

Chapter-1

University and School Teachers' Association, Nepal's (USTAN) constitution 2018

Preamble

Whereas, it is expedient to establish 'University and School Teachers' Association, Nepal (USTAN) to institutionalise the achievements of People's movement 2062/063, fulfil the historical liability to build prosperous Nepal in socialist model through socio-economic transformation, , achieve professional fundamental rights and welfare, contribute in producing strong, able, and educated manpowers drenched with national feeling , raise voices against existing deviations , contribute to building socialist education policy , and create powerful professional movement through establishing fraternal relation with national and international teachers' associations having similar objectives , this constitution has been drafted and enacted.

Chapter: 1

Chapter: 2

Introduction

Article-2

Article – 2 Definitions:

Unless the subject or the context otherwise requires, in this Act:

- a. "Teacher" means any teacher engaged in imparting education or research works from Child class upto University level.
- b. "Associations" ,means the organization/association of teachers and professors engaged in private and community schools , private

and community colleges, universities, their constituent as well as affiliated colleges and research centers.

- c. "University" means all the Universities across Nepal"
- d. "Professor" means any professor, reader, lecturer and assistant lecturer engaged in imparting education or research works in the University and its constituent and affiliated colleges and research centers.
- e. "Campus" means constituent and affiliated campus, college, Vidyapeetha that conduct teaching learning and research activities.
- f. "National Convention" means the formal convention of elective representatives as per article 9.
- g. "Central Committee" means central level committee formed under interim regulation/act comprising of university professors and School teachers Association Nepal. Central Committee should be understood as central committee.
- h. "Member" means a person who has obtained membership under article 7.
- i. "Secretariate" means secretariate formed under article 10.
- j. "Official" Officials defined in article 10.
- k. "Affiliate organization"/ means associations and organizations affiliated to confederation
- l. "Dependent/Subordinate Committee" means Province, District, Village/Municipal level units formed under this act.
- m. "Meeting" means full meeting of University and School Teachers Association, Nepal or other meetings.
- n. "Office Staff" means staffs appointed to manage and administer University and School Teachers Association, Nepal.
- o. "Fund" means fund collected as per the article 26 and 27.

Chapter :3 Office

Article -3. 1. The central office of this association shall be situated in Kathmandu. Offices related to Province, district, and local bodies' shall be located at appointed place and unit offices

Commented [t1]:

of college and School shall be located in related colleges and Schools.

Chapter : 4

Goal and Ideological Ground

Article-4. 1. Goal : Socialist Education shall be the aim for the guarantee of professors' and teachers' service and security , equal opportunity, prosperous life and future

2. Ideological Ground: The ideological ground /base of this association shall be the directed policies adopted by Nepal Communist Party, NCP, and policies.

Chapter : 5

Objectives

Article -5 1. Following shall be its objectives.

- a. To participate the programs organized for the preservation and promotion of nationality as well as social justice, livelihood of the people and to be committed to socialist education as expressed in the Constitution of Nepal
- b. To contribute the campaign for the establishment of socialism through socio-economic and cultural transformation of the society,
- c. To organize professors and teachers across the country , provide quality education, protect and promote professors' and teachers' rights and welfare and make teaching profession dignified through the medium of united force .
- d. To make professors and teachers disciplined, dignified, and dutiful ; and initiate an ideological campaign to end the deviation, incoherence, anarchy and self-centered views appeared in education sector,
- e. To submit the problems faced by professors and teachers to the government in the form of demand and launch pressure-oriented program to resolve the problems through collective bargain.

- f. To initiate research -oriented activities in education sector and publicise the findings and submit it to the government and concerned management,
- g. To conduct various activities like study, research, gatherings, seminars, trainings , develop marxist and scientific thought among professor community and initiate discussions on an alternative ideological thought,
- h. To initiate and develop national and international level fraternal relations with like minded and close associations and organizations and express solidarity for the international professional movement.

Article-6 1. Programmes: In order to fulfill the objectives as mentioned in article 5, USTAN shall conduct following programmes.

- a. This institution/association shall conduct informative training on NCP's thought, agenda, ideology, and programmes to all ranks and file of professors and teachers.
- b. It shall launch programmes like seminars, lectures, interactions, orientations for the academic development of all professors and teachers.
- c. It shall perform essential job for the protection of professional rights and authority.
- d. It shall maintain and develop relations with national and international organizations and associations having similar ideology and objectives.

Chapter- 6 Membership

Article-7 Types of Membership

1. Membership : Professors and teachers who accept this act except teachers who hold Nepal National teachers association/organization's membership shall be its members.
2. Types of Membership:
 - a. Lifelong member
 - b. Honourary member

(Note: University and School Teachers Association Nepal shall have right to provide honorary membership to an individual or

institution for their contribution to the education sector. Similarly, lifelong members who have significant contribution to education sector will be provided such honorary membership)

3. Membership fee will be as follows:
 - a. Intry fee Rs. 50.00
 - b. Annuwal fee Rs. 500.00
 - c. Representative fee, every three years, Rs. 500.00
 - d. Province membership fee, every three years Rs. 500.00
 - e. CONEC and FISE membership annuwal /member Rs.10.00
4. It is mandatory to renew membership of each member of this association within the month of April/May every year.
5. If any memmer of this association transfers to other school or college he/she shall be the memeber there upon the submission of the membership.
6. Lifelong membership fee shall be Rs.5000.00 out of which 25% will go to Central Committee, 25% to province, and 50% to the district committee. This fee will be deposit to fixed deposit. Inservice life-long members should not have to pay annuwal fee.
7. Punishment and Termination of membership
Officials and memebbers of this association can be expelled in case their conduct is found to be against this act , regulations, policy and decision. However, time for clarification will be provided before taking disciplinary action against them. Memebrship will be terminated on the following condition.
 - a. In case of failure to renew memebrship
 - b. In case od death of the member
 - c. In case of resignation and change of profession
 - d. In case of the approval of the resignation
 - e. In case of criminal charge and found to be convicted by the court
 - f. In case of the expulsion from the membership

Chapter 7 Organizational Structure

Article-8 The organizational tructure of this Association shall be as follows:

1. National covention
2. National Council
3. Central Committee(Central Committee)
4. Secretariate
5. Province convention
6. Province Council
7. Province Committee
8. District Convention
9. District Council
10. District Committee
11. Village/Municipality Convention
12. Village/Municipality Committee
13. Collge Unit or Contact person

Article -9 National Convention

1. National Convention will be the supreme body of this association. National Convention will be held every three years. However, special convention can be called within three months in case two third majority members of the Central Committee request in written form.
2. All the officials, members, advisors and elected district committee chairperson and representative to the national convention will be the representatives of national convention. However, for the candidature of central committee member one should have at least a full tenure experience in the previous central committee. But his rule will not be applied in case of other members.
3. On behalf of the central committee the gneral secretary will present organizational report in the convention, treasurer will present annual income-expenditure and audit report. The

convention will approve both reports after carrying discussions over them.

4. The convention will appoint a three members auditing committee for the next three years and determine organizational policy and programme.

Article- 10 Central Committee

1. There shall be following officials and members in Central Committee:

- a. There will be 51 member Central Committee

- i. Charman - 1
- ii. Vice-chairman - 4
- iii. General Secretary – 1
- iv. Secretary- 1
- v. Treasurer – 1
- vi. Joint-Treasurer- 1
- vii. Members: 38

2. Formation of Secretariate

A 17/19 member secretariate will be formed comprising of all officials of Central Committee and members.

- a. The secretariate shall handle all the functions incase the national/ central committee fails to hold the meeting and such functions will have to be approved by the next Central committee meeting.
- b. The secretariate will always be dedicated in office management including the development and extension of the association.

3. Advisory Committee

There will be an advisory committee comprising of national figure and leading personalities who could advise the association.

Article -11 National Council

The formation of Central Committee and its meeting will be as follows:

1. Chairperson and vice-chairperson of each province and district – representative by post
2. Officials, members, and advisors of Central Committee – representatives by post
3. Meeting will be hold once a year

Article- 11 A. Formation of Province council

The formation of Province council in 7 provinces will be as follows:

- a. All officials and memebtrs of province committee
- b. All officials of district committee
- c. Central committee members of concerned province and council members will be invited to the province council meeting
- d. Province committee should nominate maximum one woman from each district of the province

Article 11 b. Duty, Responsibilty and rights of Province council

- a. Review the annual functions of Province committee
- b. Approve the income-expenditure
- c. Province committee chairperson shall chair the province council meeting
- d. Provinve council review last year's income and expenditure of the province committee
- e. Formulate next years annual plan
- f. The meeting of province council will be held once a year

Article 11 c. Province convention: Following will be the representatives in Province convention.

- a. All the officials and members of Province committee will be automatically the represenatative as an organizer
- b. District Chiarperson, vice-chairperson including 5 members from district committees will be represenattives
- c. Province committee should nominate maximum one woman from each district of the province equal to the number of district

Article 11 d. Province Committee

1. There will a 35 member province committee and the formation is as follows:
 - a. Chairperson -1
 - b. Vice- Chairperson (male)- 1
 - Female - 1
 - c. Secretary - 1
 - d. Joint – Secretary - 1
 - e. Treasurer -1
 - f. Joint- Treasurer -1
 - g. Members -28
2. The tenure of the province committee will be 3 years and its meeting will be held once a four months . Province committee will form a secretariate from among the members.

Article- 12 District Convention

1. There will be district convention in every district once a three years . The meeting should be mandatorily completed prior to the National convention
2. District convention will hold district committee election

Article – 13 District Committee

1. There will be a 35 member district committee and formation is as follows:
 - a. Chairperson -1
 - b. Vice- Chairperson (male) -1
 - Female - 1
 - c. Secretary - 1
 - d. Joint – Secretary - 2
 - e. Treasurer -1
 - f. Joint- Treasurer (Female) -1
 - g. Members -27
2. The committe can form advisory committee according to the need

Chapter- 8
Functions, duty, and rights

Article 14. The functions, duty and power of national convention shall be as follows:

1. Hold election to the Central Committee
2. Formulate Central Committee policy and approve the programmes
3. Manage budget
4. Appoint auditor and fix the wages
5. Approve the act and amend
6. Approve necessary proposals

Article 15 The function, duty, rights and power of Central Committee will be as follows

1. Execute and approved policy and programmes approved by national convention
2. Formulate necessary policy and plan according to the approved proposal and decisions approved by the national convention
3. Make necessary arrangement to hold national convention
4. Formulate essential regulations
5. Take decisions on membership related issues
6. Approve annual budget and programme, arrange auditing by auditor, prepare income-expenditure report and submit in national council and national convention
7. Summon National council meeting
8. National committee meeting will be held twice a year

Article 16. The function, rights and power of national council will be as follows:

1. Review organizational and financial activities
2. Take necessary decisions in case the Central Committee is dissolved before national convention
3. Provide policy based direction to the Central Committee

4. Discuss and approve the policy to be submitted to the national convention
5. Revise the constitution and submit its detail to the national convention

Article 17 The function, duty , rights and power of Central Committee officials will be as follows:

1. Function, rights and duty of Chairperson are as follows:
 1. Lead , direct, control,and take care of the activities of the association for the fulfilment of its objectives.
 2. Necessary execution of any work to be approved by the next meeting of the Central Committee in case the meeting of Central Committee can't be summoned due to unfavourable time.
 3. Chair the Central Committee and secretariate meeting
 4. Permit for the casual/unexpected expenses to be approved by the next meeting
2. Function, rights and power of Vice-chairperson are as follows:
 1. To discharge the responsibilities entrusted by the Chairperson.
 2. To take charge of the Chairperson during his/her absence
 3. perform apointed duties
 4. Function appointed jobs as the incharge of Provinces
 5. Assist the chairperson
 6. Submit periodic report of the concerned sector
3. Function, rights and power of general Secretary are as follows:
 1. Implement the decisions made by Central Committee and secretariate
 2. Be responsible in the daily functioning of the secretariate
 3. Consult the chairperson for important issue

4. To safe keep the records ,documents and properties related to Confideration
 5. Advise the chiarperson in need
 6. Summon the meeting as per the chairperson's direction and make necessary arrangement for the meeting
 7. Submit reports to the national convention, national council, and Central Committee meeting
 8. Coordinate the departments
 9. Discharge duties as the spokesperson of the confederation
 10. perform all duties of general secretary
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4. Function, rights and power of general Secretaries are as follows:
 - a. Function day to day official work
 - b. Perform other appointed works
 5. Function, rights and power of treasurer are as follows:
 - a. Formulate policy and plan for the consolidation of this association
 - b. Prepare annual budget according to the suggestion of Chairperson and general secretary
 - c. Keep income –expenditure of confederation
 - d. Submit the income –expenditure report to the meeting of national commitee, national council, and national convention
 - e. Perform other finacial duties
 6. Function, rights and power of joint- treasurer are as follows:
 1. Fully assist the treasurer in keeping daily account/ transaction
 2. Perform the duties of treasurer in his absence
 3. Perform appointed duties
 7. Function, rights and power of general members are as follows:

1. Perform appointed duty for the achievement of the objectives of the association
2. Submit written report in the Central Committee meeting

Article 18 : Function, rights and power of secretariate are as follows:

1. Implement the decisions made by National council, Central Committee, and secretariate meeting
2. Prepare the agenda to be presented in Central Committee and secretariate meeting as per the chairperson's suggestions
3. Manage the office, and assign the responsibility of office secretary
4. Handle the daily correspondence.
5. Perform all casual duties

Article 19: Function, rights and power of district committee are as follows:

1. District committee meeting will be held once a 2 month. Vice chairperson will chair the meeting in the absence of chairperson. Appointed member will chair the meeting if chairperson and vice chairman are absent
2. Implement the decisions made in the national convention, Central Committee, and secretariate meeting. Formulate necessary plan for the extension , development, of professional rights and welfare se well as for the consolidation of movements and implement them.
3. Perform other duties for the achievement of the objectives of the association
4. Lead the integrated professional movement in related district and lead the memebrs
5. Organize district council meeting once a year and present organizational and financial reports

6. Inform the province committee and Central Committee about the decisions in written form
7. To keep the accounts truly.
8. Implement the decisions of Central Committee and province committee
9. Organise training, seminar and gatherings

Article 20 A. District council

1. Organize yearly meeting of district council

Article 20 B. Function, rights and power of district council are as follows:

1. Review the yearly function of district committee
2. Present income –expenditure report
3. Approve yearly workplan and budget

Article 20 C. Function, rights and power of district committee are as follows:

1. Implement the decisions of Central Committee and secretariate
2. Monitor, evaluate and coordinate the activities performed by district committees under the province
3. Organize province level trainings , seminar, and gatherings
4. Excercise the trade union rights in terms of negotiation in the district and coordinate if necessary
5. Submit regular reports to the Central Committee
6. Accomplish the appointed finacial liability
7. Perform allocated duties

Article 20 D. The function, rights and power of province committee will be as directed

Chapter 9

Post vacancy , Appointment, and Resignation

Article 21. Vacancy of the post

The post will be considered vacant on the following conditions

1. If the resignation tendered by the member is approved.
2. If the member dies
3. If found convicted as a criminal by the court in a prosecution having any moral turpitude and corruption. In case of failure to attend 3 meetings without prior notice
4. If transferred to the next destination

Article 22 Fulfillment of the vacant post

1. If any seat of Central Committee officials remains vacant, the post shall be fulfilled from among the elected members of Central Committee and in case of other members, Central Committee will fulfill from among the national council members. Similarly the province, district, and village/ municipal committees will follow the same procedure from among their members.

Article 23. Resignation

1. Chairperson of all committees can forward resignation through vice chairperson and others through chairperson.

Chapter -10

Election of all Levels, Tenure, and Dissolution

Article 24 Election

1. An electoral presidium will form an election committee to perform election related activities during the election of Central Committee, account committee, province committee, district committee and other local bodies.
2. Election committee will have the authority to formulate rules and regulations and accomplish the election.

3. Election committee will be dissolved after the oath taking ceremony of the elected officials and members is over.
4. The Specimen of Oath will be in accordance to the appendix -1
5. Election committee will provide certificates to the elected officials and members
6. The members of election committee will have voting rights but they can not compete the election
7. Election committee can form sub-committees if need be

Article 24. 1. Eligibility of a candidate

- a. To compete the Central Committee one should have at least a year long experience in the Central Committee as either official or member.
- b. To compete the post of province chairperson, vice chairperson, and general secretary one should have at least a year long experience either as the member of Central Committee, official of the province committee and chairperson the district committee.
- c. To compete the post of district chairperson one should have at least a year long experience as an official or member of the same committee.
- d. Fee for the candidature will be as per the decision of election committee
- e. Election schedule:
 - Election committee member cannot be the proposer and supporter of any candidate
 - Election committee's verdict will be the final in case any problem arises
 - Election committee will manage ballot-paper with the name of all candidates in alphabetic order
 - Vote counting can be both general system or majority system
 - Lottery system will be adopted in case members obtain equal votes

Article- 25 Tenure

1. All committees will have 3 year long tenure

Chapter 11

Fund mobilizations and auditing

Article 26 Source of the fund

The fee received from the professors and teachers as entry fee, annual fee, convention fee, convention entry fee, fee for CONEC and international membership, donations from individuals and institutions, fees from international fraternal organizations and movable and immovable properties and goods of the association will be the source of its fund.

Article 27 Operation of the Fund

Generally chairperson and general secretary will operate the fund. Chairman and general secretary will have the authority to spend 5000 each in case of emergency and it should be approved from the next secretariate meeting. After the registration of this association The bank account of the organization shall be operated through the joint signature of the President, the General-Secretary and the Treasurer (mandatory).

Article 28 Auditing

Auditing should be carried/done by registered auditor within the end of Chaitra to the end of Baisakh every year. The national convention will appoint the auditor.

Article 29 Account Committee

An account committee comprising of treasurer, joint-treasurer, and auditor will be formed. It will prepare annual report, submit to the secretariate for the approval and submit to the general convention.

Chapter 22

Miscellaneous

- Article 30. Prepare proposals on national and international issues and condolence
- Article 31. Proceedings and activities done prior to this act will be considered as being carried under this act
- Article 32. Financial assistance to any needy memebtrs can be given by any commitees
- Article 33. As mentioned inappendix 2 Central Committee and other committees shall use logo and tha flag of this association
- Article 34. National committe shall have the authority to interprete the act in case the meeting of national conventiona nd national council are not held
- Article 35. Central Committee will formulate rules and regulations of the association if need be

Specimen of Oath

I/we University and School Teachers' Association ,Nepal's Central Committee / National Council/Province Committee/ District Committee/ Village/Municipal/Unit committee's
....., take this oath. Without being influenced unduely by anyone , honestly and dedicatedly keeping the secrecy of USTAN to my understanding I /we will remain cimmitted to fulfill the objectices set in this act and make my/our level best to be committed in fuffilling the resposibility

Unite all professors and teachers

Long Live Professor- Teacher Unity

Date....

1. Logo

विश्वविद्यालय प्राध्यापक तथा स्कूल शिक्षक एसोसिएसन , नेपाल in Nepali language and , 'Univeristy and School Teachers' Association of Nepal (USTAN) in English language inside the circle and a hexagon and an open book inside it to represent professors and teachers and on the top of the book a burning lamp , at the lower side of the book 'USTAN' and lower to this EST. 2075 shall have been written.

2. Logo will be accompanied inside the red flag with 2:3 colour combination

स्तखत

नाम :

पद :

अनुसूची-२

१) लोगो

गोलाकार भित्र नेपालीमा विश्वविद्यालय प्राध्यापक तथा विद्यालय शिक्षक एसोसिएसन, नेपाल र अङ्ग्रेजीमा University and School Teachers' Association of NEpal (USTAN) लेखिएको र यस्को भित्र षड्कोण र षड्कोण भित्र कलमजीवी श्रमिक पेसाकर्मी, प्राध्यापक तथा शिक्षकहरुको पहिचान भल्कने खुला पुस्तक, त्यसको दाया माथि खुला कलम र पुस्तकको बीच माथिल्लो भागमा बल्दै गरेको दियो र पुस्तकको तल्लो भागमा USTAN र षड्कोणको तल्लो भागमा Estd. 2075 लेखिएको हुनेछ ।

२) २:३ को अनुपातमा रातो रङ्गमा फहरिएको भन्डाभित्र लोगो समावेश हुनेछ ।