

# CONSTITUTION OF THE BHARTIYA BEROJGAR PARTY

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# CONSTITUTION OF THE BHARTIYA BEROJGAR PARTY

## ARTICAL No.I: Name of the Party -

The Name of the Party shall be **BHARTIYA BEROJGAR PARTY**

## ARTICLE NO.II: OBJECTIVES OF THE PARTY-

**A.** Democracy is popular self - rule, but the current practice of democracy negates this ideal and reduces the citizen to a mere subject. Bhartiya Berojgar Party aims to restore power to the people, so as to realise the promise of Swaraj enshrined in our Constitution.

**B.** Following the Preamble to our Constitution, Bhartiya Berojgar Party envisions an India, free of corruption, which is Sovereign, Socialist, Secular, Democratic Republic.

**C.** Bhartiya Berojgar Party resolves to secure for all the citizens:  
Justice, Social economic and political for everyone including the last person  
Liberty of thought, expression, belief, faith and worship.

Equality of status and of opportunity in all spheres of life for  
individuals and communities.

And to promote among them all

Fraternity assuring the dignity of the individual and the Unit and integrity of the Nation.

**D.** The party shall bear true faith and allegiance to the constitution of India as by law established and to the Principal's of socialism, secularism and democracy and would uphold the sovereignty and integrity of India.

## **ARTICLE NO. III : MEMBERSHIP OF THE PARTY**

### **A. Eligibility for Membership**

Any citizen of India of the age of 18 years or above who subscribes of the objectives of the party shall be eligible to become a member of the Party provided that he or she;

- (i) Is not a member of any other political Party registered with the Election Commission of India.
- (ii) Is not a member of any organization whose views, policies or actions are in conflict with the objectives of the Party; and/or
- (iii) Has not been convicted of any offence involving moral turpitude.

### **B. Categories of Membership**

There shall be two categories of Member :

- i. **Ordinary Member** : Every person who becomes the member of the Party as per the procedure prescribed shall be an ordinary member. An ordinary member shall not have any voting right.
- ii. **Active Member** : A person who has been an ordinary member for at least four months and who has followed the code of conduct for members and has actively participated in various programs of the Party shall be eligible for Active Membership of the Party. An Active member shall have the right to vote.

### **C. Membership Process :**

- I. A person shall become an Ordinary Member of the Party on submitting the prescribed declaration and payment of the membership fee as prescribed from time to time.
- II. A person seeking Active Membership of the Party shall apply to the office of the concerned Primary Unit or the concerned District Unit in prescribed format. Each application should be supported by at least two existing Active Members.



III. The application will be considered by the Gram or Ward or Chhatra Sabha of the concerned Primary Unit in its succeeding meeting, where upon it shall make its recommendation to the District Executive.

IV. The District Executive shall take the final decision on each application in its meeting held after the receipt of the application.

V. The Party shall maintain a register of its members in the manner as may be prescribed in the Regulation.

VI. The list of Active Members shall be frozen one month before the call for applications of candidates for any party election, Pending application, If any, for Active Membership shall be decided before freezing the list.

VII. The National executive, the State Executive and the District Executive of an Active Member on any person. However such power shall only be exercised by the District Executive when no Primary Units is in existence for a particular area.

VIII. Any person, who has been co-opted to District Executive or in any body at the State or National Level, shall be deemed to have become an Active Member of the Party on submission of Application from along with the requisite membership fee as prescribed from time to time.

IX. If a District Executive/State Executive decides to grant membership of the Party to a person who was a leader in another registered political party in operation only after approval by the National Executive. A leader here would mean either a state or National Level office bearer of another party or someone who has contested parliamentary or Assembly or District Level Election on the Symbol of another Party.

X. An Active Member shall pay membership fee and contribution as prescribed from time to time.

XI. A person can become a member of the party either at his/her place of permanent residence or where he/she carries on his/her

business but at one time he/she shall not be a member at more than one place.

XII. If any active member changes his place of residence, he/she should get his address changed by giving intimation in writing to the concerned Units.

#### **D. Terms**

The term of membership shall be 3 years. A member shall have to get his membership renewed after every 3 years. For the purpose of this clause a year shall be the period commencing from 1st of April of a calendar year or the date of enrolment of a member up to 31st of March, of the succeeding year. However initial term of Active Membership of all those persons, who became Active Member between 24th November, 2012 and 31st March 2013 shall be up to 30th November, 2015.

#### **E. Cessation of Membership**

A person shall cease to be a member of the Party in the event of :

- (i) Death
- (ii) Resignation
- (iii) Expulsion /Removals; or
- (iv) Non Renewal of Membership
- (v) If he/she joins any other political party.
- (vi) On being convicted by a court of law for a crime involving moral turpitude.

#### **F. Suspension from Membership**

The state executive or the National Executive may suspend an Active Member from the membership of the party pending disciplinary proceedings.

#### **ARTICLE NO.IV: ORGANISATIONAL STRUCTURE :**

##### **A. Organs of the Party**

a. The organizational structure of the party shall consist of the following organs at the primary, Block, District, State and National Levels.

i. Primary Level

- Primary Unit

ii. Block Level

- Block Council

iii. District Level

- District Council
- District Executive
- District Political Affairs Committee

iv. State Level

- State Council State Executive
- State Political Affairs Committee

v. National Level

- National Council
- National Executive
- National Political Affairs Committee.

b. The area of the Primary Unit shall be as per clause B below/ the area of a Block Unit and District Unit shall ordinarily be the same as that of an Administrative Block or District in a State. The area of State Units of the party shall conform to the States and Union Territories mentioned in the Constitution of India.

c. The term of each organ of the party, be at any level, shall be for period of three years, However, If election are not held by the time of the expiry of the term, the term can be extended till the next elections subject to the conditions;

(i) That the elections are held not later than the expiry of a period of four years from the date of the beginning of the terms.

(ii) That such proposal is approved by National Council in case extension is granted to National Executive and / or National Council.

(iii) That such proposal is approved by National executive in case extension is granted to State Executive and/or State Council.

(iv) That such proposal is approved by State Executive in case extension is granted to organs lower to the State Executive and/or State Council.

**Primary Level :**

- a. The Primary Unit will be constituted at :
  - i. Ward Level in a Municipality or Municipal Corporation (Ward Sabha).
  - ii. Village Level (gram Sabha) and
  - iii. Each College or equivalent Higher Education Institution (Chhatra Sabha ) and shall comprise of all the ordinary and Active Members of that Unit.

A. Primary Unit shall not be formed unless there are at least 10 Active Members in that Unit.

b. Powers and Function of the Primary Unit.

The Primary Unit shall be the General Body of all the ordinary and Active Members of that Unit, It shall;

- i. Deliberate and decide on any issue or action program to further the objective of the Party including electoral participation, struggles, Opinion making and/or other constructive actions;
- ii. Recommend applications for Active Members;
- iii. Elect one President and one Vice President (out of which at least one shall be a Woman) by consensus, failing which, it will be done by voting in the presence of a representatives of the District Executive.



- iv. The President and Vice President shall be available for the party work on a regular basis.
- v. Form such teams as required and assign them such work as deemed fit.
- vi. Reconstitute any team or committee.
- vii. Recall President or Vice President.
- viii. Perform such tasks as assigned to it from time to time by the Party.

**B. Block Level ;**

**a. Block Council**

i. A Block Council shall be constituted at the Level of a Block.

ii. Presidents and Vice President of all primary Units failing in a Block shall together constitute the Block Council .

**b. Powers and Functions of the Block Council.**

i. A Block Council shall organize and coordinate the activities at the Block Level and shall raise public issues affecting more than one Primary Unit in that Block.

ii. A Block Council shall exercise such powers and discharge such other functions as are assigned to it by the party.

iii. The members of a Block Council Shall elect from amongst themselves or from amongst Active Members in that Block, One President and one Vice President (out of which at least one shall be a woman) by consensus, failing which by voting in the presence of a representative of the District Executive.

iv. The Block Council may from such terms as may be required for its activities and the discharge of its functions.

v. President and Vice President shall be available for the Party work on regular basis.

vi. Reconstitute any team or committee.

vii. Recall President or Vice President



**D. District Level:**

**a. District Council -**

Each District Council shall comprise the Presidents and Vice Presidents from all primary Units, Blocks and Municipal area falling in that District.

**b. Powers and Functions of the District Council-**

i. The District Council will elect the District Executive.

ii. The District Council shall have the powers to recall the District President and / or the members of the District Executive.

**c. District Executive -**

Each District Executive shall organize and co-ordinate the activities of the Party at the District Level.

i. The District Executive shall comprise of not more than 25 members, of whom at least 5 shall be women and 5 shall be students, selected by consensus from amongst the Active Members in that District failing which it will be elected by a majority vote in the presence of a representations of the State Executive.

ii. In addition, the District Executive will have one representatives from each block of the District as decided by that Block Council.

iii. If the President of a Primary/Block Unit is elected to the District Executive he/she shall resign as the President of the Concerned Primary /Block Unit.

iv. The District Executive may co-opt upto 5 members in Order to give fair representation to disadvantaged social groups, such as SC, ST, Backward Classes and Minorities in case any of the groups is under represented, if the co-opted members are not already Active Members of the Party, they shall be deemed to be Active Members of the Party as soon as they are co-opted and shall have all the rights of elected members of the Executive. All co-opted Members must meet the

qualification requirements laid down for Party Members and will need to be ratified by the State Council.

v. The District Executive may, through consensus, invite anyone from within or outside the party to attend its meeting as a 'Special Invitee' for one or more meetings. However, special invitees shall not enjoy any voting rights.

vi. The members referred to in sub-clause (i) above shall elect one person from amongst themselves as the District President.

vii. All elected members of the District Executive shall be available for the Party work on regular basis.

d. Powers and functions of District Executive.

The District Executive shall :

i. Form as many teams as are required to carry out the objectives of the Party.

ii. Elect one person as Secretary and one person as Treasurer for that District from amongst the members referred to in sub-clause [c(i)] above.

iii. Monitor and supervise the activities of party functionaries in that District.

iv. Undertake all such activities as are needed to meet the objectives of the party in that District.

v. Undertake activities related to public issues affecting that District.

vi. Maintain the Register of Active Members of the Party of that District.

vii. Maintain and keep accounts of District Level Finances.

viii. Form District Level Committees for settling internal disputes, grievances and disciplinary actions.

- ix. Set up the first District Level Party Lokpal to receive and decide complaints of violation of code of conduct against members of the District Executive, Block/Primary Level Presidents and Vice Presidents.
- x. Elect a District Political Affairs Committee consisting of 5 members from amongst elected members of the District Executive.
- xi. Reconstitute any team or committee including the Political Affairs committee.
- xii. Recall District President Secretary or Treasurer.
- e. District Political Affairs Committee
- District Political Affairs Committee shall discharge all executive functions in between two meetings of the District Executive;
  - District Political Affairs Committee shall advise and assist the President in over seeing the work of all other Teams and Committees set up by the District Executive.
  - District President is expected to discharge all his or her duties and powers in consultation with the District Political Affairs Committee.
- E. State Level** (This shall apply to all Union Territories also)
- a. State Council;
- Each State Council Shall Comprise of the Presidents from all districts, Blocks, Municipalities and Municipal Corporation and Vice President from all Block failing in that State.
- b. Functions and Powers of the State Council;
- i. The State Council will elect the State Executive.
- ii. The State Council shall have the power to recall the State President and / or one or more of the members of the State Executive.
- iii. It shall meet at least twice every year.
- iv. It will decide the stand and policy of the Party on issues concerning that state in such manner as may be prescribed.
- c. State Executive.

Each State Executive shall organize and co-ordinate the activities of the Party at the State Level.

i. The State Executive shall comprise of not more than 25 members of whom at least 5 shall be women and 5 shall be students, selected by consensus from amongst the Active Members in that state failing which, it will be elected by a majority vote in the presence of a representative of the National Executive.

ii. In addition, the State Executive will have one representatives from each District as decided by the District Executive.

iii. If the President of any unit is elected to the State Executive, he/she shall resign as the President of the Concerned District.

iv. The State Executive may co-opt upto 5 members in order to give fair representation to disadvantaged social groups, such as SC, ST, Backward Classes and Minorities, in case any of the groups is under represented, if the co-opted members are not already Active Members of the Party, they shall be deemed to be Active Members of the Party as soon as they are co-opted and shall have all the rights of elected members of the Executive. All co-opted Members must meet the qualification requirements laid down for Party Members and will need to be ratified by the national Council.

v. The State Executive may through consensus, invite anyone from within or outside the party to attend its meeting as a 'Special Invitee' for one or more meetings. However, special invitees shall not enjoy any voting rights.

vi. The members referred to in sub-clause (i) above shall elect one person from amongst themselves as the State President.

vii. All elected members of the State Executive shall be available for the Party work on regular basis.

d. Functions and Power of State Executive

The State Executive Shall :



- i. Form as many teams as are required to carry out the objectives of the party.
  - ii. Elect one person as Secretary and one person as Treasurer for that State from amongst the members referred to in sub-clause [c(i)] above.
  - iii. Monitor and supervise the activities of party functionaries in that State.
  - iv. Undertake all such activities as are needed to meet the objectives of the party in that State.
  - v. Undertake activities related to public issues affecting that State.
  - vi. Maintain and keep accounts of the State Level Finance.
  - vii. Form State Level Committee for settling internal disputes, grievances and disciplinary actions.
  - viii. Set up the first State Level Party Lokpal to receive and decide complaints of violation of Code of conduct against members of the State Executive.
  - ix. Elect a State Political Affairs Committee consisting of 7 members from amongst elected members of the State Executive.
  - x. Reconstitute any team or committee including the Political Affairs Committee.
  - xi. Recall State President Secretary or Treasurer.
- e. State Political Affairs Committee
- State Political Affairs Committee shall discharge all executive functions in between two meetings of the State Executive;
  - State Political Affairs Committee shall advise and assist the President in overseeing the work of all other Teams and committees set up by the State Executive.
  - State Presidents is expected to discharge all his or her duties and powers in consultation with the State Political Affairs Committee.

F. National Executive.

a. National Council

The National Council shall be the highest Policy making body of the party. The National Council Shall comprise of the President from all the States and District. In addition, it may co-opt upto a maximum of 50 members from amongst the following :

i. Experts from such fields as the National Council deems fit.

ii. Eminent People from the Country

iii. Members from disadvantaged social groups, such as SC, ST, Back-Ward Classes and Minorities if there is in adequate representation of such groups.

iv. All those who come Together to form the party and are present in the first meeting of the party shall from the first National Council of the Party. They shall be deemed to be Active Members of the Party, such members, after completion of their first term as NC members, may be given a second terms as NC members by an NC resolution passed with simple majority, subject to renewal of their active membership.

**b. Functions and Powers of the National Council.**

The National Council Shall :

i. Elect the National Executive

ii. Have the powers to recall the members of the National Executive.

iii. Have the power to amend the Constitution.

iv. Meet at least twice every year .

v. Decide the stand and policy of the Party on issues of National Interest.

**C. National Executive:**

The National Executive would be the highest executive body of the Party. It shall organize and co-ordinate the activities of the party at the National Level.

i. The National Executive shall consist of not more than 30 members, of whom at least 7 shall be women and 5 shall be students, it shall be selected by consensus from amongst the Active Members of the Party failing which, it shall be elected by a majority vote.

ii. In addition, the National Executive will have one representatives from each State, who will be nominated by that state Executive.

iii. If the President of any Unit is elected to the National Executive, he/she shall resign as the President of the Concerned Unit.

iv. The National Executive may co-opt upto 5 members in order to give fair representation to disadvantaged social groups, such as SC, ST, Backward Classes and Minorities, in case any of the groups is under represented, if the co-opted members are not already Active Members of the Party, they shall be deemed to be Active Members of the Party as soon as they are co-opted and shall have all the rights of elected members of the Executive. All co-opted Members must meet the qualification requirements laid down for Party Members.

v. The National Executive may, through consensus, invite anyone from within or outside the party to attend its meeting as a 'Special invitee' for one or more meetings. However, special invitees shall not enjoy any voting rights.

vi. The members referred to in sub-clause (i) above shall elect one person from amongst themselves as the National President.

vii. All elected members of the National Executive shall be available for the Party work on regular basis.

**d. Power and function of the National Executive.**

The National Executive shall:

- i. Form as many teams as are required to carry out the objectives of the Party.
- ii. Appoint one person as National Secretary and National Vice President and one person as National Treasurer.
- iii. Approve the formation of the Party's National Secretariat.
- iv. Monitor and supervise the activities of party functionaries at various levels in the country and the National Secretariat.
- v. Undertake all such activities as are needed to meet the objectives of the party in country.
- vi. Undertake activities related to public issue.
- vii. Maintain and keep accounts of National Level Finances.
- viii. Form National Level Committees for settling internal disputes, grievances and disciplinary actions.
- ix. Set up the first National Level Party lokpal to receive and decide complaints of violation of Code of Conduct against National Executive members.
- x. Elect a National Political Affairs committee consisting of 10 members from amongst elected members of the National Executive.
- xi. Reconstitute any team or committee including the Political Affairs Committee.
- xii. Recall National President Secretary or Treasurer.
- xiii. Make rules and regulations under this Constitution.
- xiv. Authorize any Organ/Committee/Team to select and lay down procedure for selection of candidates for elections to State assemblies or parliament.
- xv. Have the authority to exercise all such powers conferred upon any organ/committee/authorities in the absence of existence of such organ/committee/authorities.



xvi. Have the power to suspend/dissolve any organ/committee/team or to remove any office bearer/member of any organ/team/committee.

xvii. Have all the residual powers not specifically assigned to any other body/organ/committee/authority in this constitution. In case of any emergency the said power may be exercised by the PAC subject to ratification by the National Executive in its next meeting.

**e. National Political Affairs Committee.**

- National Political Affairs Committee shall discharge all executive functions in between two meetings of the State Executive.
- National Political Affairs Committee shall advise and assist the President in overseeing the work of all other Teams and Committees set up by the National Executive.
- National President is expected to discharge all his or her duties and powers in consultation with the National Political Affairs Committee.

**ARTICLE NO. IV A : Other Structure**

For all towns and cities governed by Municipal laws, Council/ Executive shall be formed at following Levels.

**A. Ward Level**

i. Ward Level in any Municipality or Municipal Corporation shall be equivalent to the Primary Level mentioned in Clause B of Article IV above. The Sabha Shall be formed in a similar manner and they shall work similarly.

ii. If any municipal area is smaller than an Assembly, then only Ward Level Units (Ward Sabha) shall be constituted in that area.

**B. Assembly Level**

i. If there are one or more assemblies in any municipality, then Assembly Level Council/Executive shall be formed in that Municipality Assembly

Level in any Municipality shall be equivalent to the District Level mentioned at Clause D of Article IV above. Council/Executive shall be formed in similar fashion and they shall work similarly.

ii. If any municipal is smaller than an Parliamentary constituencies, then only Ward Level Units and Assembly Level Units shall be constituted in that Municipality.

### **C. Parliamentary Level**

i. If there are one or more Parliamentary Constituencies in any Municipality, then Parliamentary Level Council /Executive shall be formed in that Municipality, Parliamentary Level Council/Executive shall be formed in similar manner as District Council/Executive and they shall work similarly.

### **NCT of Delhi**

ii. This will apply to the National Capital territory of Delhi State Council for Delhi shall consist of Presidents of all primary units and Assembly constituencies and Vice President of all Primary Units. State Council shall have similar power as enjoyed by the State Council mentioned at Clause E of Article IV.

iii. State Council shall elect state executive Committee, which shall be formed and shall function in similar fashion as State Executive Committee mentioned at Clause E of Article IV.

### **D. Municipal Committee.**

i. Municipal Council will be formed at the level of each municipality or Municipal Corporation. Municipal Council will consist of Presidents and Vice Presidents of all Primary Units in that Municipal area.

ii. Municipal Council shall form a Municipal Executive Committee, Municipal Council and Municipal Executive Committee will be

formed and shall function in similar fashion as District Council and District Executive committee at clause D of Article IV above.

iii. The provisions of this sub-clause shall not apply to NCT of Delhi.

#### **ARTICLE NO. V: Office Bearers of The Party-**

**A.** The following shall be the Office Bearers of the Party at various Levels:

- a. Primary Level  
President and Vice President
- b. Block Level  
President and Vice President
- c. District Level  
District Treasurer  
District Secretary
- d. State Level  
State President  
State Treasurer  
State Secretary
- e. National Level  
National President  
National Vice President  
National Secretary  
National Treasurer

**B. Power & Functions of the President:**

a. President shall be incharge of functioning of the Party at the concerned level.

b. President / Vice President at primary/block level and President at the District/State/National Level shall:

- i. Facilitate and organize the meeting of the Unit/Sabha
- ii. Chair the meeting of the respective Sabha/Council/Executive.
- iii. Implement and execute the decisions of the party and carry out all such work as assigned from time to time in consultation with Political affairs Committee at that level.

**C. Vice President :**

a. President shall be incharge of functioning of the Party at the concerned Level.

b. President/Vice President at Primary/Block Level and President at the District/State/National Level Shall:

- i. Facilitate and organize the meeting of the Unit /Sabha
- ii. Chair the meeting of the respective Sabha /Council/Executive.
- iii. Implement and execute the decisions of the party and carry out all such work as assigned from time to time in consultation with political affairs Committee at that level.

**D. Secretary :**

The Secretary shall be responsible :

- i. For managing the day to day affairs of the Secretariat at the concerned Level.
- ii. For maintaining records and keeping minutes of the meetings at the concerned Level.
- iii. Carrying out all such work as given to him/her by the Party from time to time.





Secretary at National Level shall represent Party for all legal purposes.

**E. District/State Treasurer :**

The Treasurer shall be responsible

- i. For maintaining the accounts at the concerned Level.
- ii. Follow all guidelines and instructions issued from time to time with respect to maintenance of accounts etc.

**F. National Treasurer :**

The National Treasurer shall ;

- i. Ensure that the accounts of the Party are properly maintained and are audited by an Auditor on the panel of CAG.
- ii. Ensure that all statutory compliances regarding accounts and party funds are duly made.
- iii. Ensure that audited annual accounts of the Party are submitted to the Election Commission of India within six months the end of the Financial Year.

**G. Term of the Office Bearers:**

No member will hold the same post as an office bearer for more than two consecutive terms of three years each.

**ARTICLE NO. VI: CODE OF CONDUCT, DISCIPLINE AND DISPUTE RESOLUTION -**

**A. Code of Conduct**

a. Every member of the Party shall abide by the following Code of Conduct:

- i. A member shall not engage himself in any immoral or illegal activity or such activity as would damage the party and/or tarnish the image of the Party and/or such conduct as would bring disrepute to it.
- ii. A member shall not undertake any activity, which is in violation of or is contrary to the objectives of the Party as set out in this Constitution or is contrary to the official policy of the Party.

iii. A member shall not violate any Rule made by the Party or disobey any direction given by it.

iv. Members, other than office bearers, shall be free to express their own opinion within and outside the party fora, unless there is a specific direction to the contrary by the party for a specified period. Mere expression of difference of opinion will not be considered as violation of code of conduct unless it violates the Objectives of the Party.

b. Without prejudice to the generality of the above, an office bearer must also:

i. Not involve himself/herself in any corrupt practices.

ii. Not have any pending criminal case of a crime involving moral turpitude or should not have been convicted of any such crime in the past.

iii. Not be a part of any organization which spreads disharmony on basis of religion or caste or promotes untouchability.

iv. Not engage in exploiting or ill treating woman.

v. Not indulge in drug addiction or drunken behavior.

vi. Make an annual declaration of his/her income and assets and that of his family honestly and correctly to the party.

## **B. Authorities for Disciplinary Action**

i. Complaints in respect of alleged violation of Article VI-A and any other matter including internal disputes, grievances etc. shall be dealt with by the Disciplinary Committees to be constituted by the National Executive at the National Level, State Level, District Level and below as per regulations framed by the National Executive.

ii. However, the disciplinary committee may if it so deems fit refer any complaint alleging violation of Article VI-A(a) (i) and VI-A(b) (vi) against office bearer, Members of Parliament/ State Legislature / Corporations/ Panchayats and Executive Members to the following :

National Level	Party Lokpal
State Level	Lokayukta
District Level & below	District Lokayukta

Any person aggrieved by the order or in action of the State or National Disciplinary Committee may also prefer an appeal to the Lokayukta or Lokpal respectively.

iii. The orders passed by the Lokayukta, District Lokayukta, Disciplinary Committees would be appealable to the next higher level in the hierarchy, No appeal shall lie against the order of the Party Lokpal. However, 3 person aggrieved by the order of the Party Lokpal would have the right to seek review of that order.

iv. The orders passed by the Lokpal/Lokayukta/District Lokayukta/ Disciplinary Committee shall be binding and shall be implemented within four weeks of the passing thereof.

v. The Disciplinary committee at the National Level, State Level and District Level shall comprise of three persons to be nominated by the National Executive/State Executive/ District Executive, as the case may be.

### **C. Penalties :**

Disciplinary action may result in penalties ranging from warning, suspension or expulsion from the party. No disciplinary action shall be taken against a member without giving an opportunity to that member to explain and answer the charges against him/her.

In case disciplinary action is proposed against a member of District or state Executive, the penalty will be imposed only after approval by the State or National Executive respectively.

D. Composition, Appointment/Reappointment and term of Party Lokpal/Lokayukta :

- i. The First Party Lokpal/Sate Lokayukta/District Lokayuktat each level shall be appointed by the National/State/District Executive as the case may be.
- ii. The Lokpal/Lokayukta shall be a body comprising of three persons, one of whom shall be an eminent jurist/eminent person from the legal field other members shall be eminent persons from different walks of life.
- iii. The terms of each Party Lokpal/Lokayukta member shall be three years. However, in so far as the first body constituted by the National/State/District Executive is concerned, members shall retire by rotation on a yearly basis starting from the end of the first year. The senior most in age will be the first to retire.
- iv. Every Party Lokpal/Lokayukta will be eligible for reappointed for a maximum of two terms.
- v. Vacancy caused by retirement/resignation/death of a Party Lokpal/Lokayukta shall be filled by nomination by the remaining and outgoing members of the body, if such vacancy is not filled up within four weeks or it is not possible to fill up the vacancy within four weeks for any reason what so ever, the vacancy shall be filled by nomination by the National Executive.
- vi. Lokpal will devise their own procedures and may lay down the procedure to be followed by Lokayukta and District Lokayukta. The procedure to be devised shall be fair and complaint with principals of natural justice.

#### **ARTICLE NO. VII : Rules for Conduct of Business -**

##### **A. MEETING :**

- i. The respective Presidents shall chair meetings of the National/State/District/Block/Primary Council/Executive . In the event of



the President not being available, the concerned body may elect a person to chair the particular meeting.

ii. Council at various Levels shall meet at least at the following intervals :

Primary Level : Once a month

Block Level : Once a quarter

District Level : twice a year

State Level : Once a year

National Level : Once a year

iii. Executive at various Levels shall meet at least at the following intervals :

District Level : Once a month

State Level : Once a quarter

National Level : Once a quarter

iv. If required a meeting of a Council/Executive may be requisitioned by 1/3rd of the members of the concerned Council /Executive

## **B. QUORUM**

Quorum for all meetings shall be one third of the strength of the concerned body. If the Quorum is not complete at the appointed time, those assembled will wait for a maximum period of 30 minutes. If the required Quorum is still not available, the meeting shall be adjourned. A new meeting will then be convened and there shall be no need of a quorum for a meeting that was adjourned due to want of quorum.

There will be no requirement for a Quorum in case of Emergency or Extraordinary meetings. However resolutions passed in such meetings shall be required to be ratified in the next ordinary meeting of the concerned body.

## **C. NOTICE**

i. The notice period for Ordinary meetings of the various bodies shall be as under :

Body	Days
Primary Unit	2
Block Level	2
District Council	21
District Executive	2
State Council	21
State Executive	2
National Council	21
National Executive	2

ii. Emergency meetings of the District/State/National Executive may be convened by the concerned President by giving such notice as deemed fit. The above time periods would not be applicable for such meetings.

iii. Members may attend meetings of the District/State/ National Executive either in person or via video/teleconference.

#### **D. Decision Making**

All decisions at all Levels in any meetings shall be taken by consensus, failing which by a majority vote. However, approval of 2/3<sup>rd</sup> of members, present and voting, will be required for a resolution for amendment of the party Constitution and/or decision to merge, slit or dissolve.

#### **E. Minutes**

The party shall maintain Minutes of all the Meetings of all its Council/Executive/Committees.

### **Article VIII: Party Funds and Accounts**

#### **A. Collection of Funds**

i. Funds shall be collected by means of membership fee, voluntary donation, sale of party material, cultural programs etc.



ii. Only such person as are authorized by the respective Executive, shall receive the funds.

**B Donation and Membership Receipts**

i. Funds collection receipts will be printed at the national and State Levels only.

ii. Each receipt will be duly numbered and issued in books containing receipts as prescribed from time to time.

**C Bank Account**

i. The party shall open such number of bank accounts and at such places as considered necessary.

ii. There shall be three authorized signatories for each Bank Account namely the Treasurer and two persons authorized by the National/State Executive. The account may be operated by any two of the three authorized signatories. However, one of them must be Treasurer.

iii. All receipts shall be deposited in the bank accounts of Party and all expenses shall be routed through such bank account.

iv. Notwithstanding the above, in the event of special accounts being open for any parliamentary/assembly constituency elections, there shall be three authorized signatories for operating such accounts who shall be nominated by the National/State Executive.

**D. Utilisation of Funds**

i. The funds received by the party shall be utilized for meeting the political objectives of the party.

ii. The funds shall be utilized by the concerned Executive. The National Executive may frame regulations governing the utilization of funds.

iii. The account shall be maintained on accrual basis. The Details of all donations and expenses will be made transparent.

**ARTICLE NO. IX. AMENDMENT OF CONSTITUTION-**



This constitution, barring Article II-D there of, can be amended by the National Council provided that the amendment has the approval of 2/3 of its members present and voting after due notice to all the members. For this purpose a meeting of the National Council shall be convened with in 30 days of a resolution for amendment bearing the signatures of at least 10% members of the National Council being received.

The National Executive shall also have the power to alter and amend this constitution. Quorum for such National Executive meeting shall be two thirds of its Strength. The amendment so made by the Executive shall become National Council. However, the power of amendment cannot be exercised in a manner so as to bring the amended Constitution in conflict with the statutory provisions or guidelines issued by the Election Commission of India.

#### **ARTICLE NO. X: Merger Split and Dissolution-**

i. Decisions regarding merger, split and dissolution shall be taken at a plenary session comprising of all office bearers, members of all organs at every level and Members of Parliament, State Legislature, Corporations and Panchayats.

ii. The quorum for the meeting of the Plenary Session shall be 50% of the persons entitled to participate in the Plenary Session.

iii. A resolution in respect of merger or split of dissolution to be effective shall require the approval of at least 2/3 of the persons present an voting.

#### **ARTICLE NO. XI :INTERPRETATION OF THE CONSTRUCTION**

The National Executive alone shall have the power and authority to interpret this Constitutions and the regulations framed there under. The Decision of the National Executive in respect of above shall be final and binding unless it is overturned by the National council in its next meeting.

#### **ARTICLE XII. MISCELLANEOUS PROVISIONS**





- i. No person shall be a member of two Executives.
- ii. If someone is member of any Executive Committee of the Party, then none of his or her Immediate family members can become a member of any Executive of Party.
- iii. Two persons from the same family will not be given nomination for contesting elections by the Party.
- iv. Any member who does not attend 3 successive meeting of any council/Executive without prior intimation of his or her absence shall cease to be a member of the Council/Executive on passage of resolution to this effect.
- v. The National Executive will frame Regulations for filling the vacancies caused by resignation, expulsion or death of a member of an Executive/ Council.
- vi. The National Executive will lay down norms and special arrangements to be put in place for merger of new organization or parties with in the party.
- vii. The party will not in any manner promote or instigate or participate in violence.
- viii. The Party shall contest election conduct by Election commission with in 5 years of registration and shall continue to do so there after.

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