

Constitution of the Music Composers' Association of India

1 - NAME, INDUSTRY AND CONDITIONS OF ELIGIBILITY FOR MEMBERSHIP

- (a) The name of the organization shall be the "Music Composers' Association of India" (hereinafter referred to as "the Association").
- (b) The Association shall consist of an unlimited number of members, who are professional music directors/composers in the Indian Music Industry.

2 - REGISTERED OFFICE

The Registered Office of the Association shall be situated in Mumbai at such place as may be decided upon from time to time by the Association. This shall be known as the Registered Office.

3 - DEFINITIONS

- (a) "General Body" means the supreme authorised body of the Association.
- (b) "Executive Committee" means the committee authorised to conduct the affairs of the Association between 2 Annual General Body Meetings.
- (c) "A member" is a person who being eligible for membership has signed an application form which has been lodged with or forwarded to the Secretary of the Association and who has been admitted to the Association in accordance with the rules and includes all persons eligible for membership and applying as aforesaid who have bona fide been entered on the register of members.
- (d) "Unpaid Member" means a member who has not paid, within 30 days of the due date, any contribution, levy, fine, fee or other liability payable by him to the Association.
- (e) "A member in good standing" shall mean one who is not in arrears with contributions, fines or levies to the Association for any quarter preceding the quarter in which the standing of the member is to be assessed.
- (f) Throughout the Constitution, unless the context otherwise requires words in the masculine gender shall be taken to include the feminine and words of singular number to include the plural and vice-versa.



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AMENDED CONSTITUTION OF CINE MUSIC DIRECTORS' ASSOCIATION
at its Special AGM on 8-5-2010
4 - OBJECTS

- (a) To organise and unite the Music Directors in the Indian Music Industry in Mumbai for their mutual protection and advancement to regulate their relations with people who avail of the services of the Associations' members and with each other and to further and regulate the interests of members in all ways.
- (b) To regulate and decide all questions of professional etiquette by establishing and enforcing terms and conditions of work.
- (c) To secure to the members fair conditions of life and services so as to encourage and where possible to initiate whatever may tend towards improvement of the status, training and qualifications of all classes of members of the Association.
- (d) To try to redress their grievances.
- (e) To try to prevent any reduction in their remunerations, and if possible to obtain an advance whenever circumstances allow.
- (f) To endeavour to settle disputes so as to promote industrial peace and efficiency by all amicable means such as conciliation, arbitration, or the establishment of a permanent tribunal.
- (g) To devise a scheme or system of providence against the exigencies of old age, sickness, infirmity, death, unemployment or misfortune.
- (h) To provide legal assistance to members in respect of matters arising out of or incidental to their profession and to provide legal assistance in defence of the members rights where deemed necessary by the General Body or the Executive Committee.
- (i) To institute or defend any legal proceedings to which the Association or any member thereof is a party or when such prosecution or defence is undertaken for the purposes of fighting, securing, enhancing, ensuring, procuring, establishing, enforcing or protecting the rights pertaining to the members of the Association.
- (j) To publish a magazine, journal, or the like in the interests of the Association.
- (k) To co-operate with organisations particularly those having similar objects in India and Overseas and to consider reciprocal agreements with organisations in other parts of the world.
- (l) To render all possible assistance in the task of raising the level of cultural forms and more specifically in raising the level of music in the Indian Music Industry.
- (m) With the object of assisting the advancement of the general culture of the community, to take whatever steps deemed to be necessary to improve the knowledge and appreciation of music, copyright etc by the people of India by:
 - (1) Organising library of music
 - (2) Organising public performance/concert/events of music
 - (3) Organising seminars and inviting national and international musicians for exchange of views and techniques
 - (4) Taking up all other activities which from time to time might be necessary to further the interests and progress of the Association



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- (n) To buy, sell, improve, manage, develop, exchange, lease, mortgage, dispose of, or turn to account, or otherwise deal with all or any part of the property and rights of the Association.
- (o) To establish funds for the carrying out of the objects of the Association and to borrow, raise or secure the payment of money for any of the objects of the Association in such manner and upon such terms and conditions as may be deemed appropriate.
- (p) To establish social clubs in connection with the Association, and to adopt such other methods of furthering the social enjoyment of the members as may be deemed proper.
- (q) To obtain recognition and representation for the Association on any bodies established by the Indian Government, Central Government, or a State or Local Government Authorities or industry or commerce to promote or sponsor the rights, the work, usage and appreciation of the work of Professional Music Directors/Composers.
- (r) To oppose and enforce by all constitutional methods, the admission into India from overseas of professional Music Directors/Composers under contract or agreement to contract after arrival in India.
- (s) To establish a Provident Fund.
- (t) To secure legislation that will prevent the influx of any persons whose admission to India may be detrimental to Indians.

5 - ADMISSION TO MEMBERSHIP

- (1) All persons desirous of providing services of Music Direction or as a Composer, in films, private albums, TV serials, TV films, Ad Films, and in providing music in any format in any medium whatsoever, have to be members of the Association. They have to apply for membership before they start any work or assignment, failing which other members of the Association or of other Associations or of other affiliated Associations of the Federation shall not co-operate with them until such time as they apply for membership..
- (2) All applicants for membership shall fill in and sign two copies of a form of application for membership duly approved by the Executive Committee and available at the Office of the Association. He shall lodge with or forward to the Secretary the signed and completed application forms.

Applicants for membership shall be informed in writing, in terms to be decided by the General Body, by the Secretary receiving such application of his membership status and:

- (i) the financial obligations arising from membership; and
- (ii) the circumstances and the manner in which a member may resign from the Association.

A member when elected shall abide by and be bound by the Constitution of the Association as amended from time to time.

for Secretary

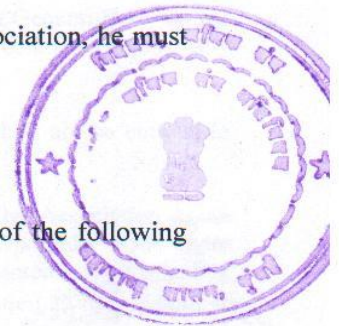


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- (3) All applications for membership shall be dealt with by the Executive Committee and the application for membership may be accepted or rejected as the Committee thinks correct, provided that the accidental or inadvertent omission to accept an application for membership shall not by itself invalidate the membership of persons eligible for membership and applying as aforesaid who have bona fide been entered on the register of members.
- (4) A card of membership shall be issued to each member from time to time. This shall be the property of the Association and may be recalled at any time.
- (5) No applicant for membership or reinstatement to the Association shall have the right to work with members in anticipation of being accepted as a member thereof, or being reinstated, except by the previous written permission of the Executive Committee of the Association.
- (6) Any member who has made a false declaration for the purpose of obtaining admission into this Association shall be subject to fine or expulsion, and in the latter case shall be liable for all fines, dues, levies, up to the date of such expulsion.
- (7) When a member is expelled from the Association, for any cause whatsoever, he cannot apply to join again until the expiration of three months from the date of such expulsion, and he must then pay a fresh or new admission fee, fine or penalty, if any and also all or any fines which may have been imposed upon him before his expulsion and in addition, all dues, levies, and contributions up to the date of his expulsion.
- (8) If a member who has been expelled desires to be readmitted to the Association, he must apply in the prescribed form.

6 – CATEGORIES OF MEMBERS

- (a) Applicants for Membership shall be admitted to membership in either of the following Categories
 - i) Member
 - ii) Affiliate Member
 - iii) Temporary Member
 - iv) Honorary Member
- (b) All applicants for membership shall be admitted as Members, except those who are expressly admitted as Temporary Members.
- (c) All Members shall attend the general meeting of members and speak thereat and shall receive all benefits as may be determined from time to time by the Association.
- (d) Members shall Vote at the General Meeting on any matter and participate in any ballot or stand for election in the Association as per the Rules made thereunder
- (e) Any Overseas visiting music directors'/composers, who have not secured residential status in India shall be eligible for temporary membership for 12 months, based on submission of proper documents as prescribed by the Executive Committee, till he attains the Residential status. At that time, he would need to apply afresh for normal membership.



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- (f) A member shall, notwithstanding anything elsewhere contained in these Rules, pay such subscription as may from time to time be determined by the Association in its Annual General Body Meeting.
- (g) Any person who has not yet started any assignment or is about to start work as a Music Director/Composer should apply as a Temporary Member. No sooner does his work release, he should apply for admission in the Member Category. The Temporary membership shall be for a period of 3 months. If the applicant does not complete his work within these 3 months, then he would need to re-apply till such time that his work is released. A Temporary Member shall not be counted as a member of the Association. He shall have no right whatsoever except the right to co-operation from other members to work within the Industry as a Composer/Music Director till his one (1) work is released.
- (h) Any distinguished person, whether a music director/composer or not, selected by the Executive Committee and approved by the General Body as such, shall be an Honorary Member.
- (i) All Members of the Association shall be admitted w.r.t. the category to which they principally belong to and wished to be registered as at the time of application of membership :-
 - i) Film
 - ii) Non Film
 - (iii) Television
 - (iv) Advertisement

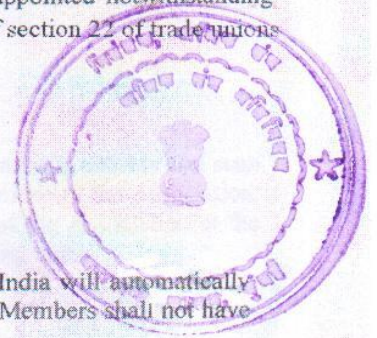
7 - HONORARY MEMBERSHIP

- (a) The distinction of Honorary Membership may be conferred by the General Body on the recommendation of the Executive Committee as a mark of appreciation of especially meritorious service rendered to the Association by such a person.
- (b) For the purposes of voting on any matter, or any election, they shall not be entitled to vote.
- (c) Any person bona fide entered on the register of members of the Association as an Honorary Member pursuant to a decision of the General Body purportedly made under this Rule, shall be and be deemed to have been validly so appointed notwithstanding anything in these Rules to the contrary. Subject to Provisions of section 22 of trade and Merchandise Act. 1926 their No. shall not exceed five.

8 - AFFILIATE MEMBERSHIP

- (a) Members of other Music Directors/Composers Association's in India will automatically be Affiliate Members of the Association. However, the Affiliate Members shall not have voting rights and cannot stand for election.
- (b) Affiliate Members shall pay such fees and levy as may be prescribed by the Executive Committee and approved by the General Body.
- (c) Affiliate Members shall be bound by the Association's Constitution and Rules.

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9 - ENTRANCE FEE, ETC.

- (a) The entrance fee payable by applicants for membership to the Association shall be such amount (not being less than Rs. 11,000/-) as the General Body may from time to time determine.
- (b) Overseas visiting music directors'/composers will be charged an entrance fee which will not be less than twice the Fees charged to Indian nationals as in (a) above and will be for a period of 12 months only. He will have to renew his membership every year by paying the entrance fees again together with the fees, if any.
- (c) If the Executive Committee of the Association is satisfied that circumstances demand special treatment, they may permit an applicant for membership to pay the entrance fee by instalments extending over a period of not more than five months. The fact that a member has not fulfilled his obligation within twelve month's time will not necessarily nullify his membership. The member joining on deferred payments shall have the right of working with all members in the Industry so long as he fulfils the agreement entered into on joining.

10 - ANNUAL SUBSCRIPTIONS

- (a) Members of the Association shall pay every year a subscription of Rs. 1,000/- p.a.,
- (b) Subscriptions shall be payable in advance.
- (c) Any member whose subscription for the current year is not paid by 30th June of that year, will be deemed unpaid Member.
- (d) Temporary and Honorary members do not need to pay the annual Subscription.

11 - REGISTER OF MEMBERS

The Association shall keep a Register of its members containing their names, address and such other details as may be required and prescribed by the Executive Committee of the Association. The Register shall be open for inspection by any member or officer of the Association at the Registered Office of the Association during working hours on any working days.

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At its special AGM on 8-5-2010

12 ARREARS

- a) Any unpaid member may be struck off the membership roll of the Association by the General Body on the recommendation of the Executive Committee. But such member shall be liable for all dues and all contribution, levies, fines, ect., due by him at time of expulsion.

Any member so struck off from the membership roll shall not be reinstated in membership unless with the consent of the general body and upon payment of all arrears due by him to the association.

- b) All contributions, levies, fines or liabilities of any kind, due or payable to the Association may at any time be used for and recovered, in the name of the Association.

13 - RESIGNATION FROM MEMBERSHIP

- 1) A member of the Association may resign from membership by giving a 30 days written notice, addressed to the President of the Association and forwarded by mail to the registered office of the Association.
- 2) A notice of resignation from membership of the Association takes effect on the 31st day after such a notice is received in the Office of the Association.
- 3) Any dues payable but not paid by a former member of the Association in relation to a period before the member's resignation from the Association took effect, may be sued for and recovered in the name of the Association, in a court/forum of competent jurisdiction, as a debt due to the Association.
- 4) A notice delivered to the person mentioned in sub rule (1) shall be taken to have been received by the Association when it was delivered.
- 5) A notice of resignation that has been by the Association is not invalid because it was not addressed and delivered in accordance with sub rule (1).
- 6) A resignation from membership of the Association is valid even if it is not effected in accordance with this rule if the member is informed in writing by or on behalf of the Association that the resignation has been accepted.

14 - GOVERNMENT

The supreme Body of the Association shall be the General Body and supreme control of the Association shall be vested in the general Body which shall meet at least once every, within 6 months of the end of the financial year at Mumbai at such time date as may decided by the Executive Committee or when convened in accordance with the Rules in this Constitution.



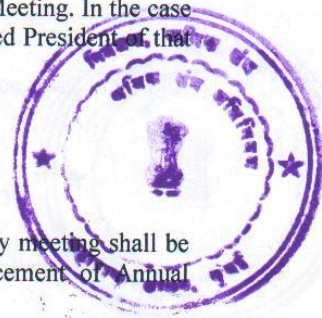
AMENDED CONSTITUTION OF CINE MUSIC DIRECTORS' ASSOCIATION
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15 - ANNUAL GENERAL BODY MEETING

- (a) The Association shall have an Annual General Meeting every year within six months from the end of each financial year in Mumbai.
- (b) A quorum at any Annual General Meeting shall consist of 50 members.
- (c) In the absence of a Quorum at a General Body Meeting, the meeting shall stand adjourned without fresh notice for the same day, after 30 minutes at the same venue. The members present after the 30 minute period shall be deemed to be the quorum.
- (d) At each Annual General Body Meeting this shall be the Agenda :
 - 1. To receive, consider and adopt the minutes of the previous years General Body Meeting
 - 2. To receive, consider and pass the General Secretary's Report on the previous year's activities.
 - 3. To receive, consider and pass the accounts of the previous year
 - 4. To elect the Executive Committee for the ensuing year
 - 5. To consider any other business mentioned in the notice issued for the Meeting
- (e) A notice of 21 days shall be issued to all the members for calling the General Body Meeting.
- (f) The President of the Association shall preside at the Annual General Meeting. In the case of the absence of the President, one of the Vice-Presidents or an elected President of that meeting shall preside that General Body meeting.

16 - NOTICES OF MOTION

- (a) A notice for any business to be considered by the annual general body meeting shall be forwarded to the Association Office 15 days before the commencement of Annual General Body Meeting.
- (b) A notice of motion may be submitted by the Executive Committee or by any member of the Association
- (c) A notice of motion shall be accompanied by a statement of reasons in support of the motion.
- (d) The General Secretary shall cause copies of all such notice of motions received in accordance with paragraph (a) of this Rule to be printed and the statement of reasons provided in accordance with paragraph (c) of this Rule be forwarded to every member of the Society before 10 days of the commencement of the Annual General Body Meeting,
- (e) The Annual General Body Meeting shall have the power to accept and decide any proposal or motion including a proposal or motion for making new rules or the amendment or rescission of existing rules proposed by any member at an Annual General Body Meeting, notwithstanding that all or any of the foregoing provisions of this rule have not been complied with.

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AMENDED CONSTITUTION OF CINE MUSIC DIRECTORS' ASSOCIATION
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17 - SPECIAL MEETINGS OF ASSOCIATION

- (a) The Executive Committee may at any time convene a Special Meeting of the Association at such time and such place as the Executive Committee may determine.
- (b) Upon the demand of any group of members whose combined voting strength totals to atleast 51 per cent of the voting strength of the Association, the President shall convene a Special Meeting of the Association (to be known as a Special General Meeting) to meet at such time and place as subject to the next succeeding clause he shall think fit. With such demand the group shall send to the General Secretary a short statement of the question or questions with which the Special General Meeting is to be asked to deal.
- (c) Except as hereinbefore provided at least Twenty-one (21) days notice of the time and place fixed for the holding of a Special General Meeting shall be given by the General Secretary to all the Members, and such notice shall set out the matters to be dealt with by that Special General Meeting.

18 - POWERS OF SPECIAL MEETINGS

Special Meetings of the Association shall have all the powers of a General Body meeting of the Association.

19 - MANAGEMENT

The Management of the Association shall be vested in the Executive Committee according to the powers conferred upon them by this Constitution of the Association.

20 - EXECUTIVE COMMITTEE - HOW CONSTITUTED

- (a) The Executive Committee shall consist of a total of 16 members and a Chairman.
- (b) The 16 members of the Executive Committee shall consist of equal representation from the 4 categories of members as mentioned in Clause 6(g) of this Constitution. The Chairman can be a person from any of the category of membership.
- (c) The Chairman and the 16 Executive Committee members shall be elected separately by the Annual General Body.
- (d) The Chairman shall be the supreme commander of the Executive Committee.
- (e) The 16 elected Executive Committee Members shall then internally and amongst themselves elect:
 - i) One President
 - ii) Four Vice-Presidents
 - iii) One Treasurer
 - iv) One General Secretary
 - v) Four Joint Secretary
 - vi) Balance Five other Committee Members



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- (f) The President, Vice-Presidents, General Secretary, Joint Secretaries, and Treasurer shall be the Officers of the Association.
- (g) At any meeting of the Executive Committee where a member or members of the Executive Committee is absent, any decision of the Executive Committee shall not be invalidated by reason of such absence provided that at least 60% of the Executive Committee are present at such meeting.
- (h) All members of the Executive Committee shall hold office until the next ensuing Annual General Body Meeting or until their successors is appointed. However, such Executive Committee members shall be entitled to be re-elected.
- (i) The Executive Committee shall have the right to co-opt four (4) more members if and when considered necessary by the Executive Committee.

21 - ELECTION OF EXECUTIVE COMMITTEE MEMBERS

A. - Returning Officer

At least thirty days before the Annual General Body Meeting, the Executive Committee shall appoint a Returning Officer who -

- (i) may or may not be a member of the Association;
- (ii) shall not be the holder of any office in the Association; and
- (iii) shall not be an employee of the Association.
- (iv) Shall not have any interest in the Association

But who shall always be a professional organisation of consultants, auditors, and the like

B. - Nominations of Executive Committee Members

- (a) Nominees shall be Members of the Association and shall be proposed by one other member entitled to vote and seconded by another member entitled to vote in the prescribed form.
- (b) Nominations shall be in writing on a form approved by the Executive Committee, shall be signed by the nominee and his nominators and shall be returned to the Returning Officer not later than 7 days before the Annual General Body Meeting.

C. - Qualification to stand for Election to the Executive Committee

- (a) All Nominees as in (B) above, shall have to their credit certain number of released works as prescribed from time to time by the Executive Committee and approved by the General Body.
- (b) All Nominees as in (B) above, shall be a member in good standing as on the date of filing his/her Nomination.

D. - Election of Executive Committee Members

- (a) All Office Bearers (Officers) and the Executive Committee members shall be elected every year.

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AMENDED CONSTITUTION OF CINE MUSIC DIRECTORS' ASSOCIATION
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- (b) If there are no more nominations than there are vacancies for a position, the returning officer shall declare the nominated person or persons elected to the position.
- (c) If more nominations are received than there are the number of vacancies for the position, he shall have ballot papers printed and delivered to him containing the names of the candidates, the manner in which votes shall be recorded and the date and time of the closing of the ballot.

He shall be responsible for the safe custody of the ballot papers.

He shall initial every ballot paper prior to distribution but shall not otherwise mark it.

He shall control a ballot box provided for the reception of ballot papers and he shall see that the said box is empty immediately prior to the opening of the voting and thereupon seal the said box and ensure that it remains sealed until the time fixed for the closing of the ballot.

- (d) Each voter shall record his vote by marking a tick {✓} on the name of any candidate for whom he wants to vote and shall enclose his completed paper in the envelope provided and seal the same and shall thereupon deliver same to the Returning Officer.
- (e) At the time fixed for the counting of the ballot the Returning Officer shall open the ballot box in the presence of the candidates and count all the votes cast. It is not compulsory that a candidate need to be present at such time.

He shall declare the candidate with the highest number of votes elected.

He shall declare in writing the result of the election and submit a full report of the ballot indicating the number of ballot papers distributed and the number on hand and any other relevant matters and shall be delivered to the person who was the Chairman prior to the start of the Annual General Body Meeting.

E. - Dual Office

No member can stand for dual position in the Association.

F. - Extraordinary Vacancies

- (a) An extraordinary vacancy occurring in the Executive Committee shall be filled by the Executive Committee by co-opting any Member of the Association qualified to stand for election.
- (b) The person so elected shall hold office for the unexpired portion of the term of the person he replaces.
- (c) For the purpose of this Rule an extraordinary vacancy shall mean a vacancy occurring as a result of the death, resignation or removal from office of the holder of such office.

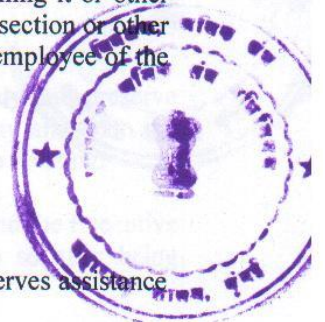
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AMENDED CONSTITUTION OF CINE MUSIC DIRECTORS' ASSOCIATION
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22 – POWERS OF THE EXECUTIVE COMMITTEE

- (a) The Executive Committee shall carry out the policy of the Association and exercise all or any of the powers and functions of the Association, except the power of altering, amending or adding to the Constitution, and shall not act contrary to any resolution of the General Body, and shall not rescind, alter, vary or revoke any resolution of the General Body, unless authorised so to do by the General Body.
- (b) All officers and members shall deliver on demand to the Executive Committee or to some other person appointed by them, all books, papers, writings, letters, accounts, moneys, goods and property in their possession, custody, or control belonging to the Association.
- (c) The Executive Committee shall have the power to recommend to the Annual General Body alterations, amendments or rescissions to the Constitution.
- (d) The Executive Committee shall have the power -
 - (a) To authorise the formation of Branches.
 - (b) To direct the policy of the Association in all industrial and professional matters affecting the interests of members.
 - (c) To fix salaries of its officers.
 - (d) To provide legal advice and representation or the means of obtaining it or other professional services or sustenance to any member or members or section or other category of members or to any present or past officer, official or employee of the Association or their legal representative or dependents.
 - (e) To appoint, suspend, or remove any of its officers.
 - (f) To determine anything wherein the Constitution is silent.
 - (g) To grant, when a case of distress occurs - on being satisfied it deserves assistance - such sum as in their opinion the case may warrant.
 - (h) To deal with any officer or member of the Association in accordance with the Constitution.
 - (i) To hear and decide any appeal from any officer or member of the Association.
 - (j) To determine any matter or report referred to it by any officer or member.
 - (k) To make, order, or impose any contribution, levy, fine, fee or dues.
 - (l) To submit any matter to members for decision by ballot.
 - (m) To make, alter, amend or rescind Constitution for approval of the General Body.
 - (n) To make a special grant of money by way of gift to members needing such assistance such grant not to exceed Rs. 1,00,000/-.
 - (o) To establish a special fund to achieve any of the objects of the Association.

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- (p) To initiate, manage, and control all actions, proceedings, submissions or disputes, litigation and other matters, and to appoint a member of the Association, or a solicitor or counsel or a consultant, to represent the Association or any of its members in any matter or in any Court proceedings, legal or otherwise.
- (q) To make, vary, or terminate industrial agreements, subject to approval of the General Body.
- (r) To receive, adopt, or otherwise deal with the annual report and balance sheet and to present the same to the General Body for approval.
- (s) To form committees or sub-committees for the purposes of advising and assisting the Executive Committee in relation to any matter or matters which the Executive Committee chooses to refer to committees or sub-committees. Such committees or sub-committees may be formed or dissolved by the Executive Committee as and when it sees fit and shall at all times be under the direction of the Executive Committee. The Executive Committee may delegate any of its powers to any of such Committees.
- (t) Notwithstanding anything contained in these rules, it shall not be within the power of the Executive Committee without the authority of the majority of the members of the Association to take any action to effect the amalgamation or affiliation of the Association with any other Association/Union/Organisation and the like.

23 – CHAIRMAN

- (a) The Chairman shall preside at all meetings of the Annual General Body and preserve order so that business may be conducted in due form and with propriety and upon the minutes being confirmed shall sign the minute book in the presence of the meeting.
- (b) He shall have power to convene meetings of the Annual General Body and the Executive Committee, should the General Secretary or the President fail to do so after being requested by three or more Executive Committee members.
- (c) He shall have an additional casting vote at the meetings of the Annual General Body and the Executive Committee.
- (d) He shall be an ex officio member of any sub-committee or Special Committee meetings of the Association or the Executive Committee and shall have the right of speech at any such Committee.
- (e) The Chairman shall have the power to call general meetings of members in the event of the President/General Secretary refuses or neglects to do so.
- (f) If the Chairman has reason to believe that the action of the President and/or the General Secretary and/or the Executive Committee is contrary to the best interests of the organisation, the Chairman shall have the power to veto the same; provided the case shall, within three days, be submitted in writing to the Executive Committee, whose decision shall be final; but while the matter is under submission the practice objected to shall discontinue.



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- (g) In the event of the Chairman deeming it necessary, owing to mismanagement of the Association, the Chairman shall, after making careful enquiries, report the matter to the Executive Committee, who shall be empowered to instruct him, if necessary, to take over the affairs of the Association.

24 - PRESIDENT

- (a) The President shall assist the Chairman at all meetings of the General Body and in the absence of the Chairman shall chair the General Body Meeting and conduct the business and perform all the duties of the Chairman.
- (b) The President shall preside at all meetings of the Executive Committee and preserve order so that business may be conducted in due form and with propriety and upon the minutes being confirmed shall sign the minute book in the presence of the meeting.
- (c) He shall have power to convene meetings of the Annual General Body and the Executive Committee, should the General Secretary fail to do so after being requested by three or more Executive Committee members.
- (d) In conjunction with the General Secretary he shall have power to execute industrial agreements and rescissions, variations, or terminations thereof, and any instrument requiring signature by or on behalf of the Association, after due discussion and approval by the Executive Committee.
- (e) He shall be an ex officio member of any sub-committee or Special Committee meetings of the Association or the Executive Committee and shall have the right of speech at any such Committee.
- (f) (1) The President shall have the power to call general meetings of members in the event of the General Secretary refusing or neglecting to do so.
- (2) The President shall have the power to call meetings of members of any committee in the event of the General Secretary refusing or neglecting to do so.
- (g) (1) If the President has reason to believe that the action of the General Secretary is contrary to the best interests of the organisation, the President shall have the power to veto the same; providing the case shall, within three days, be submitted in writing to the Executive Committee, whose decision shall be final; but while the matter is under submission the practice objected to shall discontinue.
- (2) If the President has reason to believe the action of any Committee is contrary to the best interests of the organisation, the President shall have the power to veto the same; providing the case shall, within three days, be submitted in writing to the Executive Committee, whose decision shall be final; but while the matter is under submission the practice objected to shall discontinue.
- (h) In the event of the President deeming it necessary, owing to mismanagement of the Association, the President shall, after making careful enquiries, report the matter to the Chairman who shall then refer the matter to the Executive Committee, who shall be empowered to take such decisions of taking over the affairs of the Association by any Officer of the Association.



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25 - VICE-PRESIDENTS

- (a) The duties of the Vice-Presidents shall be to assist the President at all meetings of the Executive Committee, and, in the absence of the President, one of them, shall be voted to the chair by the Executive Committee, and conduct the business and perform all the duties of the President.
- (b) The Vice-Presidents shall be ex-officio members of any Committee, and shall have the right of speech at any Committee.

26 – GENERAL SECRETARY

- (a) The General Secretary shall be the registered officer of the Association for the purposes of the Trade Unions Act, as amended, shall be empowered to act on behalf of the Association and to sue.
- (b) He may be paid such remuneration as may be decided from time to time by the General Body and shall at all times be under the control of the General Body and the Executive Committee.
- (c) The General Secretary shall have power to call general meetings of members or of members of any Committee or the General Body if the President is refusing or neglecting to do so, or may perform any such duties that may be considered necessary or advisable in the interests of the Association by the Executive Committee.
- (d) If the General Secretary has reason to believe that the action of any Joint Secretary or any Committee is contrary to the best interests of the organisation, the General Secretary shall have the power to veto the same; providing the case shall, within three days, be submitted in writing to the Executive Committee, whose decision shall be final; but while the matter is under submission the practice objected to shall discontinue.
- (e) He shall be an ex-officio member of any sub-committee or Special Committee meetings of the Association, and shall have the right of speech at any Committee or General Meeting.
- (f) He shall not pay, lend, or otherwise appropriate any of the funds of the Association for any purpose except in accordance with the rules, resolutions and minutes of the Association and Executive Committee.
- (g) The duties of the General Secretary shall be, inter alia:
 - (i) To attend all meetings of the Annual General Body and the Executive Committee, and make minutes of all resolutions passed on all business transacted at such meetings.
 - (ii) To act generally according to the direction of the General Body and the Executive Committee.
 - (iii) To summon members of the General Body and the Executive Committee to meetings.



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- iv*) To produce his books at all reasonable times when required by the President, General Body, or the Executive Committee,
- v*) To sit, if required, with the auditor when he is auditing the Association's account.
- vi*) To employ administrative staff for the Association subject to the approval of the Executive Committee. Such staff shall be under the control of the General secretary.
- vii*) To attend to all correspondence and keep, answer, and produce copies of all correspondence.
- viii*) To keep and maintain a register of members showing the name and address of each member and a list of the names, addressed and occupations of all Officers and members of the Association.
- ix*) To forward to the Industrial Registrar, registrar of Unions and any other statutory authority, a copy of the Annual report and Balance sheet after they have been adopted by the General Body.
- x*) To comply with the requirements of the Industrial Registrar, Registrar of Unions and any other statutory authority as to returns required by law.
- xi*) To do all things necessary to be done by an organization registered under the Trade Union Act 1926, as amended from time to time.
- xii*) In the event of the General Secretary deeming it necessary, owing to mismanagement of the Association, he shall, after making careful inquiries, report the matter to the Executive Committee, who shall be empowered to instruct him if necessary, to take over the affairs of the Association.

27 - TREASURER

- a) Treasurer shall keep in a larger an account of all money received and paid by the Executive Committee and the Association. He shall have charge of the bank pass books, and shall produce them for inspection at all reasonable times when requested by the President, and/or the Executive Committee. He shall examine all payments to the bank and shall examine all accounts to be passed for payment. He shall draw up a balance sheet annual to be submitted to the General Body, and shall submit quarterly financial statements to the Executive Committee, and shall sit, if required, with the auditor when he is auditing the Association's account. Cash in hand not more than Rs. 5000/- .
- b) If the Treasurer is unable to do so, he may by resolution direct that particular duties of the office of the Treasurer to be performed by one or other of the President or vice Presidents to the extent necessary to facilitate the orderly and proper administration of the Association provided that such resolution and any action consequent upon it shall not otherwise relieve the person holding office as Treasurer from the obligation of that office under this rule.



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(c) The duties of the treasurer shall be, inter alia:

- (1) To keep a correct account of all moneys received and expended, together with the dates of receipt and expenditure.
- (2) To pay all moneys received by him into the Bank Account to the credit of the Association within seven days.
- (3) To submit his books, accounts and receipts annually, or as often as may be required or directed by the General Body or the Executive Committee to the Auditor or any member.
- (4) To prepare the Annual Report and assist in the preparation of the Annual Balance Sheet for submission to the General Body.

28 - JOINT SECRETARIES

The duties of the Joint Secretaries shall be to assist the General Secretary at all meetings of the General Body and the Executive Committee, and, in the absence of the General Secretary, one of them, shall act as General Secretary, and conduct the business and perform all the duties of the General Secretary.

29 - COMMITTEE MEETINGS

- (a) The Executive Committee shall meet at least once every month on a day arranged by themselves.
- (b) The President/Secretary shall call the Executive Committee Meeting by letter and/or phone, provided every member is duly notified and given not less than 5 days notice.
- (c) The quorum for the Executive Committee shall be 60% of the Executive Committee members.
- (d) In the absence of a Quorum at the Executive Committee Meeting, the meeting shall stand adjourned without fresh notice for the same day, after 30 minutes at the same venue. The members present after the 30 minute period shall be deemed to be the quorum.
- (e) Any member of the Executive Committee who absents himself in three (3) consecutive Executive Committee Meetings and is not granted leave of absence, shall be dropped from the Executive Committee and the Executive Committee shall have the right to co-opt any member from its membership in place of the dropped member.
- (f) Special Executive Committee meetings - The President/Secretary may call Special Executive Committee Meetings by letter and/or phone, provided every member is duly notified and given not less than twenty-four hours' notice.

Shri. J. S. Joshi



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30 - DUTIES OF MEMBERS

It shall be the duty of every member -

- (a) to notify within thirty days to the Association a change in his residence and other details.
- (b)
 - (1) to ensure that they shall not work for less than the rate fixed by the Association from time to time for each category.
 - (2) to ensure that they ascertain the correct and appropriate rate prior to the commencement of any engagement.
 - (3) Members who knowingly fail to comply with (1) and (2) above shall not be entitled to legal assistance from the Association to recover any outstanding monies/payments.
- (c) to refuse to accept an assignment which was given to another member without the written permission/NOC from such member
- (d) to refrain from joining or making an application to join any other organisation having for its objects, or in any way included in its rules or by-laws, any matters in connection with the interests of the Music Directors.
- (e) to submit details of their work as prescribed by the Executive Committee.

31 - MISCONDUCT

If an officer or member of the Association :

- (a) Fails or refuses to abide by and observe the rules and resolutions of the Association.
- (b) Divulges or makes known the Association's correspondence or business to a person or persons not entitled to know it.
- (c) Takes the place of any person when such action is contrary to a decision of a General Body or the Executive Committee.
- (d) Is held by the Executive Committee to have been guilty of any act discreditable to a member of the Association.
- (e) Is held by the Executive Committee to have violated the terms of any industrial award or agreement or to have entered or offered to enter into any agreement contrary to the provisions of any award or agreement secured by the Association and applicable to him.
- (f) Accepts an engagement in the place of or stead of a member who has been discharged or who has lost his assignment for upholding any award or agreement or rules or conditions or the Association.
- (g) Shall attend any meetings of the Association in a state of intoxication or behave in an unseemly manner, or is offensive in his behaviour at any such meeting, he may, on the motion of an officer or member, be suspended by a vote of the majority of the members of the Association present at that particular meeting, and the member will subsequently be dealt with by the Executive Committee, and upon its being proved that an officer or member has been on duty at any time in a state of intoxication, or has behaved in an unseemly manner or is offensive in his behaviour.



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- (h) Has misappropriated any money, goods etc of the Association
- (i) Has acted in opposition to the principles of Unionism.
- (j) Has maliciously, falsely or wilfully tried to injure the Association or any of the individual members thereof.
- (k) Has done anything detrimental to the Association or to the members thereof or has misrepresented the Associations policy or rules with any body.
- (l) Has behaved in a manner in any way unbecoming of a member of the Association.
- (m) Has committed a breach of good faith and fair dealing in any way whatsoever.
- (n) Any member who ignores or wilfully disobeys an order of the Executive Committee shall be deemed to have been guilty of a breach of fair dealing.
- (o) Has committed any other offence under any of the rules of the Association.

He shall be summoned to a meeting of the Executive Committee to give an explanation of his conduct and meet the charge made against him. In the event of a member failing to attend or in the event of his duly attending but failing to give a satisfactory explanation, and to thoroughly meet and refute the charge made against him, then:

Penalty: He may be fined by the Executive Committee any sum not less than Rs. 5,000, and may also be suspended or expelled from the Association, provided that such member has been informed of the complaint against him, and has had an opportunity to furnish a reply. Fines shall be paid within such time as the Executive Committee may determine. Any member dealt with by the Executive Committee may appeal to the General Body whose decision shall be final.

A member suspended for a misdemeanour shall be relieved of all rights, privileges and obligations to the Association.

32 - REMOVAL OF OFFICERS, etc

- (a) Where the Executive Committee at a special meeting called for the purpose, finds an Officer of the Executive Committee guilty, in accordance with these Rules, of misappropriation of the funds of the Association, or a substantial breach of the Rules of the Association, or gross misbehaviour or gross neglect of duty, or finds that such a person is not eligible to hold his office, it may by a 2/3rd majority resolution remove such person from his office.
- (b) Where the Executive Committee at a special meeting called for the purpose, finds a member of the Association guilty, in accordance with these Rules, of misappropriation of funds of the Association, or a substantial breach of the Rules of the Association, or gross misbehaviour or gross neglect of duty, or finds that such a person is acting against the interests of the Association, it may by a 2/3rd majority resolution remove such person from membership. However, such removal shall not operate till it is ratified by the General Body.

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AMENDED CONSTITUTION OF CINE MUSIC DIRECTORS' ASSOCIATION

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33 - CHARGES AGAINST OFFICERS AND MEMBERS – PENALTIES AND APPEAL

- a) The Executive Committee, on receiving the written complaint of any officer or member of the Association that any other officer or member of the Association has been guilty of any offence whatever mentioned in any of these Rules, shall have the sole and absolute right and power to here and determine such complaint. A copy of such complaint, having been first sent by the General Secretary of the Association to the officer or member making the complaint, and also to the officer or member complained of, and giving each party at least 15 days previous notice in writing of the Meeting of the Executive Committee to be held to deal with said complaint. The Executive Committee shall then here and determine the said complaint and if, in their opinion, the complaint has on the said member not less than a sum Rs. 5000/-, or they shall be entitled to fine the member a sum not less than Rs. 5000/- and also in addition suspend him for any period they may think fit, or as an alternative, they may expel the said member from the Association altogether.
- b) All fines and levies imposed in accordance with the rules shall be paid within such time as the Executive Committee may determine from time to time, and shall be the first charge on a member's payments.
- c) No members shall be allowed to appeal to any general body meeting of the members of the Association unless (a) such a member shall have paid any fine imposed, or complied fully in all respects with the decision of the Executive Committee in such matter; and (b) he can produce any new evidence in the matter, and (c) also be able to show that such new evidence was not known to him at the time matter was dealt with by the Executive Committee.

34 - APPEALS

- a) An appeal against any decision of the Executive Committee may be heard by a General Body Meeting of members or a Special General Body Meeting Summoned by requisition signed by at least 40% of the members of the Association entitled to vote. If the person so appealing or the Executive Committee still feels aggrieved he, or it, may submit the matter in dispute to the General Body.
- b) All appeals shall be made in writing addressed to the Chairman and shall reach the office of the Association within 30 days of the decision appealed against.

35 - CALENDER YEAR

All books accounts shall close on that date. A duly audited balance sheet shall be presented to the General Secretary. The balance sheet shall show all items of receipts and expenditure and the assets and liabilities of the Association.

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36 - FUNDS

All money paid by members of the Association, either as entrance fees, subscriptions, fines or levies, donations etc. shall be the property of the Association.

37 - FUNDS - HOW RAISED AND APPLIED

The Association may and/or shall raise funds by entrance fees, contributions, levies, fines and interest on investments, donations etc. which funds, together with any other moneys that may be received, shall be applied by the Association, or the Executive Committee to the following ordinary purposes:

- (1) Defraying the cost of management of the Association.
- (2) And for such other purposes as are provided by these Rules for the furtherance of any of the objects of the Association, or as the General Body may determine.

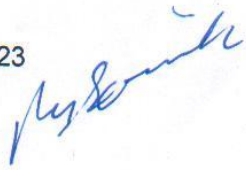
38 - FUNDS - HOW ALLOCATED

The funds of the Association shall be divided into two classes as follows

- (a) The funds which are allocated to and the expenditure of which is controlled by the General Body for Capital Purposes.
- (b) The funds which are allocated to and the expenditure of which is controlled by the Executive Committee for and various created Funds and normal expenditure to run the Association.

39 - FUNDS - HOW CONTROLLED

- (a) The funds and property of the Association shall be under the management of the Executive Committee. The funds shall be invested in the name of the Association by way of savings/current account or fixed deposit in a Bank etc, or as otherwise authorised by these Rules.
- (b) No funds shall be withdrawn from the bank except by cheque signed by two officers – (1) The Treasurer (compulsory) and (2) The General Secretary or the President.
- (c) The funds of the Association shall be invested by the Executive Committee.
- (d) The Executive Committee shall have the power to invest any reserve fund or other fund in the purchase of Central or State Government Securities or Bank deposits etc, subject to the concurrence of the Executive Committee.



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40 - GRANTS OR DONATIONS

- 1) A grant donation of an amount exceeding Rs. 1,00,000/- shall not be made by the Association, as the case may be, unless the General Body, as the case may be –
 - a) Has satisfied itself that the making of the grant or donation would be in accordance with the other rules of the Association; and
 - b) Has approved the making of the grant or donation.
- 2) A grant or donation of an amount below Rs. 1,00,000/- shall not be made by the Association, as the case may be, unless the Executive committee, as the case be –
 - A) Has satisfied itself that the making of the grant or donation would be in accordance with the other rules of the Association; and
 - B) Has approved the making of the grant or donation.

41 - CONTRIBUTION

- 1) The Executive Committee shall collect from all members a levy on every assignment as decided by the General Body from time to time.
- 2) All levies shall be payable 15 days before but not later than thirty (30) days from the publication of their assignments or any period which the Executive Committee may prescribe.

42 - RECEIPT

on payment of any moneys by a member, the Secretary or his authorized agent receiving such moneys, shall furnish such member with a receipt showing the full amount received, and in the case of a contribution, the date to which such contribution has been paid.

43 - ACCESS TO BOOKS

The books concerning the Association shall be kept at the registered office and shall include a register of the names of all the members. All such books of accounts of the Association shall be open to the inspection of any member or officer at the registered office of the Association during working hours of the Association.

44 - AUDITOR

The General Body shall appoint annually an Auditor, who shall be a competent person, and who, once a year, , and at other times if requested by the Executive Committee, shall audit the Accounts of the Association and report to the General Body or the Executive Committee. Should the Auditors find any irregularity he shall forthwith also to the President, who shall report such irregularity to the Executive Committee within fourteen days. All members of the Association shall comply promptly and fully with any direction request made or given by the Auditor.



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45 - SEAL

- (a) The Seal of the Association shall be held by the General Secretary, and shall not be affixed to any document except under the hand of the President or Vice-Presidents, and the General Secretary, and in pursuance of a resolution of the Executive Committee.
- (b) Any deed, document or instrument whatever required to be executed by the Association or required by law to be under seal, shall have the Seal attached, and it shall be attested by the President (or in his absence) by one of the Vice-Presidents, and by the Secretary.

46 - BY-LAWS

The Executive Committee shall subject to these rules have the power from time to time to make by-laws within the scope of these Rules for the management of its own affairs and to alter, amend or revoke such by-laws.

47 - INTERPRETATION OF RULES


In the event of any question arising at any time on any matter which is not fully provided for in these Rules or on which doubt exists as to the correctness of interpretation, it shall be determined by the Executive Committee and subject to review by the General Body at its next meeting.

48 - DISSOLUTION

1. Dissolution of the Executive Committee can happen when 2/3rd of the General Body members at a Meeting specially requisitioned for the purpose, can dissolve the Executive Committee and elect a new Executive Committee.
2. Dissolution of the Association :

The Association shall not at any time be dissolved without obtaining the written consent of 90% of the then existing (living) members having voting rights, and before its dissolution it shall be determined upon the intended distribution of the funds and property of the Association which shall be fairly and distinctly stated and set out in writing or be sent to each member prior to his or her consent being given to such dissolution. The dissolution can happen only in a specially requisitioned General Body Meeting.

END OF RULES


07.10.2010
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