by the Managing Committee who shall arrange for an audition with regard to the Musical abilities of the applicant in the instrument of his/her choice before a panel of three or more distinguished and competent judges appointed by the Managing Committee, for the above Audition which shall be held only once a year. The applicant shall be accepted as a member if he/she is successful at the audition according to his/her musical ability as per the decision of the judges, which shall be final and binding. The successful candidate will be eligible to become an Life Member on payment of fees which are non-refundable as per the fee structure mentioned below: -

LIFE MEMBERSHIP:

Entrance Fees Payable	Rs. 500.00
Life Membership Fees Payable	Rs. 19,500.00

Total Rupees	20,000.00
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The above fees may be enhanced by the Association as per the decision of the General Body from time to time.

ARTICLE NO. 3 C.

The membership of any person who makes a false declaration in connection with his / her application for membership may be declared void from the beginning and all sums paid by such persons to the Association shall be forfeited, and shall not be eligible for any benefit from the Association.



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RULE NO. 3 D.

If the membership [application is granted, a copy of the Rules Book will be supplied at a nominal charge, to the member together with a Membership Card and he/she shall be deemed to know and shall be bound by the Rules and Regulations or any alterations thereof or rulings thereon which are duly made from time to time.

RULE NO. 3 E.

A member desiring to resign , may submit his/her resignation which may be accepted by the Managing Committee subject to settlement of any dues to be recovered from him/her.

RULE NO. 3 F.

FORMAT FOR UPGRADATION:

a]. Any member who wishes to change his/her grade can do so on his/her own merit on a prescribed form given by the Association, provided he/she fulfils the following conditions of the association and will have the following Grade :-

1. B Grade
2. A Grade
3. Special Grade
4. Extra Special Grade.
5. Super Extra Special Grade.
6. Top Grade.

Change Of Grade From

No. Of Years Specified in each Group

- | | |
|---|----------------------|
| 1. B To A | After 3 Years. |
| 2. A To Special | After 5 Years. |
| 3. Special To Extra Special | After 7 Years. |
| 4. Extra Special To Super Ext. Special ... | After 5 Years. |
| 5. Super Ex. Spl. are members of National fame as Soloist continuously / frequently playing in the National Arena.] | |
| 6. Super Ext. Spl To Top Grade | After 3 Years. |
| [Top Grade are members of international fame as Soloist . Continuously / frequently playing solos in the International Arena.] | |



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- [b] The above change of grades will be optional and not compulsory. Those members who wish to change their grade can make an application on the prescribed form to the Association. In exceptional cases: If any member wants to change his group before the fixed period as specified above, he can do so in exceptional case by putting his application before the Managing Committee and get it approved.

However in ordinary cases jumping the group or Grade will not be permitted, it has to be upgraded step by step. However change of grade will be done once a year only.

- [c] For every up gradation, there will be a fee charged by the Cine Musicians' Association according to the up gradation applied for.
The above fees may be revised by the Association from time to time.

The Managing Committee will hold the right to approve or reject the above application on scrutiny without assigning any reason and the decision of the Managing Committee shall be final and binding.

One take money on basic rate for changing of grade, rounded to nearest hundred.

RULE NO : 4.

ADMISSION OF HONORARY MEMBERS:

Eminent persons who are not eligible to become ordinary member of the Association may be admitted as honorary member of the Association for purposes of being elected or co-opted to the Managing Committee and he/she shall be honorary member of the Association during the period of his/her office. Subject to the provisions of section 22 of the Indian Trade Union Act, 1926 their number shall not exceed one.

Honorary member may be re-elected for another term of 3 years as may be decided at the Annual General Body Meeting from time to time.

An honorary member may attend and speak at the meetings only by invitation, and shall not be entitled to vote.



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RULE NO : 5.

FINES , FORFEITURES & EXPULSIONS :

RULE NO : 5 A

A member may be expelled from the Association by the vote of not less than three fourths of the members present and voting at a General Body Meeting of the Association on a motion that in the opinion of the meeting, such member has been guilty of embezzlement or defalcation of the funds of the said Association or moral turpitude in context of the affairs of the said Association or of persistently harassing and / or unnecessarily troubling the Association or any of its office bearers and / or persistently indulging in activities detrimental to the working of the Association or against its interest or reputation.

RULE NO : 5 A [I].

The Managing Committee shall give a member one month's written notice of the proposal to expel him. The member's explanation, if any, shall be placed before the General Body Meeting for consideration.

RULE NO: 5 A [II].

The decision of such General Body Meeting as to what constitutes moral turpitude on the part of a member in context of the affairs of the said Association will be final.

RULE NO: 5 A [III].

No expelled members shall be readmitted.

RULE NO: 5 A [IV].

No member shall decide upon or take any course of action [publicly] against the policies and interest of the Association.



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BENEFITS :

RULE NO : 6.

FAMILY BENEFIT FUND:

A Life member will be entitled for Family Benefit Fund to his/her nominee on completion of five years as per tabulation set up by the General Body from time to time.

RULE NO : 7.

A member of the Association who is in arrears with his subscription or dues shall not be entitled to any benefits unless and until all arrears have been paid.

RULE NO : 8.

Should the members of the Association go on strike without the sanction or approval of the Managing Committee, they shall not be entitled to any benefits whatsoever.

REGISTER OF MEMBERS:

RULE NO: 9.

The Association shall keep a register of all its members containing their names and particulars of their residence.

RULE NO: 10.

The register shall be open to inspection by any member or officer of the Association at the Head Office during the hours which the office of the Association is open on any week day excluding holiday, [with prior permission from the Managing Committee.]

OFFICE BEARERS:

RULE NO: 11.

The Association shall have a President, not more than two Vice Presidents, Two Secretaries, One Gen. Secretary and a Joint Secretary, a Treasurer and Seven Committee members. All of them shall be elected at the Annual General Body Meeting of the Association for Three Years and they shall be eligible for re-election after 3 years term.



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- [II] All of them should have sound administrative abilities and at least 5 years of membership.
- [III] Such Office bearers shall not be entitled to act as such if he or she, at the time of election is convicted by a Court in India of any offence involving moral turpitude and sentenced to imprisonment unless a period of five years has elapsed since his release or unless he is acquitted of the Charge, whichever is earlier.

MANAGEMENT OF THE ASSOCIATION:

RULE NO: 12.

The Managing Committee, subject to the provision of section 21 of the Indian Trade Union Act, 1926, the affairs of the Association financial and otherwise shall be conducted by a Managing Committee consisting of the Office Bearers and five other members elected at the Annual General Body Meeting [For Three Years].

- [a]. Any Two Committee members preferably office bearers shall be appointed by the outgoing Committee from among themselves before the AGM to be in the next incoming Managing Committee, to keep smooth transition / continuity in the affairs of the Association.
- [b]. The Managing Committee shall be the sole custodian / guardian and shall be responsible to protect the interest of the Association and its members.

VACANCIES AND REMOVALS:

RULE NO: 13.

Should a vacancy occur among the office bearers or the members of the Managing Committee, it shall be filled by the Managing Committee by co-opting.



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RULE NO : 14.

Any Office Bearer of the Association or a member of its Managing Committee can be removed by the General Meeting of the members by a Three-fourths majority for committing any fraud or having acted against the interest of the Association provided the office bearer or the member is given adequate opportunity to explain his conduct.

Any office bearers of the Association or member of the Managing Committee shall ipso facto be deemed to have vacated his office if he should fail to attend THREE consecutive meetings of the Managing Committee without prior leave of absence granted to him by the Managing Committee.

MEETINGS OF THE MANAGING COMMITTEE & IT'S POWERS :

RULE NO: 15.

The Managing Committee shall meet at least once a month on such days and such places as may be fixed by the Secretaries in consultation with the President.

RULE NO: 16.

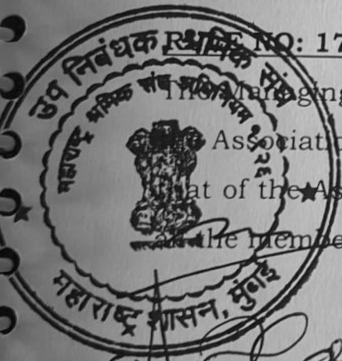
The presence of at least one-third members of the Managing Committee shall be necessary to form a quorum. No quorum is necessary for adjourned meetings.

RULE NO : 17.

At least three day's notice shall be given for a managing committee meeting.

RULE NO: 17 A.

The Managing Committee shall be authorized to take decisions in all matters of Association keeping in view the interest of its members for their benefit and that of the Association, & its decisions, in all such matters shall be binding on the members.



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RULE NO: 17 B.

No office bearer or member of the Managing committee of the association shall divulge any proceedings of the meetings, and report or represent the Association or issue statements unless he/she is authorized to do so by the Managing committee.

No important documents of the Association shall be taken out of the office without any prior permission of the President / Gen. Secretary or Two Office Bearers.

RULE NO: 17 C.

Members compulsorily shall have equal self-respect for each other; any insult or defamatory remark shall be taken to task.

DUTIES OF THE OFFICE BEARERS:

RULE NO : 18.

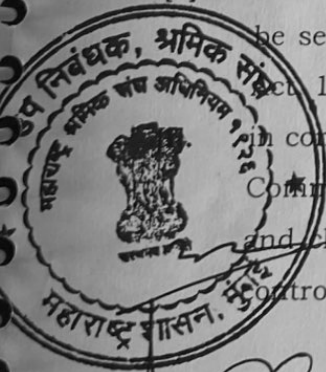
The President and Vice. President: The President shall preside over all meeting of the Association and of the Managing Committee, preserve order, sign all minutes and shall be allowed to give a casting vote only. The President shall have power, If necessary to call special meetings of the Managing Committee and or of the Association. Whenever necessary One of the Vice. President shall function in the place of the President in his absence.

RULE NO : 19.

The Secretary: The Secretaries shall;

- [a]. take minutes of all Association and Managing Committee meetings.
- [b]. convene all meetings;
- [c]. conduct all correspondence;
- [d]. together with the Treasurer prepare the Annual Balance Sheet;
- [e]. be responsible for the submission of all returns and notices that should be sent to the Registrar of Trade Unions Under the Indian Trade Union Act, 1926;

In consultation with the President and with the approval of the Managing Committee engage such Assistants as may be necessary for organizing and clerical purposes and all such Assistants shall be under the direct control of the Secretaries.



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RULE NO: 20.

The Treasurer: The Treasurer shall maintain and/or cause to maintain all accounts of the Association and shall make all payment on the Authority of the Managing Committee. He shall essentially be one of the Office Bearers who shall operate the Association's funds and bank accounts and be directly responsible for all monetary transactions to the Managing Committee.

GENERAL MEETINGS:

RULE NO: 21.

The Managing Committee shall hold, by the end of March every year, at the latest, an Annual General Body Meeting of all the members of the said Association to transact the following business;

- [a]. to adopt the report of the work done by the Association and the audited statement of account ;
- [b]. to select the office bearers, and other members of the Managing Committee at the end of the term.
- [c]. to transact such other business as may be brought forward with the permission of the Chairman.
- [d]. appointment of statutory auditor [and if need be an internal auditor] and fixing of their remuneration by the General Body.

RULE NO: 22.

The President may call a General Meeting of the members of the said Association whenever he thinks necessary and shall to call it on a requisition signed by one fifth of the total strength of the association within twenty days of receipt of the requisition.

RULE NO: 23.

At least fifteen days notice shall be given to the members, of the said Association for such a General Body Meeting by displaying the same on the notice board of the Association office and at the recording centers in Mumbai.



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RULE NO: 24.

The presence of at least one fourth members shall be necessary to form a quorum at a General Body Meeting No quorum is necessary for adjourned meetings.

RULE NO: 24 [a].

Any questions or information sought on the statement of accounts and the Managing Committee report by the members, should be sent to the Association in writing at least 7 days prior to the date of meeting, to enable the Office Bearers to give a clear and precise answer to the question.

GENERAL FUNDS :

RULE NO : 25.

[i]. The General funds of the association shall consists of Life membership/ Administrative / members benefits funds/Donation/ Service Charges etc... which shall be deposited in a Bank or Banks in Savings or Fixed Deposits, in the vicinity of the Association approved by the Managing Committee by its resolution in the name of the Association. The said account shall be operated by the Treasurer and President or any of the Vice- Presidents.

[ii]. The Managing Committee in its first meeting shall pass a resolution incorporating the names of the Office Bearers who shall so, operate the funds of the Association, In case of death or incapacity or expulsion, vacancy of such office bearers the managing Committee shall modify its and resolution to co-opt fresh office bearers for such purpose only.

[iii]. The Treasurer shall not keep more than Rs. 10,000/- at a given time with the office for current office expenses, which shall be revised by the Association from time to time.



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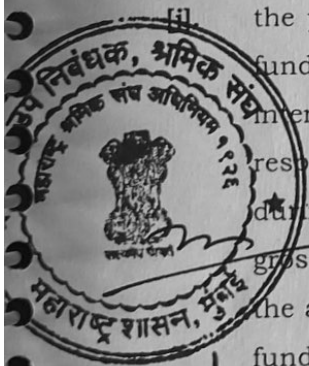
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OBJECTS ON WHICH THE GENERAL FUNDS CAN BE EXPENDED:

RULE NO: 26.

Subject to the provisions of section 15 of the act the General Funds of the Association shall not spent on any other object than the following namely:

- [a]. the payment of salaries , allowances and expenses to officers of the Union;
- [b]. the payment of expenses for the administration of the association including audit of the account of the general funds of the Association.
- [c]. the prosecution or defense of any legal proceedings to which the Association or any members thereof is a party when such prosecution or defense is undertaken for the purpose of securing or protecting any rights of the Association, as such or any rights arising out of the relations of any member with his employer or with a person with whom the member employees;
- [d]. the conduct of Trade duties on behalf of the Association or any member thereof ;
- [e]. the compensation to member for loss arising out of Trade disputes;
- [f]. allowance to members or their dependants on account of death, old age, sickness, accidents or unemployment of such members ;
- [g]. the issue of, or undertaking of liability under policies of assurance on the lives of members or under policies insuring members against sickness, accident or unemployment ;
- [h]. the provision of educational, social or religious benefits for members, [including the payment of expenses of funeral or religious ceremonies for deceased members] or for the dependents of members ;
- [i]. the upkeep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such ;
- [j]. the payment, in furtherance of any of the objects on which the general funds of the Association may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure, in respect of such contributions in any financial year shall not at any time during the year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the association during that year and of the balance at the credit of those funds at the commencement of that year ; &



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[k]. subject to any conditions contained in the notification, any other object notified by the appropriate Government in the Official Gazette.

ANNUAL AUDIT:

RULE NO. 27.

The Association shall make due provision for the Annual Audit of the accounts of the Association by competent Auditors appointed by the Managing Committee in accordance with Rule No. 18 of the Mumbai Trade Unions Regulations, 1927.

INSPECTION OF BOOKS OF ACCOUNTS :

RULE NO: 28.

The Books of accounts of the association shall be open to the inspection of any member or officer at the Head Office of the association, during the hours, which the office of the Association is open on any week day excluding holidays, on an application to the Managing Committee.

AMENDMENT OF RULES :

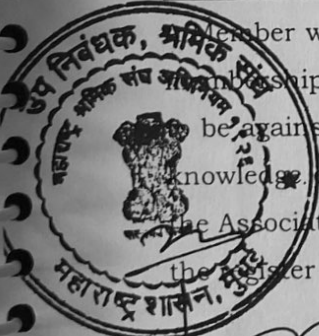
RULE NO: 29.

The rules may be amended, altered, replaced, rescinded or added to, at any time by a majority of the members present at a General Meeting provided previous notice of at least seven days is given to the members of the proposed alteration.

CANCELLATION OF MEMBERSHIP:

RULE NO: 30.

Member who has been found to have changed his/her profession or acquired membership of some other Association/Organization whose activities are found to be against the interest of Association or has settled abroad without notice or knowledge of the Association shall be deemed to have ceased to be member of the Association and the Managing Committee shall strike off his/her name from the register of members by giving a show cause notice to the effect.



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ELECTION PROCEDURE:

RULE NO: 31.

Members who wish to stand for election shall fill in the prescribed nomination form as required and submit them at least one week before the election to the Association Office.

The names of the said members who submit their forms at the office will be put on the office notice board on the day of the election and such member will be declared elected unopposed if there is no other contestant for the respective post. No forms will be accepted on the day of the election if the vacancy is filled in proper manner. Nomination can be accepted on the day of the election only if forms for the required posts have not been received and accordingly voting shall be by secret ballot.

Prior to the election the Managing committee shall appoint an election officer from among the non-contestants present, who will conduct the election proceedings and declare the results.

As soon as the New Managing Committee is declared by the Election Officer the outgoing Managing Committee shall automatically retire subject to Rule No. 12

and hand over the office charge to the New Managing Committee at their first Managing Committee Meeting.

DISSOLUTION OF THE ASSOCIATION:

RULE NO: 32.

The Association shall not be dissolved except by the vote of majority of Three Fourths members present by voting, at a General Body Meeting called for the purpose, provided that the total number of votes cast at such a meeting is not less than Two-Thirds of the total number of the Members then on the Rolls of Association.

The funds of the Association after meeting all the Liabilities shall be disposed off in accordance with the decision of the Dissolution Meeting.

FOR CINE MUSICIANS' ASSOCIATION

AMAR HALDIPUR
[HON.PRESIDENT]

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अभिक संघ अधिनियम
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[HON.GEN. SECRETARY]

