

Minutes of the 58th Annual General Meeting of Cine & TV Artists' Association held at Shri Bhaidas Maganlal Sabhagraha, U-1, Juhu Development Scheme, Vile Parle (W) Mumbai – 400056 on Monday, 1st May, 2017 at 9 a.m.

The 58th Annual General Meeting of Cine & TV Artists' Association was held on Monday 1st May, 2017 at 9a.m. at Shri Bhaidas Maganlal Sabhagraha, U-1, Juhu Development Scheme, Vile Parle (W) Mumbai – 400056.

At the scheduled time of the meeting, the proceedings had to be adjourned for 15 minutes, for want of quorum, as per Clause No.33 of the Constitution of the Association.

The adjourned Annual General Meeting was then held after a break of 15 minutes.

Shri Suneel Sinha greeted and thanked everyone for attending the meeting. He further informed the House that since the last Annual General Meeting, the Association has suffered a great loss on account of the demise of a number of members who left for their 'Heavenly' abode.

He invited Shri Manoj Joshi to light a traditional lamp on photo of Late Shri Om Puri (ji) (Ex-President).

After lightning of the traditional lamp, Shri Suneel Sinha called names of the deceased members:

Shri Jitendra Sharma, Shri Suresh Chatwal, Shri Razak Khan, Shri Anil Mhatre, Ms. SulabhaDeshpande, Dr. AbhayAashiyana, Shri Mehar Mittal, Ms. AshwiniEkbote, Ms. Deepa S. Dadhich, Shri BabbanlalYadav, Shri Dhanraj, Shri SrikantSoni, Shri MukeshRaval, Shri VivekParkhi, Shri RanjeetYadav, Shri Kamlesh Pandey, Shri Om Puri, Shri Shamshuddin, and Shri Vinod Khanna.

He further requested the House to pray to the 'ALMIGHTY', to grant eternal peace & pay homage to all the departed souls. Members stood in silence for 2 minutes to pay homage as a mark of respect to all the departed souls.

Shri Manoj Joshi welcomed everyone and said that today is Maharashtra Day and yesterday Ms. Saira Banu received Raj Kapoor Award and Shri Vikram Gokhle received Chitrapati V Shantaram Award. He further said they are an inspiration to all of us.

The House applauded for the same.

Shri Suneel Sinha said that Shri Manoj Joshi has also received National Award.

The House applauded.

He further said that agreements/disagreements are always there but AGM should be a place of celebration. He welcomed and introduced our legal advisors Advocates Vivek Vidyarthi and Suvigya Vidyarthi, Auditors- Shri Santosh Kelkar and Shri Milind Bagul.

The President Shri Manoj Joshi called the meeting to order and requested Hon. Gen. Secretary Shri Sushant Singh to start the proceedings as per the Agenda.

Hon. Gen. Secretary welcomed everyone and took up with **Agenda no 1:-**

To confirm the corrected minutes of the 56th Annual General Meeting held on Friday 1st May, 2015

The corrected Minutes of 56th Annual General Meeting of the Association held on 1st May 2015, copies of which were sent to the Members along with the Notice, were taken as read and were unanimously approved & confirmed by the House.

Proposed By Mr. Tejpal Tharwani

Seconded By Mr. Ashok Chavan

Hon. Gen. Secretary took up with **Agenda No 2: -**

To confirm the minutes of the 57th Annual General Meeting held on Sunday, 1st May, 2016.

Hon. Gen. Secretary informed everyone, as approved in the 57th AGM; the elections were delinked from the AGM and were to be conducted 15 days after the same. On submission of the minutes and approved resolutions to the office of the registrar, they enquired who will take charge of the Office of the Association during these 15 days, as after completion of its term the Executive Committee cannot function even as care committee. They told us that you can either conduct elections along with the Annual General Meeting or prior to it.

The main motto of the resolution proposed was to delink the elections from AGM, hence the Executive Committee decided to conduct elections 15 days before AGM. He further said that we have not done any changes in the minutes but implemented the said changes in resolution proposed.

The members of the House unanimously confirmed and approved minutes of 57th Annual General Meeting.

Proposed By Mr. Tejpal Tharwani

Seconded By Mr. Ashok Chavan

Hon. Gen. Secretary took up with **Agenda No 3: -**

To consider and if approved, to adopt the Annual Report of the activities of the Association, from 1st May 2016 to 30th April 2017

Hon. Gen. Secretary said that we have tried our best to achieve our goals; we know we have a long way to go but with your support we will definitely achieve the same.

He further said that after the sad demise of Shri Om Puri, Shri Manoj Joshi was elected as the President. Later on, as per the advice received from our member Shri Sanjeev Siddharth that we cannot keep position of Vice-President vacant, Shri Amit Behl was elected as the Vice-President.

58th Annual Report on the activities of the Association, copies of which had already been circulated amongst the members were taken as read and unanimously passed and adopted with the permission of the House.

Proposed By Mr. Trilokinath Mehra Seconded By Mr. Harjeet Walia

Shri Sushant Singh requested Hon. Treasurer Shri Darshan Jariwala to come and brief the House about Accounts.

Shri Darshan Jariwala took up with **Agenda No 4: -**

To consider the Report of the Auditors and Approve the Audited Accounts of the Association, for the year 2016. (Copy of the Report of the Auditors and Annual Accounts enclosed).

Shri Darshan Jariwala greeted everyone and said that audited report for 2016 was circulated along with the notice. He further said that in the current year we have seen decrease in rate of interest on fixed deposits, increase in welfare activities not only in monetary terms but also in trying to connect our members through Outreach programs. There were few one-time expenses, which are extra-ordinary in nature but beneficial in the long term, and hence they should not be viewed as isolated figures. We are now affiliated with FIA; Shri Amit Behl had represented CINTAA in their Congress meet at Brazil. Unfortunately, when Mr. Behl was giving presentation in the international forum for health and safety, here in India, due to some unknown reasons his home was turned to ashes. But still he stayed there and due to his efforts we were accepted as their affiliate.

The members present in the House applauded for the efforts of Shri Amit Behl.

He further said with their support, now we can try to get international Associations on board and pressurize the broadcasters as to why International rules and regulations are not being followed in India.

He further informed funds given to CAWT, is a long term investment which will benefit us at a later stage.

Shri Nitin Malhotra said that he opposes and does not approve the accounts of the Association for the year 2016.

Hon. Gen. Secretary asked him to sit down and enquired that if he had any objection/queries why did he not write to the office of the Association before 17th April? He further said that such indisciplined behavior would not be tolerated.

The House applauded.

He further enquired does the House adopt the accounts for the year 2016?

The majority of members present in the House adopted and approved Report of the Auditors, and approved the Audited Accounts of the Association for the year 2016.

Proposed By Mr. Trilokinath Mehra Seconded By Dr. Sharad P. Nayampally

Shri Brijesh Karnwal threw volley of questions. Hon. Gen. Secretary and Hon. President requested him to kindly occupy his seat and to not create any chaos.

Hon. Gen. Secretary further requested Mr. Nitin Malhotra to submit his queries/objections in writing to office of the Association.

He further said that Shri Om Puri announced in the last Annual General Meeting that he will donate 1% of his profits, and I agreed to follow the suite. Hence, I am donating Rs. 1,11,000/- , but to CAWT instead of CINTAA just for the 80G certificate, with a request that this amount be donated equally between Shri Tabrez Khan and Shri Ranveer Singh.

Hon. Gen. Secretary took up with **Agenda no 5:-**

To appoint the Auditors of the Association for the year 2017 and fix their remuneration.

Hon. Gen. Secretary informed the House that M/S. Chavan Joglekar Kelkar Associates (M/s. C.J.K. Associates); Chartered Accountants have been auditing the accounts of the Association for a number of years. Now, the auditors for the year 2017 are to be appointed and they have agreed to continue their services @Rs. 30,000/- per annum only. He further thanked the auditors for scrutinizing elections in a very fair and transparent manner.

The House unanimously approved and confirmed appointment of existing auditors i. e M/s. C.J.K. Associates @ Rs. 30,000/- per annum.

Proposed By Mr. Suleman Shaikh

Seconded By Mr. Beer Singh

Hon. Gen. Secretary further enquired does the House ratify the decision taken by Executive Committee to conduct elections 15 days before the Annual General Meeting?

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised. Hence, it was confirmed and approved to henceforth conduct the elections 15 days before the Annual General Meeting.

Hon. Gen. Secretary took up with **Agenda no 6:-**

To consider the resolutions, if any, received from the members.

Hon. Gen. Secretary said to the House that we have published all the resolutions received along with our replies on the website. He further said we have approved few resolutions.

Shri BrijeshKarnwal said that conducting elections 15 days before Annual General Meeting has reduced % of number of votes. He further enquired why the Executive Committee does not consider our resolutions.

Hon. Gen. Secretary took up with **Agenda No 7:-**

To apprise members about the reasons as to why the Executive Committee feels that members should submit a copy of their contractual Agreement with CINTAA within 15 days of signing the Agreement.

He informed the house that a lot of producers indulge in the malpractice of not giving the contract copy to the artistes, if we approve this rule our members would have a tool to put pressure on such producers and even CINTAA could call them directly and demand the copy of the contract.

Hon. Gen. Secretary said to the House that one of our members, Mr. Premchand proposed that no one should be allowed to work without contract, but it is not practical as many CINTAA members work as cameo artistes where a formal contract is not signed.

He further said that our legal advisor has apprised us that the draft written on legal paper is not the only definition of contract. Evenwhats app/ messages/ email/verbal conversation can also be treated as a contract.

The General Body unanimously approved **that members should submit a copy of their contractual Agreement with CINTAA within 15 days of signing the Agreement.**

Proposed By Mr. Mukesh Tiwari

Seconded By Mr. Abhay Bhargav

Hon Gen Secretary took up with **Agenda no 9:-**

To inform members about modification in term interest-free loan to long-term deposit against the balance sum amount granted to CAWT.

Hon. Gen. Secretary informed the House that Charity Commissioner said that since we are not a financial institution, we cannot grant any kind of loan to another institution. We have given Rs. 2.5 crs to CAWT on condition of long term lease of one floor in CINTAA Tower. So instead of terming it as an interest free loan, we converted it into advance rent against the said floor.

The members present in the House applauded and approved the modification.

Proposed By Mr. Suresh Somaiya

Seconded By Mr. Praveen Pachpore

Hon. Gen. Secretary took up with **Agenda No 8:-**

To consider proposed Amendments/ altered categorization of clauses/ Incorporation of new Clauses in the Constitution of the Association in order to be more effective.

Hon. Gen. Secretary briefed to the House that we have tried to make the Constitution more comprehensive, adding more clarity to it. For better understanding of members, we had circulated the existing copy of Constitution along with the proposed one.

He further said that proposed Constitution is in developing stage; we will make further bye-laws, add/ amend rules, if and when required and necessary for smooth functioning of the Association. Any changes/amendments/additions in the form of bye-laws, made in the Constitution, will be intimated to members at large, through digital communication.

He said that we have made **Aims and objectives** (Clause no 3) more comprehensive and deleted obsolete points. He added that we have also restructured definition of CINTAA membership, added clarity in rules for foreign nationals (**Clause No 5**). He further clarified that the Executive Committee will have the right to frame Byelaws required for live performances or any other media so as to cover only stage appearances as actor and not appearance or performance as celebrities.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

He further explained to the House, for better classification of membership we have defined and altered categorization of stages of membership (**Clause 6 {i. to v}**). The Executive Committee felt that a late-fee of Rs. 5000/- is too huge for second year work-permit holders, hence we have proposed a late-fee of Rs. 500/- pm after a grace period of 30 days. He read the entire proposed clause in the meeting for information of the members.

Shri Aron Baali said that we should not encourage them to work without paying fees. Hon. Gen. Secretary replied that we will not entertain their disputes unless and until they have paid their arrears. Moreover, as of now due to CCI we do not have any powers to enforce member to member working. He further said in case of any objections/suggestions you should have written to the office of the Association before 17th April.

Shri Rashid Mehta said he completely agrees with Shri Aron Baali and we should not encourage them to work without paying fees. He further said when an Association of 675 members can impose member to member working then why can't an Association of 7000 members do the same?

Shri Amit Behl replied CINTAA is now affiliated to FIA; we are now an elite body. We will put pressure on Central/State Government to form centralized guidelines for artistes through international forum.

Hon. Gen. Secretary requested to continue with the discussions in office as we are getting diverted from the Agenda.

Coming to the agenda, he further said we have added grace period of 6 months along with a late-fee of Rs. 500/- pm in clause Regular membership, after completion of two years of Work Permit. If the member is unable to renew his card within a grace period of 6 months also, then he/she has to apply all over again for the first year work-permit. He read the entire proposed clause in the meeting for information of the members.

The General Body unanimously agreed with Hon. Gen. Secretary and no further objections were raised.

He read the clause of direct membership applicable for senior/established/ ex-members for information of the members. He further said Child artiste will not be termed as regular members, apart from this there are no changes in clause of **Child artiste**.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

He further said that we have redefined Clause No 7 **Honorary Members** and reduced honorary members from 8 to 3.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

Hon. Gen. Secretary briefed about existing clauses for exemption of fees (Clause 7-A i&ii). He said we have not made any major changes in clause 7-Ai, whereas in clause 7-A ii we have added 65 years as minimum age criteria.

Shri Amar Banerjee said in Clause 7 –Ai, we should reduce period from 15 years to 10 years.

To this Hon. Gen. Secretary replied that period of 15 years is there in existence from many years, you may please submit your suggestions in writing to the office of the Association.

At this point, some of the members threw a volley of questions related to minimum period required and age criteria.

Hon. Gen. Secretary requested them to please submit their suggestions in writing to the Association's office.

The General Body agreed with Hon. Gen. Secretary and no further objections were raised for the above mentioned clause.

Hon. Gen. Secretary further read the entire proposed **Clause 8 – b**, cessation of membership. He said, we have seen many members who were genuinely not in a condition to renew their membership due to financial crunch. Hence, we propose retrospective compliance of the proposed rule up to cancellations in or post Jan 2012.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

Hon. Gen. Secretary read his proposed resolution to remove Clause 8(d) of our constitution.

He said, to the best of his knowledge the said Association is now known as Cine Agents Combine(CAC), members of which are also called Suppliers and their services are used by the Producers to fulfill the requirement of Background Artistes. All of us are well aware that, due to the uncertain nature of our profession, members facing financial difficulty have no other choice but to accept whatever work helps them to make ends meet. Hence, we need to evolve our membership rules keeping in view the practical reality of our times. By removing this clause, CAC might be able to help our members in getting One-two days acting assignments, and clear their payments on the spot as well.

Shri Brijesh Karnwal enquired will they take commission from CINTAA members?

To this Hon. Gen. Secretary replied that these are only possibilities; we still have to think over it, plan a strategy. We need to outsource professionals to create a casting platform. If CAC comes together this might become a stepping-stone towards eliminating the exploitation of our members by some unscrupulous Coordinators.

The General Body unanimously agreed to delete clause 8(d) if he or she (member) seeks or gets employment through the Association of Film Agents.

He further said we need the General Body's permission to develop a web-casting portal for CINTAA members.

Ms. Suhasini Mulay said it takes lot of time; effort and mechanism to develop a web portal.

To this Hon. Gen. Secretary replied that we will have to outsource professionals to develop web portal, and we also need support of members like you to brainstorm the same. We will also try to raise funds through various activities.

The General Body unanimously permitted Hon. Gen. Secretary to develop the web casting portal for CINTAA members.

He further said that we have codified **Clause 9- Benefits**, post circulation of proposed Constitution we have received suggestion from Shri Raza Murad to increase death compensation from Rs. 75,000/- to Rs. 1 lakh.

The revised clause will be read as:-

In case of Natural Death of the Member Rs. 1, 00,000/- to the nominee, provided he has completed minimum period of 5 years of Membership on or prior to the date of demise.

The General Body agreed with Hon. Gen. Secretary and unanimously accepted the revised proposal of Shri Raza Murad.

Hon. Gen. Secretary further informed the House, that we have added **Clause 10 – Administration** defining Executive Committee and General Body.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

Hon. Gen. Secretary further read **Clause 11 – The Executive Committee**, for information of the members. He said, as informed and ratified earlier, elections will be held 15 days before the Annual General Meeting. We have further proposed 7 Office- Bearers,

and the newly elected Executive Committee will announce office bearers in the ensuing AGM.

The General Body agreed with Hon. Gen. Secretary and no objections were raised.

He further added, as approved in the 56th AGM, it was decided that 15 members shall be elected by ballot besides 6 senior members by co-option. We feel it is impractical to impose the condition that all co-opted members be senior citizens. He read two proposals received from Shri Deepak QazirKejriwal and Shri Premchand for bifurcation of co-opted members.

Shri Deepak QazirKejriwal proposed 2 Sr Citizen/2 women and 2 young members.

Shri Premchand proposed 3 females mandatory, and to allow young members also.

The General Body unanimously approved proposal of Shri Deepak Qazir Kejriwal.

Ms. Sahila Chaddha said that we should keep minimum 3 years regular membership criteria for co-opted members.

The General Body agreed with Ms. Sahila Chadha. Hence the revised clause – The Executive Committee would read as:

THE EXECUTIVE COMMITTEE:-

The entire management of the Association shall be vested in the Executive Committee consisting of 21 Members out of which 15 shall be elected by ballot, every Three years at the election held 15 days before the Annual General Meeting, from amongst the members of the Association (besides 6 by co-option). The 15 elected Executive Committee Members shall elect from among themselves the following office bearers and shall announce the same in ensuing Annual General Meeting:-

One President

Senior Vice President

Vice President

One General Secretary

One Treasurer

Senior Joint Secretary

Joint Secretary

Eligibility for co-opted EC members: - He/she should be a regular member of the Association for a minimum period of 3 years.

Bifurcation for co-opted EC members: - 2 women, 2 Sr. citizens and 2 young members.

He further said that we have defined certain points in detail, for smooth functioning. We have increased quorum from 5 members to seven plus one Office-bearer, and clarity in case of Office-bearer/EC position falling vacant.

For smooth functioning of work we have added the clause - Bye-laws will be guiding force for the Executive Committee to govern the CINTAA as per the Constitution hence the Executive Committee shall have the power to amend/add any of the bye-laws at any time, provided that more than 50% of the total numbers of the Executive committee are present at the meeting or have consented through electronic media.

We have further added a clause- Any Executive Committee member (including an Office Bearer) found guilty of any act of misconduct, misdemeanor or any action against the interest of the Association shall be issued a show-cause notice, whereupon his/her explanation will be heard by the Executive Committee or a sub-committee appointed by it. If the said member's testimony is found unsatisfactory, then the member may be suspended or terminated from being the member of the EC by the Executive Committee.

He further said we have elaborated the duties of General Secretary, Joint Secretary and Treasurer for clear understanding.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

He further said that we have categorized the Clauses Ordinary General Meeting and Business at Ordinary General Meeting with few minor additions for better understanding and smooth functioning.

He said that as per suggestions received from our member Mr. Himanshu Bhatt, Shri Raza Murad and Shri Deepak Qazir Kejriwal, we have further amended the Clause EXTRA-ORDINARY GENERAL MEETING.

He read the revised clause in the meeting for information and approval of the members.

An Extra-Ordinary General meeting shall be convened by the Executive committee on their own authority or on the written and signed requisition of at least three fourth of members of the association. Such a meeting can be convened after forty-eight hours' notice to the members of the Association. No member shall be permitted to discuss any subject other than the one for which the meeting is called. In case, the President or the General Secretary fails to convene such a meeting, the requisitionist themselves shall call a meeting, after due notice the requisitionist shall inform the Executive Committee to post his/her query/grievance on the website of CINTAA for

the voting of the members on the same. The office of the Association will cooperate to inform the same to all the members. At the end of 15 days period from the date of posting queries/ grievance on the website, if the total number of votes in favour of the same is more than or equal to 1/3 of the total number of members of the Association, only then will the requisitioners be allowed/permitted to conduct an EGM and the proceedings and expenses of the meeting shall be binding on the Association.

The General Body unanimously approved revised clause - **EXTRA-ORDINARY GENERAL MEETING.**

He further informed the House that we have increased cash limit for office expenses from Rs. 5,000/- to Rs. 15,000/-, made few additions/amendments in the objectives on which the funds can be expended.

The General Body agreed with Hon. Gen. Secretary and no objections were raised.

He further informed the House that, we have framed initial guidelines, eligibility, and process for elections (**Clause 18**) and will add/amend detailed guidelines w.r.t elections as and when required by our legal advisors. Suggestions of members are also welcome to make the process of elections more concrete. He further clarified that an election to be conducted manually/online was never part of the Constitution; to set an example of transparent system, it is we who discussed all the prospects of the election process in the last AGM. It is the right of the Executive Committee to decide the process, but if people are treating our transparency as our weakness then, unwillingly your Executive Committee will have to stop being transparent.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

He further said, as enquired by one of our member Mr. Premchand, what would be the responsibility and duties of the newly elected EC during gap period from elections to AGM? The EC decided that for better understanding and smooth functioning between the existing Executive Committee and newly elected Committee, we must devise a working system of newly elected and existing EC during the time between AGM and elections. We have proposed a clause detailing the same. For your information, we have also practiced the same with the members elected in the last elections. They were invited to the Executive Committee meetings and of the Agenda of the AGM and proposed resolutions and were requested to give their inputs, if any.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

He further informed the House, for better understanding and smooth functioning of the Association we have detailed the clause Vacancies and re-elections.

The General Body unanimously agreed with Hon. Gen. Secretary and no objections were raised.

He further said that in Clause 21 – Dissolution of the Association we have added that it will be in compliance with the then existing Trade Union Laws. We have made few byelaws and the Executive Committee has the right to frame further bye-laws as when and required.

Hon. Gen. Secretary enquired does the House approves circulated proposed Constitution along with the few changes as proposed in today's meeting?

The House unanimously approved the circulated proposed Constitution with changes proposed in the days meeting.

Proposed By Mr. Subhash Kapoor Seconded By Mr. Arjun Kumar Giri

Hon. Gen. Secretary said, we have received requests from Ms. Kunika Sadanand (5 minutes) and Mr. Ashok Chavan (2 mins), to speak in the Zero hour. He further requested volunteers to please check if any other member would like to speak within the time frame of 20 minutes reserved for the Zero hour.

Ms. Kunika Sadanand greeted everyone present in the House. She then congratulated newly elected Executive Committee and thanked previous Committee for their efforts. She further addressed to the House that it is very disheartening to know that our Executive Committee introduced a new system of voting to increase the number of participants, but we failed in supporting our own Executive Committee. The reason why other Associations are strong is because they get support from their members, but what do we do? We elect them and then start defaming them. They are working actors offering honorary services to our Association; they can raise their voice only if we support them. She further said to the Executive Committee, your approach for elections was authentic but you took away the feeling of fraternity from us. We want to meet each other share feeling of togetherness and it was possible only at the time elections. Hence, I request you to conduct elections one day before the AGM or on the same day.

Mr. Brijesh greeted everyone and said that he completely agrees with Kunikaji. He requested EC to conduct elections on same day of the AGM, to maintain the feeling of

fraternity and togetherness. He further said we all should know about our rights in the Trust and their amended deed.

Shri Amar Banerjee greeted everyone and addressed to the House that as seen in last two years we have to now beg for our conveyance. After giving so many years to this industry our remuneration is decreasing day by day, it should be fixed to a minimum of Rs. 5000/- per day. We are ready to support our leaders, we all should come together and take strict action against fraudulent middlemen.

Shri Ashok Chavan greeted everyone and said that his Damyanti Institute in Bhayander is offering lab-technicians courses at subsidized rates to the children of CINTAA members.

Shri Sanjeev Jaiswal greeted everyone and said we should do something to improve the working conditions; payments are at the mercy of the Producer, no conveyance is paid and per day remuneration is decreasing day by day.

Shri Pankaj Bhatia greeted everyone and requested the EC that we should do something to get artistes minimum guarantee and enforce basic working guidelines, especially for child artistes.

Ms. Urmila Sharma greeted everyone and said she is a member of CINTAA from last 10 years and has filed a case for non-payment of Rs. 3.20 lakhs but there is no result till date.

To this Shri Amit Behl replied that IMPPA has issued final directive against the said Producer. They have assured us that they will clear payment from corpus of IMPPA hopefully before 30th May.

Shri Abdul Majid greeted everyone and said as Sushant Singh donated 1% of his income to needy member; every artiste who can afford should follow the suite. He further said we should get updates on CINTAA Tower; we should also empanel hospitals in areas other than Mira Road.

One of our member said we should reduce the 90 days credit period and exploitation by coordinators.

Ms Sahila Chadha appreciated the way Shri Sushant Singh conducted the AGM. She said although she is not part of the Executive Committee anymore, in case of problem she is always there to support. She added that in case if our member is at fault please try to explain it to him/her, but don't side with the Producer.

One of our member said we should do something about Title- credit.

Post completion of Zero hour, Hon. Gen. Secretary introduced new logo of CINTAA to the General Body, designed by friend of Shri Manoj Joshi – Mr. Shubhanand Jog – (Dean – J J College of Arts)

The House appreciated the logo and applauded.

He further addressed to the House that the Executive Committee is elected by you to represent CINTAA on honorary basis. Please learn to respect your leadership, if you do not respect them then what will be our position in front of broadcasters/producers?

He further said that we will move to the next agenda, and I am glad that Ms. Shilpa Shinde is present today in the meeting. In previous AGM, few of the Executive Committee members had suggested we should play the entire video of JDSC meeting which was convened to address the dispute between Ms. Shinde and Ms. Binaifer Kohli, but I refused on ethical grounds. He briefed the House about case history of Ms. Shinde's dispute. She had filed a complaint with CINTAA for nonpayment of her dues and then Producer filed a complaint stating that actress is not reporting for the shoot. We called for a joint meeting with IFTPC; in that meeting we came to know that it was a clear breach of contract on part of Ms. Shinde. She had signed an exclusive contract, revised her contract thrice with an increased remuneration within a period of 18 months approximately. She further claimed that when she signed the contract there was no clause of exclusivity, we asked her that if she is alleging forgery she must get it verified by a handwriting and signature expert. We informed her to resume shoot or at least serve three months' notice period but she refused to continue with the shooting. Producer Ms. Binaifer Kohli said in case if Ms. Shinde has any personal problem with her, she will not visit her own set. But Ms. Shinde did not agree and left the meeting. Immediately after meeting, she called the press and gave an interview calling CINTAA producers body. We had sent her a show-cause asking for explanation but instead of replying she alleged that the JDSC meeting was invalid due to improper quorum and she never attended the meeting, and to forward the case to FWICE.

Although, the JDSC meeting was valid with proper quorum and the CCTV camera recording proves that Ms. Shinde attended the meeting and was given a fair chance to present her arguments, yet we forwarded the case to FWICE keeping in mind the best interest of our member.

FWICE called Ms. Shinde thrice for the meeting but she failed to appear, thereafter issued a non-cooperation directive against her, which was just advisory in nature and not a compulsion. After this directive, we received legal notice of extortion criminal conspiracy from Ms. Shinde's lawyers, followed by a police complaint, complaint in crime branch, calls from a person claiming to be ex-MP and she even approached

political parties such as MNS. I responded to all of them stating that if Ms. Shinde renders an apology to CINTAA, we do not have any dispute with her after all she is our member. Meanwhile I also received message from her stating that she wants to meet me in person to confess something. We filed a civil defamation case against her for defaming CINTAA. On 30th March there was again an article that she has filed criminal defamation case against me, and then her letter stating that we are planning some conspiracy by conducting elections 15 days before AGM. In Executive Committee meeting dated 6th April it was decided to expel Ms. Shinde but I requested the Chairman of the meeting to hold the decision of expulsion in light of the forthcoming A.G.M. He further said that, though our Constitution empowers the EC to expel a member on valid grounds, since the General Body is scheduled to meet on the 1st of May 2017, he requested that we put the entire case of Ms. Shinde in front of the house and let them have the final say. We further wrote to Ms. Shinde that she may submit an application to the EC, if she wishes to present her case in the forthcoming AGM. The time limit and the slot to speak will be solely at the discretion of the EC but she did not reply to the said notice and today she is present in the meeting after time and again violating our rules and our Constitution.

Hon. Gen. Secretary further said we always called Ms. Shinde for an explanation but she always sent us a legally drafted reply calling it a personal vendetta on our part. Now I ask the house that inspite of not respecting the General Body by submitting a written request to present her case in the AGM, disrespecting the decisions taken by the Executive Committee, defaming CINTAA and its EC and violating our rules; shall we allow Ms. Shinde to present her say in front of the General Body?

Hon. Gen. Secretary requested the members to vote on whether they want to allow Ms. Shinde to present her say. The numbers of votes were almost equivalent "in favor and against" hence; he requested that if Ms. Shinde desires she may have her say in front of the General Body.

Ms. Shinde said that Shri Sushant Singh briefed about her case to the House, Producers have always instigated CINTAA against me. We are artistes not engineers, builders etc. She further said that she called up Shri Amit Behl and informed him that something very wrong is happening with her. She was not willing to do this show but channel insisted her. Then she did not desire to play the said character but some artiste left overnight and at that time she supported the Producer by agreeing to play the said character. She said that she had put in lot of efforts, not revised the contract thrice whereas increment is concerned she deserved it. She further said that Sushant Singh tried all his best to stop her from working but he could not snatch away her fate. She said that she doesn't need anyone's help and she is still working.

Few of the members created chaos and opposed Ms. Shinde.

She further said to the House that she does not need any membership.

Few of the members created chaos. Vice- President and General Secretary requested them to maintain decorum of the House.

Some of the members again created chaos and shouted slogans to expel Ms. Shinde and some opposed it.

Hon. Gen. Secretary requested everyone to maintain décorum of the House and said we do not know whether Ms. Shinde will respect CINTAA rules, as she herself has said that she does not need any membership. In spite of non-cooperation directive Ms. Shinde has worked in a web series and did an item song in a movie starring our member Mr. Rishi Kapoor, and neither did we stop her from working nor initiate any action against any of the people involved in the production of these projects.

Ms. Kunikaji said that if you expel elected member then we will have to again conduct elections.

To this our legal advisor Mr. Vivek Vidyarthi replied if any elected member is expelled then we can replace him/her with next elected candidate with maximum number of votes.

Hon. Gen. Secretary requested members to raise hands in favour of expulsion and not in favour of expulsion.

Majority of members present in the House voted in favour of expulsion of Ms. Shilpa Shinde.

Ms. Sahila Chadha created commotion; Shri Darshan Jariwala requested her to respect the decision of General Body and asked Gen. Secretary to proceed with further Agenda.

Hon. Gen. Secretary further informed the house that few of our members have filed a case against the Executive committee for conducting elections 15 days before AGM, citing that there is some conspiracy behind the same. Then one more member Mr. Nitin Malhotra has filed a case in Trade Unions office to cancel registration of CINTAA, citing that there are grave irregularities in the accounts of CINTAA.

Shri Amit Behl thanked the old Committee for their efforts and welcomed the newly elected Committee on stage. The newly elected Committee announced Office bearers in the meeting for information of the members.

Shri Vikram Gokhle—President, Shri Manoj Joshi- Sr. Vice-President,
Shri Darshan Jariwala- Vice-President, Mr. Sushant Singh –Gen. Secretary,

Shri Amit Behl- Sr. Joint Secretary, Ms. Rajeshwari Sachdev-Joint Secretary,
Shri Deepak Qazir Kejriwal-Treasurer.

He further called names of elected members Shri Mukesh Tiwari, Shri Abhay Bhargava, Ms. Noopur Alankaar Shrivastava, Shri Suneel Sinha, Shri Raza Murad, Shri Ravi Jhankal, Ms. Paayal Nair and Shri Sanjay M. Bhatia.

Hon. Gen. Secretary further said that we will circulate minutes of the meeting and resolutions at the earliest so all of you will have ample time to raise objections or issues regarding the same. We will not entertain any issues related to minutes and approved Constitution at the time of Annual General Meeting. He appealed to the members of Zone 2 and 3 to participate in Zonal activities.

He further requested donations for Mr. Tabrez Khan, who lost both of his legs in a train accident and for the daughter of Mr. Ranvir Singh who is suffering from congenital heart disease.

Hon. Gen. Secretary thanked all the volunteers and members at large for their support.

As there was no other matter to be discussed the meeting concluded with a vote of thanks to the Chair.

CINE & TV ARTISTES' ASSOCIATION

(Registered under the Indian Trade Unions Act, 1926 – Registered No. 3086)

Affiliated to the International Federation of Actors (FIA)

1. NAME.

The Name of the Association shall be Cine & TV Artistes' Association (hereinafter referred to as the Association) (15/08/1997)

2. LOCATION.

The headquarters of the Association shall be situated in Greater Mumbai.

3. AIMS AND OBJECTS.

The Cine and TV Artistes' Association (CINTAA) shall be an autonomous Association having the following aims and objectives:

- i. To nurture a feeling of fraternity and unity among its members and to regulate their professional relations with their employers;
- ii. To secure and safeguard the interests, rights and privileges of its members in matters relating to their professional engagement and working conditions. However, the Association is not responsible for securing employment or contracts/assignments for its members.
- iii. To promote and encourage high standards of professional conduct and integrity amongst its members and to enhance their skills by holding paid workshops at subsidized rates.
- iv. To mediate in professional disputes between members and producers, directors, studios, TV networks, web networks, employers, etc. arising out of any breach or dispute of the terms of their contracts or agreements, with a view to settle them.
- v. To Endeavour to provide aid against sickness, un-employment, infirmity, old age and death to its members.
- vi. To Endeavour to secure compensation for members in cases of accidents under the Workmen's Compensation act.
- vii. To provide legal assistance or advice to members in respect of matters arising out of or incidental to, their employment including legal consultancy and other such support services. Cases to be taken up with the criterion that they pose a threat to Artiste rights in general.

Such cases will be scrutinized and decided by the Executive Committee to prosecute or defend.

- viii. To try and secure representation of its members on delegations, commissions, committees etc., set-up by the Central or State Governments or the film industry or other bodies where issues concerning Artistes or Acting are to be discussed.
- ix. To collaborate with any individual or organization, whether private or governmental, within India or internationally, to promote the aims and objects of the Cine & TV Artiste Association including securing and protecting the rights of its members, artistes exchange programs with international bodies as well as initiatives which will help CINTAA members as well as other performers to further their skills.
- x. 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 this rule; and generally, to take such other steps as may be necessary to ameliorate the working conditions of the members.
- xi. For the attainment of these objects, the Association may organize centers/branches at various locations.
- xii. To Endeavour to get recognition to the Association by the public and the Government.
- xiii. To start branches of the Association and co-ordinate/interphase with institutions with similar aims and objects in various parts of the country.
- xiv. To do all such things as are incidental or conducive to the attainment of the above objects.

4. FINANCIAL YEAR OF THE ASSOCIATION:-

The financial year of the Association shall be from 1st January to 31st December.

5. **DEFINITION:-** Membership of CINTAA is meant for any Indian national performer who is physically, mentally and emotionally fit to perform as an artist and who plays or has been engaged to play a significant role in a feature film, TV serials, Tele films, live performances, advertisement films shown on screen, digital or any new media who reside within the boundary of the Union of India.

Foreign Nationals as well as Non- Resident Indians can obtain a work permit for limited time. This work-permit shall be granted for a year or the period of project/ valid passport and employment visa validity, whichever is less by paying fees of Rs. 10,000/- for limited time.

Note:- The Executive Committee have the right to frame Byelaws required for live performance or any other media so as to cover only stage appearances as an actor and not celebrities.

6. **Stages of Membership:-**

- i. **Work-permit First year:-** Any individual desirous of becoming a member will have to apply on the prescribed form (physical or online) duly filled and submit with all required documents as informed for a one year work permit along with entrance fees of Rs. 10,000 (non- refundable) by cheque/pay order/ online.

Eligibility: (please note that the Scrutiny Committee has the right to chalk out Administrative guidelines for smooth functioning of the association subject to approval of EC)

- Proof of successful completion of minimum of 1 year training/diploma/degree etc. (Original & photocopy) along with other necessary documents mentioned in the application form.

OR

- Proof of work in the form of DVD show reel or links.

OR

- For Freshers -Letter of employment from a production house/channel for a significant character in a film/TV show or an on-camera audition in CINTAA's office.
- Any applicant may be called for an Interview/ audition at CINTAA office, if he/she is unable to fulfill the above criterions or if required by the scrutiny committee.

- ii. **Work-permit Second year:** A work permit holder may apply for a renewal in second year after paying renewal fees of Rs. 10,000/- for the second year within 30 days of expiry of the 1st year work permit. He/she can also do the same after 30 days but with a late fee of Rs. 500 per month from the date of expiry of 1st year work permit after giving valid and appropriate proof/reason for the delay. The second year work permit will only be issued from the date of expiry of 1st year permit and not from the date of fee payment. And the fees paid for the same will not be refunded, under any circumstances.

In case of failure to renew his second year work-permit within a period of 12 months from the date of expiry of the 1st year work-permit, his/her work-permit will be deemed as cancelled. However, he/she may apply for a fresh first year work-permit.

During the above 2 years period, work permit holder will not enjoy the right to vote during elections. However artists' dispute cases, if any, may be taken up during the work-permit term, given that the dispute did not arise prior to issuance of the 1st year work-permit.

- iii. **Regular membership:** shall be granted after successful completion of TWO consecutive years of work permit only. There will be an interview / audition /assessment of member's work and conduct in past two years and the member will be briefed of his rights and duties for the association. If he/she is considered and admitted for regular membership, he/she will have to pay one time entrance fees of Rs. 10,000, plus membership welfare fund of Rs. 500/- and a regular subscription of Rs. 1200/- per annum. (Subscription fees of Rs. 1200/- pa is effective to all regular members w.e.f. 1st January 2017). A second year work permit holder has to apply for a regular membership in third year on or before expiry date of the second year work-permit. He/she can also do the same within 6 months but with a late fee of Rs. 500 per month from the date of expiry of 2nd year work permit after giving valid and appropriate proof/reason for the delay. In case of failure to apply for his/her regular membership in the third year within a period of 6 months from the date of expiry of 2nd year work-permit, he/she will have to undergo the process of obtaining first and second year work-permits all over again in order to become eligible for regular membership.
 - For Senior or Established Artistes EC may provide direct Regular Membership upon payment of the full entrance fees of Rs.30,000/- membership welfare fund of Rs. 500/- and a regular subscription of Rs. 1200/- per annum. It is also applicable for Ex-Members applying post cancellation of their names from CINTAA due to nonpayment of their subscription fee or the Ex-members paying all above amounts along with lapsed subscription amounts due to non-payments in order to retain their old membership number.
- iv. **Life Member:** A person who has attained the age of 18 years and completed THREE consecutive years as regular member without any arrears in subscription can apply for Life membership by paying one-time fee of Rs. 15,000/-
 - He/ She should have played at least six different prominent characters in feature films, and/or in TV serials or Tele Films, digital or any new media, continuity rôle in one serial for two-three years. However the final discretion lies with the Executive Committee.
- v. **Child Artiste:**

The child is defined as a person who is below 18 years of age.

There will be separate design card for child artiste for easy identification.

- a. CINTAA shall strive to ensure that the production house should make arrangement and provide proper amenities like quality food with fruit and clean water on time and separate room facility with attached toilet. The Producer should also make arrangements for children to study on the sets in spare time in between the shoots.
- b. Parent/Guardian/Caretaker of the children should be allowed to remain with the children during shooting.

- c. In case of reality shows a child who is eliminated in the round from the show due to his / her weak performance compared to his/her counterparts in the show, be not subjected to adverse/ harsh comments by the judges of the show, otherwise the child may feel humiliated and go into depression.
- d. Proper medical assistance / doctor should be present on the sets.
- e. No child artistes should be replaced without any genuine reasons, if so then their guardians/parents should be informed one month in advance.
- f. The child should not miss school on account of shooting, for more than 10 days in an academic year work.
- g. The working hours and working conditions for child artistes must be in strict compliance with the rules and guidelines prescribed by the Women & Children Welfare Ministry.
- h. Child friendly makeup and lights should be used during shoots.
- i. There should be no violation of child rights such as doing away with lunch break and policy against child abuse should be maintained.
- j. Child artiste is not eligible to apply for Life membership.

Payment for children

Children below the age of 18 years are legally not allowed to operate bank accounts or sign legal documents such as contracts. Therefore, the payment made towards their participation should be in form of fixed deposits under guardianship of their parents/next of kin/guardians.

Provided that a minimum of 50% of the payment must be set aside for children in fixed deposits or bonds that mature when they reach the age of 18 years. Out of the 50% given to parents / guardians the balance payment of school fee for that particular academic year should be cleared thus ensuring continuation in the school and indirectly assisting parents. The child's parent would naturally be the formal guardians unless a case is made out that it would be against the best interests of the child.

7. **Honorary Members** Eminent Persons who are willing to work for the welfare of the Association and its members may join the Association as Honorary members of the Association. The term of such honorary members of the Association will be in compliance with the term of existing Executive Committee only. Subject to the provisions of Section 22 of the Indian Trade Unions Act, 1926, their number shall not exceed 3 (three). An honorary member may attend and speak at the meetings only by invitation, However he/she shall not be entitled to vote.

A. EXEMPTED MEMBERS:-

- i. The Senior Cine & TV Artiste members, of the Cine & TV Artistes Association who have crossed the age of 65 years and have been actively working in films for the last twenty years and have been regular members of the Association for the last five years and are up to date with yearly subscription may be exempted, on application with valid proof of performance to the Executive committee, from paying the yearly subscription. Such exempted members shall not be eligible to contest the election nor shall have any voting rights. However he or she shall be entitled to all other

- benefits available to members. To regain regular membership, the exempted members shall have to clear the arrears for the period of exemption.
- ii. The Senior Cine & TV Artiste members, of the Cine & TV Artistes Association who have crossed the age of 65 years and have been members of the Association continuously for a period of 15 years should be exempted from the payment of monthly subscription of the Association as long as they live. Such exempted members shall have the voting rights and are eligible to contest the elections.

8. CESSATION OF MEMBERSHIP:-

A member ceases to be such-

- a) If he requests the Executive Committee in writing to have his name removed from the Register, after having all his dues, if any, paid up-to-date.
- b) In case of failure to renew his/her regular membership within a period of 12 months from the date of expiry, then from 13 month onwards a penalty of Rs. 100 per month will be levied over and above the regular subscription fees to be paid. However, if for a period of 60 months after the renewal date, the pending fees and the late-fees are not paid, his/her membership will be terminated. After that, if the person chooses to seek membership again, s/he will have to re-apply by fulfilling all the requirements for new members all over again.

- c) A member shall be expelled where any act done by a member may be directly and/or indirectly hostile, prejudicial, condemning, defaming and/or maligning CINTAA and/or the interests of CINTAA and/or the interests of any of its members and/or work permit holders and/or any other associates, affiliates and/or related parties of CINTAA such acts shall include but not be limited to posting and/or uploading any such material on social-media and/or any other public platforms and/or in print media.

It is clarified here that, CINTAA shall be open in receiving grievances of members which the Executive Committee will take prompt and strict note of and scrutinize and investigate the same. If any of the above said acts as mentioned in sub clause 8(c)(i) are committed by any of the member, the said member shall be summoned by the Executive Committee for a meeting at a date and time fixed by the Executive Committee and the member shall be given a chance to provide his/her clarification at such meeting and the decision taken by the Executive Committee at/as per such meeting will be binding on the member who shall then be expelled. It is clarified that in such events the member will be given one notice to attend the said meeting with the Executive Committee and in event the said member does not attend the meeting for any reason whatsoever and/or is unable to provide an explanation which is satisfactory in the opinion of the Executive Committee he/she may be expelled in the said meeting and the same will be without any liabilities on CINTAA. There after the said member will be informed in writing of such expulsion. If a member so expelled has not been heard due to his/her unavailability for the said meeting he/she may within 15 days of such meeting send a written request to CINTAA for a meeting and accordingly the

Executive Committee shall provide a chance to explain his/her conduct. If in such meeting an explanation is not forthcoming, or is not satisfactory in the opinion of the Executive Committee, the expulsion of the member concerned be discussed at the next General Meeting, or if deemed necessary by the Executive Committee at an Extra-ordinary General Meeting and any repeal of the expulsion will be based on a vote count of the members voting in favour of or against such expulsion. It is to be understood by members that an Extraordinary General Meeting would need huge costs to be incurred for the same hence such meetings will only be held if the same is deemed extremely imperative by the Executive Committee for all its members and CINTAA as an association and not otherwise. Further, to enable the members to vote in an independent manner, such expelled member may be allowed to present his/her explanation to the house but shall not be allowed to vote or be present during voting at the said meeting. The said member shall not be entitled to the privileges of membership, pending the decision of such General Meeting. (01.05.2016)

9. **BENEFITS:-**

- i. Members can avail various benefits at subsidized rates through benevolent works undertaken by CINTAA including but not limited to empanelment with various hospitals, physicians, dentists, pathologists, eye- surgeons, Talent – management, wellness programme etc.
- ii. The membership card is a documentary proof of being a bonafide member of a Registered Trade Union Body, proof of member's identity and can be useful in securing visas.
- iii. Membership Card helps in establishing your identity, profession during the times of law and order situations.
- iv. Professional disputes of members against any producer in respect of Film/TV Serial will be considered by the Association from day one from the date of grant of work permit of the Association; however disputes prior to issue of work permit will not be entertained. Also, even after the grant of work-permit or regular membership, disputes which are more than three years old will not be entertained. However, the discretion to take up the case shall rest with the Executive Committee.
- v. Member may attend workshops organized by CINTAA at nominal price.
- vi. **Compensation:**
 - a. In case of unfortunate Accidental Death of the Member on shooting set – Rs 2 lakhs to the nominee of the deceased.
 - b. In case of Natural Death of the Member Rs. 1,00,000/- to the nominee, provided he has completed minimum period of 5 years of Membership on or prior to the date of demise.
 - c. In case of Partial or Permanent Disability due to accident on set & loss of any part of the body – Rs. 75,000.

Compensation in case of {9-vi (a & b)} will only be given to the nominee of the Deceased on submission of the (i) application; (ii) death certificate of the Member; (iii) Affidavit containing the names, ages, occupation & addresses of all the legal heirs of the deceased member (iv) Indemnity from the Nominee on Rs.100 stamp paper stating that the claim paid to the nominee shall be disbursed by him to the legal heirs of the deceased member and all such liability shall solely rest upon nominee & CINTAA shall not be responsible in this regard (v) a letter from nominee

addressed to CINTAA and documents showing the identity of the 'nominee'. In the absence of Nominee on the record of CINTAA, the claim shall be paid to the spouse of the deceased, if any. Only a member, who has no outstanding dues to the association on the date of the unfortunate event or/and was not given any kind of monthly help in the form of 'Relief'/ Financial help/Medical assistance during his/her life by CINTAA and or CINE Artiste Welfare Trust, will be eligible for compensation under the above Clause {9-vi (a, b & c)}. The above compensation will be paid to the Nominee Member/or family Member of the deceased ONLY.

It is clarified that this compensation is as a welfare measure and not payable against any claim whatsoever raised against the CINTAA by any thus suffered member/nominee during the course of his employment with any Employer and shall be subject to the conditions laid herein for disbursement.

- d. Emergency Medical Relief up to Rs. 50,000/-, provided he/she has completed minimum period of 5 years of Regular Membership.
- e. Medical/Financial Assistance, 'Relief' to the needy and deserving members only through Association / Cine Artiste Welfare Trust provided he / she is a Member of CINTAA continuously for a minimum period of 5 years as on the date of the application and he / she should be above 65 years of age. However final discretion lies with the Committee.

The aforesaid benefits will not be available to the Members in default of their subscription unless exempted.

The amount of aforesaid compensation may be reviewed from time to time by the Executive Committee Members of CINTAA depending upon the corresponding financial strength of CINTAA.

10. Administration:

The affairs of the Association shall be administered by:

- a. **GENERAL BODY:** The General Body, comprising of Regular and Life members of the Association shall be the overseeing body and will function in accordance with the Constitution of CINTAA. The General Body will have the right to re-examine the decisions of the Executive Committee, where it believes that the interests of the Association may be compromised. However, such contentions issues shall be resolved amicably and in a calm and civilized manner so as to prevent a law and order situation.
- b. **Executive Committee:** The Executive Committee will function as per the guidelines and authority accorded to it in the Constitution of CINTAA, and will be responsible for implementing the objectives of CINTAA and for its day-to-day functioning.

11. THE EXECUTIVE COMMITTEE:-

The entire management of the Association shall be vested in the Executive Committee consisting of 21 Members out of which 15 shall be elected by ballot, every Three years at the election held 15 days before the Annual General Meeting, from amongst the members of the Association (besides 6 by co-option). The 15 elected Executive Committee Members shall elect from among themselves the following office bearers and shall announce the same in ensuing Annual General Meeting:-

One President
Senior Vice President
Vice President
One General Secretary
One Treasurer
Senior Joint Secretary
Joint secretary

- a. Eligibility for co-opted EC members: - He/she should be a regular member of the Association for a minimum period of 3 years.
- b. Bifurcation for co-opted EC members: - 2 women, 2 Sr. citizen and 2 young members.
- c. The Executive Committee shall meet once a month on a day, place and time fixed by the General Secretary, in consultation with the President. However, emergency meetings can be held whenever necessary.
- d. Seven members plus at least one of the Office-bearers shall form the Quorum.
- e. If any member of the Executive Committee, including the Office-bearers, fails to attend a minimum of six monthly Executive Committee meetings out of 12 such meeting held in any year of the term of that Executive Committee without giving prior written notice and/or without sufficient reason he/she shall cease to be a member of the Executive Committee. However, discretion shall remain with the Executive Committee to continue with such member. (01.05.2016)
- f. In the unexpected event of an Office Bearer's position falling vacant, the Executive Committee shall fill up the same by appointing an elected member of the Executive Committee to the said post. In case there is a vacancy created in the Executive Committee, for any reason whatsoever, then the same shall be filled by the Executive Committee by means of co-option from among the Regular, Life members of the Association, as may be the case. The Executive Committee will ensure that its strength never falls below 21 for more than a month.
- g. The Executive Committee shall have the power to form sub-committees for the purpose of fulfilling the aims and objectives of CINTAA further for smooth functioning of outreach and other administrative activities as and when required, and induct regular and life members of the association in these sub-committees.
- h. To reach out to each and every member, the Executive Committee has the right to appoint Group Heads and sub Group Heads accordingly. The Executive Committee shall be empowered to prepare a proper strategy in regards to rights and duties of these Group heads. The Executive is not entitled for any rewards but the Executive Committee has the right to reward entitlements to these Group heads.
- i. President, General Secretary and Treasurer shall be the ex-officio Members of all the Sub-Committees so appointed which prevails in all the Associations.

- j. The Executive Committee shall have power to frame administrative rules, for the efficient working and the general conduct of the Association, whenever deemed necessary.
- k. Bye-laws will be guiding force for the Executive Committee to govern the CINTAA as per the Constitution hence the Executive Committee shall have the power to amend/add any of the bye-laws at any time, provided that more than 50% of the total numbers of the Executive committee are present at the meeting or have consented through electronic media.
- l. Any Executive Committee member (including an Office Bearer) found guilty of any act of misconduct, misdemeanor or any action against the interest of the Association shall be issued a show-cause notice, whereupon his/her explanation will be heard by the Executive Committee or a sub-committee appointed by it. If the said member's testimony is found unsatisfactory, then the member may be suspended or terminated from being the member of the EC by the Executive Committee.
- m. Any member who started his/her career as a Cine & TV Artiste and remained in prominence in that profession for 20 years or more and now is a Producer but not holding any offices or is a member of the Executive Committee of producers body, can be eligible for holding office in Cine & TV. Artistes' Association but will not participate in case of any kind of complaint against him or her from any member in the Dispute Settlement Committee of Cine & TV. Artistes' Association.

12. Functions of the Executive Committee:

- i. **President /Vice-President:** The President, or in his absence the Vice-President shall preside at all meetings of the Association and the Executive Committee and shall represent the Association in general with the consent of the Executive Committee. In the absence of the President and the Vice-President the members present shall elect one of their members to be the Chairperson of the Meeting.
- ii. **GENERAL SECRETARY:** The General Secretary will be responsible for the day-to-day functioning of the Association and its office.
 - a. The General Secretary shall be responsible for recording the minutes of the meetings of the Executive Committee.
 - b. The General Secretary shall convene all the Executive Committee Meetings in consultation with the President of CINTAA.
 - c. The General Secretary shall have the authority to appoint office staff, including senior administrators or executives or managers or specialists or consultants as considered necessary for the Association, in consultation with the President of CINTAA and subject to the approval of the Executive Committee.
 - d. The General Secretary along with the Treasurer will keep all accounts and prepare a Balance Sheet annually showing clearly every item of Receipt and Expenditure.
 - e. The General Secretary along with the Treasurer shall submit all the returns and notices to the Registrar of Trade Unions, which are required to be submitted.

iii. **JOINT SECRETARIES:** The Joint Secretaries will assist the General Secretary in the performance of his/her tasks and duties. In the absence of the General Secretary, one of the Joint Secretaries designated by the General Secretary shall perform all the duties of the General Secretary.

iv. **TREASURER:**

- a. The Treasurer shall be responsible for maintaining due accounts of the finances of the Association, and present monthly financial reports to the Executive Committee, and annually to the General Body.
- b. The Treasurer will sanction payment towards all expenditure sanctioned by the Executive Committee.
- c. The Treasurer will have the authority to sanction day-to-day expenses.

13. ORDINARY GENERAL MEETING :-

- i. During the year at least one General meeting shall be held; being the Annual general Meeting, the notice of which shall be sent to the members a month before the holding of such a meeting.
- ii. $\frac{1}{4}$ (one fourth) of the total number of members then on the register shall form the quorum at all General meeting of the Association. In the absence of a quorum at a General Meeting the meeting shall stand adjourned, without fresh notice, to the same day, after fifteen minutes at the same place. An adjourned meeting need have no quorum. This rule shall not apply to the Executive Committee meetings.
- iii. Any Resolution which a member desires to place before the General meeting shall be sent in writing duly proposed and seconded a fortnight before the date of such meeting to the Executive committee, which shall be circulated to the members by post electronic and/or web publishing for information of the members at least a week before the General meeting (09/04/1978).
- iv. The Constitution may be added to, repealed, or amended by a resolution at an Ordinary or Extra-ordinary General Meeting provided that no such resolution shall be deemed to have been passed unless it has been carried by a majority of two-third of the members present but in consonance to the attractable existing laws.
- v. Any member or body of members in office shall vacate the same when in a General Body meeting; where one fourth of the total number of members must be present a no-confidence motion by a simple majority is carried out against them/him/her.
- vi. Any Hon. Member or any other invitee can attend a meeting of the Executive Committee or General Body or Extra-Ordinary General Meeting on invitation issued by the Executive Committee.
- vii. The Legal advisor of this association can attend any meeting of the Executive Committee or of the General Body ex-officio without any invitation.

14. BUSINESS AT ORDINARY GENERAL MEETING :-

The following business shall be transacted at the Annual General Meeting.

- (a) To present Annual Report of the activities of the Association, to confirm minutes of the previous Annual General Meeting and any other matter which has been placed on the agenda by the General Secretary.
- (b) To adopt Audited Annual Statements of Accounts and to appoint auditors and fix their remuneration.
- (c) Annual General Meeting is preordained for specific important agendas including the presentation of activity reports for the work done by the Executive Committee and such other agendas the nature of which may require certain information to be provided to members in advance. Accordingly Members may send their questions /comments /suggestions if any, to CINTAA's office within 15 days from the date of the receipt of Annual General Meeting Notice. The notice sent by CINTAA to its members shall be in writing and shall be deemed to be duly served on to the members by email/courier/post at the respective email addresses/addresses of each member as may be available in the CINTAA records at the time of dispatch of the said notices. The members will be solely liable to keep CINTAA informed of any change in his/her address and for the purposes of dispatch of the said notice the address available in CINTAA records at least 15 days prior to the date of such dispatch will be deemed to be the correct address for such dispatch and delivery. The Executive Committee will assess the questions put forth by the members as stated above and if deemed appropriate for discussion in the said Annual General Meeting the same shall be placed in Annual General Meeting keeping in mind time constraints at that time. No further questions other than as included in the agenda of the Annual General Meeting as finalized by the Executive Committee members will be entertained at the said Annual General Meeting and any further questions/comments/suggestions if any required to be raised and/or clarified by the Members will be responded to in writing through the CINTAA's Office only after the same has been submitted for such response by the members at the CINTAA office. With a view to make all Annual General Meetings fruitful and beneficial for all members including the members who attend the same as per the pre-defined agenda no further/new questions/comments/suggestions other than those which form a part of the agenda finalized by the Executive Committee for the Annual General Meeting, will be entertained or answered at the Annual General Meeting unless otherwise required by the Chairperson. In order to ensure that members can express their views on the proposed important resolutions and proposed constitutional amendments or additions the Executive Committee will keep "Zero Hour" of 20 minutes in Annual General Meeting prior to voting on the proposed important resolutions/amendments/additions. Members may send their suggestions in writing at CINTAA's office within 15 days from the date of the receipt of Annual General Meeting Notice as to in which slot of the meeting "Zero Hour" should be held. **(Please note that Office of Association will remain open on all days from Monday to Saturday between 10.30 am to 7.30 pm. Except Sundays and Bank Holidays)(01.05.2016)**

15. EXTRA-ORDINARY GENERAL MEETING.

An Extra-Ordinary General meeting shall be convened by the Executive committee on their own authority or on the written and signed requisition of at least three fourth of members

of the association. Such a meeting can be convened after forty-eight hours' notice to the members of the Association. No member shall be permitted to discuss any subject other than the one for which the meeting is called. In case, the President or the General Secretary fails to convene such a meeting, the requisitionist themselves shall call a meeting, after due notice the requisitionist shall inform the Executive Committee to post his/her query/grievance on the website of CINTAA for the voting of the members on the same. The office of the Association will cooperate to inform the same to all the members. at the end of 15 days period from the date of posting queries/ grievance on the website, if the total number of votes in favour of the same is more than or equal to 1/3 of the total number of members of the Association, only then will the requisitionists be allowed/permitted to conduct an EGM and the proceedings and expenses of the meeting shall be binding on the Association.

16. The General Funds

The General funds of the Association shall consist of the subscriptions fees from members, entrance fees from work-permit, life-membership fees, donations, and income arising from recognized sources etc. They shall be deposited in Bank or Banks, approved by the Executive Committee in the name of the Association, and the account shall be operated by the Treasurer and any one of the President or the General Secretary. The General Secretary or the Treasurer shall not keep more than Rs.15,000/- (Rupees Fifteen Thousand Only) in cash with office for current expenses.

The Executive Committee shall have the power to spend such monies, as they deem necessary for the activities and the up-keep of the Association. The Committee may adopt such measures as necessary to increase the funds of the Association, by organizing funds raising events and may invite donations.

a. OBJECTS ON WHICH THE GENERAL FUNDS CAN BE EXPENDED.

Subject to the provisions of section 15 of the Indian Trade Union Act, 1926 the general funds of the Association shall not be spent on any other objects than the following, namely:-

- i. Salaries, allowances and other benefits to employees, consultants, retainers and other service-providers to the Association.
- ii. The payment of expenses for the administration of the Association including audit of the accounts of the general funds of the Association.
- iii. The prosecution or defense of any legal proceedings to which the Association, or any member 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 whom the member employs. The EC may use its discretion to offer legal and financial support to members who may be fighting cases that have a relevance to CINTAA's objective to secure and protect its members' rights.
- iv. The conduct of trade disputes on behalf of the Association or any member thereof,
- v. The compensation of members for loss arising out of trade disputes;

- vi. Expenses arising out of any activity or initiative undertaken by the Association to further its objectives and any meetings representing CINTAA outside Mumbai limits.
- vii. Medical or other Welfare allowances to members as decided by the relevant sub-committees responsible for such recommendations, and as approved by the EC.
- viii. Expenses related to the General Body Meetings, website, digital-apps or any other publishing or communication activity of the Association.
- ix. The payment in furtherance of any of the objects on which the general funds of the Association may be spent, or contribution 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 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 and; Any payments/expenses that may have to be incurred by CINTAA in excess to the above specified extent shall have to be approved in the Annual General Meeting or Special/Extra Ordinary General Meeting to be convened for sanction of such excess amount.
- x. Subject to any conditions contained in the notification, any other object notified by the appropriate Government in the Official Gazette.
- xi. Expenses related to presentation of some mementos or presents to distinguished visitors organizing and/or attending seminars/ workshops/outreach and other activities as deemed fit in India and abroad.

17. AUDIT.

- a. Certified auditors shall be appointed by the Association. They shall examine the accounts of the Association once a year and at least fifteen days before the date of the Annual General Meeting, and prepare a balance sheet, and shall certify to the correctness of the same, and their report shall be presented at the Annual General Meeting.

b. INSPECTION OF BOOKS OF ACCOUNTS.

The books of accounts of the Association shall be open to the inspection of any member or officer at the office of the Association during the hours which the office of the Association is open on any day excluding holidays, with prior permission from the General Secretary. However, all EC members of the Association will be at liberty to inspect the books of accounts during office hours without prior intimation/permission of the General Secretary.

18. Elections:

- a. Elections shall be held 15 days before the expiry of one term, i.e., three years.
- b. In order to ensure maximum number of members participate to vote either in person or through online voting, the elections will be held before 15 days of Annual general Meeting in CINTAA's office for 3 days through e-voting /manual only For members convenience CINTAA will also provide technical assistance for e-voting at CINTAA's office for 3 days on request of eligible voting members.

- c. Any Regular Member whose subscription is not in arrears and any Regular or Life member whose membership is not under suspension is eligible to nominate himself/herself to contest the election to the Executive Committee, provided s/he fulfills the eligibility criteria as listed in the relevant section below.
- d. Voting by proxy shall not be allowed.
- e. **Eligibility:**
 - i. No Member shall be eligible to contest the election unless he or she has been a member of the Association for 7 years (01.05.2015). Any contestant filling nomination form for election of Executive Committee member of CINTAA shall deposit Rs. 5000/-. This deposit shall be forfeited in case the candidate gets less than 10% of the cast votes.
 - ii. All Executive Committee members are required to work impartially and ensure the furtherance of the Aims and Objectives of CINTAA in an impartial manner accordingly members of CINTAA who engages himself in the business/profession/work of a casting coordinator and/or casting director shall not be eligible to contest CINTAA elections nor shall have any voting rights. However he/she shall be entitled to all other benefits available to members as a Cine and TV Artist employed in the Film Industry, as long as such Coordinator does not commit any act which in the opinion of the Executive Committee is inconsistent with the dignity of the profession of an Artist and does not in any way prejudice the Aims and Objectives of CINTAA, in which event Executive Committee shall be entitled to expel his/her membership, without any liability on CINTAA.(01.05.2016)
 - iii. Any member of the Executive Committee who has been elected for 2 (two) consecutive Terms, will be entitled to contest the new elections only after a break of one term and shall not be entitled to contest in the 3rd (third) consecutive election. However such member will be entitled to further elections after the break of one term. During the term that the member is not entitled to contest, the elected Executive Committee cannot elect the member through co-option also.(01.05.2016)
 - iv. A CINTAA member who is already a member of the Executive Committee (or equivalent body) of any producers' association or guild will not be eligible to contest for the post of Executive Committee member of CINTAA. (If, during his/her term as Executive Committee member or as Office Bearer, s/he were to become a member of the Executive Committee (or equivalent body) of any producers' association or guild, then s/he will have to resign from her/ his position in the Executive Committee of CINTAA.
 - v. The contestant will have to submit an affidavit at CINTAA's office that he/she is not involved in any criminal activities or details therein, if required by the concerned scrutiny committee.
 - vi. On receipt of the nomination papers, the same shall be scrutinized by a Scrutiny Committee appointed by the Executive Committee, to determine their validity. The scrutiny committee will consist of not less than five members of the Association who are not contesting the election and ineligible nominations will be disqualified by the scrutiny committee.

f. Process:

- i. Voting will be by Manual/online process (e-voting), after due testing and after due safeguards are confirmed by the Executive Committee with the help of experts consulted by them.
- ii. The Office Bearers, along with other members of the Executive Committee shall function as Care Committee only during 3 days of the election.
- iii. Prior to the election, the Executive Committee shall appoint a Scrutinizer. The Scrutinizer will declare the results. The number of votes polled by each and every contestant will be announced/published on website.
- iv. The period between the election and the Annual General Meeting the existing Executive Committee shall explain/ clarify the Resolutions, Accounts etc in case so warranted along with the Annual Report to the newly elected Executive Committee. If the newly elected Committee has any objections/suggestions, the newly elected EC will be allotted time to speak in the Annual General Meeting.
- v. During the period between election and the AGM the existing EC must invite the newly elected members for all EC meetings. The newly elected members shall have the right to call for an EC meeting, if so required, and the existing EC shall be duty-bound to organize the same.

g. Vacancies and Re-election:

- i. In case of vacancy of any Officer Bearer caused by the cessation of membership, demise or illness or resignation or shifting of residence or by any directive of the Executive Committee or General Body, then the same shall be filled in by an elected member of the Executive Committee.
- ii. In case of vacancy of the office of Treasurer due to any reason, re-election shall be held immediately within the Executive Committee to elect the new TREASURER from amongst the Executive Committee members. In the gap period till re-election, the President and the General Secretary shall operate the bank accounts and look after routine financial matters.
- iii. If 50% or more seats of the elected members of the Executive Committee fall vacant at a time due to resignation or any other reasons, the existing Executive Committee will be dissolved immediately and a fresh election shall be conducted.

19. REGISTER OF MEMBERS :-

The Association shall keep a register of all the members containing their names and particulars of their residences etc. The register shall be open to inspection by any member or officer at the Head office for valid purpose during the hours during which the office of the Association is open on any weekday excluding holiday, with prior permission from the General Secretary.

20. INTERPRETATION OF THE CONSTITUTION :-

The interpretation of the Constitution and of its construction and effect rest with the Executive Committee; and any ruling given by the Executive Committee shall be final and binding on all members.

21. DISSOLUTION OF THE ASSOCIATION :-

The Association shall not be dissolved except by the vote of a majority of three-fourths members present at the General meeting called for the purpose, provided 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 the Association.

The funds of the Association after meeting all the liabilities shall be disposed of in accordance with the decision of the dissolution meeting in compliance with the then existing Trade Union Laws.

22. Affiliation

CINTAA is not a political party and does not intend to be known as an affiliate of any political party accordingly CINTAA as an association will not be an affiliate of and/or associate itself with any political party and will not promote any political party directly and/or indirectly.

BYE LAWS

CONTRACT

1. No member of our Association shall start working or continue to work unless and until he or she signs a contract with the Producer. Members should submit copy of their contractual agreement within 15 days of signing the Agreement.
2. **THE RIGHTS & RESPONSIBILITIES OF MEMBERS:**

i. The Rights of Regular and Life members:

- a. Right to attend Annual General Meetings; participate in the discussions and to vote on its resolutions.
- b. Right to apply for mediation / conciliation for Dispute Settlement.
- c. Right to use the Association facilities, which the Association offers its members from time to time.
- d. Right to attend CINTAA events which are open to all members of the Association, as per the terms and conditions declared for each event.
- e. Right to vote at CINTAA elections, and the right to stand for elections to the Executive Committee, depending on the eligibility mentioned in the relevant section.

ii. The Rights of Work-permit and Non-resident Indian:

- a. Right to apply for mediation / conciliation to Dispute Settlement Committee.
- b. Right to use the Association facilities that the Association offers its members, from time to time.
- c. Right to attend CINTAA events which are open to all members of the Association, as per the terms and conditions declared for each event.

iii. Responsibilities and Duties of Members:

- a. To hold dignity, integrity, sanctity and stand by the Association and its members.
- b. To update Association of achievements/setbacks.
- c. To support Association in accomplishing tasks assigned for Outreach or any other voluntary services as when required.
- d. To follow do's and don'ts of Association.
- e. It is your sole responsibility to update your personal information and fees.
- f. To behave in a dignified, calm and civilized manner at Association events, AGMs, meetings, and in the Association office.

3. **Documents required for work-permit:** - {Application form charges Rs.150/-. (non-refundable), recent passport size photograph, Proof of date of birth, Current and Permanent Proof of Address}.

4. **Sub-Committees:** The strength of a sub-committee will not exceed seven, including the convener and/or chairperson. Each sub-committee will periodically report to the Executive Committee.