

CONSTITUTION

OF

NAYAK YUVA KRANTI PARTY



NAYAK YUVA KRANTI PARTY
65, Shankar Nagar, Krishna Nagar
East Delhi- 110051

CONSTITUTION OF

NAYAK YUVA KRANTI PARTY (NP)

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CONSTITUTION OF

NAYAK YUVA KRANTI PARTY (NP)

Article 1: Name of the Party:

The name of the Party shall be "Nayak Yuva Kranti Party", hereinafter called 'the Party'. Its headquarters shall be located at East Delhi.

Article 2: Objectives:

The Party shall bear true faith and allegiance to the Constitution of India as by law established and stand committed to the values as enshrined therein, especially in its preamble. More specifically, the Party aims at :

- i. Stimulating, promoting and strengthening the spirit and forces of nationalism and vigilantly preserving the Indian national identity, with special emphasis on the egalitarian and secular ethos of the Indian Republic and combating fundamentalism and sectarianism of all shades;
- ii. Maintaining the unity and integrity of India by building up on the concept of unity in diversity and by strengthening federalism and decentralisation of power consistent with the Gandhian concept of taking it right down to the village level;
- iii. Promoting economic growth and prosperity through competition, self-reliance, individual initiative and enterprise with emphasis on equity and social justice;
- iv. Strengthening the Rule of Law and Constitutional Order based on Parliamentary and participatory democracy;
- v. Empowerment of the weaker sections through affirmative actions in favour of the disadvantaged sections of the society. The Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Women and the Disabled;

- vi. Promoting science and technology, including by drawing upon traditional indigenous know-how and constantly adapting the same to the changing needs of modern Indian society; monitoring the application of science and technology so adapted, immediately for the overall betterment of the people and ultimately for generation, amongst them, of the spirit of inquiry and scientific temper;
- vii. Strengthening the forces of peace within the country and in the world; attempting to secure universal, non-discriminatory disarmament; maintaining an independent Indian position and identity in world affairs; and committing to resolving international conflicts through a strengthened and truly representative United Nations;
- viii. Ensuring institutionalised and democratic functioning of the Party at all levels by encouraging free exchange of views and permitting the members of the Party to make their best individual contribution to enrich the lives of the people in all spheres;

Article 3: Flag

The flag of the Party shall be Tricolour with saffron on the top, white at the middle and green at the bottom, each piece rectangular in shape. The length of the flag shall be one and a half times to its width. The wider side of the white portion shall touch both the top and bottom ends of the flag near the mast, the wider sides of the other pieces being, on the opposite sides. The hand with book shall be printed boldly in saffron colour on the middle side of the white portion.

Article 4: Election Symbol:

The Election symbol of the Party shall be the 'Praying Hand' as shown above.

Article 5: Constituents:

The party will include the National convention and its

special sessions and

- i) Nayak Yuva Kranti Party National Committee NP - NC
- ii) Nayak Yuva Kranti Party Working Committee NP - WC
- iii) Nayak Yuva Kranti Party State Committee NP - SC
- iv) Nayak Yuva Kranti Party Union Territory Committee NP - UTC
- v) Nayak Yuva Kranti Party Regional Committee NP - RC
- vi) Nayak Yuva Kranti Party District Committee NP - DC
- vii) Committees subordinate to the District Committees like Block/
Constituency Committees and such other Committees as may be
determined by the State Committee.
- viii) All abbreviations of the names of Party Committees occurring in the
constitution such as NC, WC, SC, UTC, RC, DC, CC, AC, CDC, TC, PC
and UC may be read as NP-NC, NP-WC, NP-SC, NP-UTC, NP-RC, NP-
DC, NP-CC, NP-AC, NP-CDC, NP-TC, NP-PC and NP-UC.

Explanation-

- i). The area of the SC and UTCs shall be the same as those of the state and union territories as spelt out in the Constitution of India.

The Headquarters of these Committees shall also be those of these States and Union Territories unless changed by the SCS with the prior approval of the Nayak Party Working Committee (WC);

- ii) The WC may, after consulting the concerned SCs, re- demarcate their areas including by their abolition or their full/ partial mergers;
- iii) The W.C. can in consultation with the SCs concerned, constitute Regional Committees of the Party Whenever it deems necessary for the party to do so in order to strengthen the organisational functioning there.

The area of Regional Committee will be demarcated by the WC. The Regional Committees will be subordinate to the State Committee in all matters except in the affairs connected with elections to the Metropolitan City, Corporations and other local bodies and the functioning of the members of those local bodies within the region.

The District Committees within the jurisdiction of the Regional Committees will be subordinate to the Regional Committees and will function under the guidance and supervision of the Regional Committees.

The President of the Regional Committee shall be the Vice President of the State Committee.

- iv) The area and headquarters of District Committees shall be such as may be determined by the WC, after consultation with SCs. Those of other sub-State level Committees may be determined by the concerned SC.

Article 6: Membership/Active Membership :

- i) Any person to become a primary member of the Party shall fulfil all the following conditions:
 - (a) should be of the age of 18 years or above;
 - (b) should accept and subscribe in writing in Form-A to the objectives of the Party as spelt out in Article 2;
 - (c) should pay a triennial membership fee of Rs 25/- Only
 - (d) should not be a member of any other political party, communal or other, which has separate constitution, membership and programme.
- ii) No person shall be eligible to become a primary member of the Party except at his/her permanent place of residence or where he/she carries on his/her usual vocation;
- iii) No person shall be a member at more than one place;

- iv) A member shall not change his/her place of membership except on representation given in writing to the concerned designated authority at the District or State level and on the acceptance of such representation;
- v) The term of membership, primary or active (mentioned below) shall be from the first of January of the year or from the date of enrolment as member upto 31st of December of the subsequent third year;
- vi) Permanent Register of primary members shall be maintained, within their jurisdiction, by every Block/Constituency or other Subordinate Committee, copies thereof being sent to District Committee concerned as per prescribed rules;
- vii) Renewal of primary membership shall be deemed to have been completed by depositing the membership subscription; together with the application for renewal of membership.
- viii) The triennial subscriptions paid by primary and active members shall be distributed in the following ratios between the various Committees:

NC.	10%
SCs	25%
District Committees	25%
Other Subordinate Committees	40%

The SC concerned shall determine the proportional distribution of 40% share of primary and active membership subscriptions amongst Sub-District Subordinate Committees.

Active Membership:

- ix) The following categories of persons who are primary members are eligible to be active members on enrolling 10 primary members triennially:

(a) Members of the Panchayats, Block, Development Committees, Zila Parishads, Notified Area Committees,

Town Area Committees, Municipal Corporations, other local bodies, Metropolitan Councils, State Legislatures and Parliament;

(b) Those who are actively connected with such organisations as are recognised for the purpose by the WC;

(c) Freedom Fighters who have undergone imprisonment or were externed or were underground or were penalised for participating in freedom movement;

(d) Any person who has been a primary member for two consecutive terms

(e) Any other person approved by the President of the Party.

(f) Every Active Member shall pay Rs.25/- towards the fee for active membership as well as Rs. 100/- collected from the 10 Primary Members enrolled by him alongwith the application for active membership.

x) Every active member shall make a declaration in Form-B under his/her signature and fulfil the conditions mentioned therein;

xi) Every active member shall undergo a minimum training as may be prescribed by the WC;

xii) Unless, he/she undertakes to undergo the minimum training mentioned above, no active member shall be entitled to contest for elections to the Party posts or to the Parliament, State legislative assembly or Metropolitan Council or local bodies on party tickets.

xiii) No person shall be selected for election on Party ticket to the Parliament, State Legislatures and local bodies unless he/she is an active member;

xiv) Active membership may be renewed on the approval of membership renewal application in Form-C duly filled in and authenticated;

- xv) (a) Permanent Register of active members shall be maintained by the District/City Committees. A copy of the Permanent Register duly certified by the District/ City Committee President shall be made available to the SC. The District/City Committee will issue identity cards with photographs of the members pasted on the cards under signature of the President of the concerned District/City Committee and of the concerned SC
- (b) The SC shall supply a duly certified copy of the Permanent Register of active members within their jurisdiction to the office of the WC and keep it informed of any changes therein from time to time;
- (c) The Register shall contain the full name, address, age, occupation, place of residence and date of enrolment of every member;
- (d) Membership shall cease by death, resignation, removal or non-payment of contribution and non-renewal of membership;
- xviii) Each active member shall contribute to the Party Fund certain percentage of his/her income, as prescribed in the rules by the wc.

Article 7: Term of the Party Committees:

- i) The term of every Committee of the Party and of its office bearers and members shall ordinarily be three years;
- ii) The meetings of the District Committees and the SCs shall ordinarily be held within the time frame as prescribed in rules;

Article 8: Reservation for Women, Scheduled Castes, Scheduled Tribes, Other Backward Classes and Minorities;

- (i) 33% of the seats in different Party Committees shall be reserved for women;

- (ii) Not less than 20% of the Seats shall be reserved in different Party Committees for Scheduled Castes, Scheduled Tribes Other Backward Classes and Minorities.

Article 9: Constitution and Jurisdiction of Subordinate committees

The constitution and jurisdiction of the committees subordinate to District Committees like Block/Constituency Committee, Panchayat/ Town area or City Division Committee/Primary Committee will be decided by the State Committee as per the Rules of the Party.

Article 10: District Committees

A district Committee shall cover an area prescribed by the SC in its Constitution and shall consist of:

- (i) Six members elected by secret ballot by each Block/ Constituency Committee as per rules prescribed by WC;
- (ii) All ex-Presidents of the District Committee who have completed a term of 365 days and have continued to be active members;
- (iii) Members of the SC who reside in or have been elected from the district;
- (iv) Presidents of the Constituency/ Block Committees, provided that they shall not be eligible to become either President or Secretary of the District Committee;
- (v) Members of the Legislature Parties of the Nationalist Congress Party, both Central and State, from the district, provided that they are active members;
- (vi) Leaders of the Party in Municipal Corporations, Municipalities and District Boards/Zilla Parishads or Janpads in the District, provided that they are active members;
- (vii) Members co-opted by the District Committee as per rules prescribed by the WC.

- (viii) The District Committee shall elect from among its members an executive committee consisting of 15 members including the President and other Office Bearers.

Article 11: Regional Committees of NCP

Regional Committees of NP will have jurisdiction over the area demarcated by the Working Committee and shall consist of:

1. Delegates elected to the State Committees from each of the Constituency Committees within the region.
2. All Ex-presidents of the Region who have completed a term of 365 days and continue to be active member of the Party.
3. Members of the Working Committee who reside within the region.
4. Presidents of Constituency/Block Committees in the region.
5. Members of the Legislature parties of NP both in the Parliament and in the Assembly from the Region.
6. Leaders of the Municipal corporations, Municipalities, Zila Parishads and District Councils of the Party.
7. Members co-opted by the Executive Committee of the Region from special elements not adequately represented and others in accordance with the rules of the Party.

All the members except the co-opted members will have the right to vote but only the delegates elected from constituency/Block Committees will be eligible to be elected as President or as other office bearers of the party.

The Regional Committee shall elect from among its members an Executive Committee consisting of 21 members including the President and other office bearers.

Article 12: Nayak Yuva kranti Party State Committee:

The State Committee shall consist of :-

1. Delegates elected from the constituency/Block Committees according to the number of voters in the Assembly Constituency as hereunder:

Constituencies with a voters' strength of 50,000 and below electing one delegate and those with a voters' strength above 50,000 and upto 1,00,000 electing two delegates and those with a voters' strength of above 1,00,000 electing three members.

The constituencies that come under the three categories will be decided by the State Committee on the basis of the number of voters in the voters list of each constituency.

An Active member ordinarily residing or having his/her place of business, occupation or profession within the area of the S.C. would be eligible to be a candidate for election as delegate from any Assembly/Block Committee within the area of the said SC provided that

(a) Conditions and conduct of elections will be in accordance with the rules prescribed by the WC;

(b) In the following States and Union Territories, the number of elected members of the SC/UTC shall be equal to the number of Members of the State/Territorial Legislative Assembly:

- (1) Arunachal Pradesh, (2) Goa, (3) Manipur, (4) Meghalaya,
- (5) Mizoram, (6) Nagaland, (7) Pondicherry, (8) Sikkim and
- (9) Tripura

- (c) From the UTCs of Andaman Nicobar islands, Dadra- Nagar- Haveli, Daman and Diu, Lakshadweep and Chandigarh Territories, there shall be twenty five members each;
- (ii) Ex-presidents of the SC who have completed a term of 365 days and who continue to be Active members;
- (iii) Presidents of the District Committees provided that they shall not be eligible to become either President or Secretary of the SC;
- (iv) WC members who reside in the State;
- (v) Members elected by the Legislature Party of the Nationalist Congress Party at the rate of 5% of the number of SC/UTC members subject to a maximum of 15;
- (vi) Members who are co-opted by the SC from special elements not adequately represented and others in accordance with the rules prescribed by the WC.
- (vii) The State Committee shall from amongst its members elect an Executive Committee consisting of 10% of the total number State Committee members in each state subject to a minimum of 21 members including the President and other Office Bearers.
2. Every member of the SC shall pay an annual fee of Rs. 100.00 of which Rs. 35.00 shall be remitted to the WC as delegate fee and shall collect Rs. 100.00 for the Party Fund triennially within 3 months of his/her election to the SC and deposit it with it and obtain a receipt thereof;
3. He/she shall receive a certificate duly signed by a Secretary of the SC that he/she is a member and has collected Party Fund

Any member, who fails to pay subscription or collect the fund within the period stipulated, shall forfeit the right to exercise the functions of a member including the right to attend any meeting of the SC till such dues are cleared. The SC shall forward to WC Office a certified list of such Members not later than the date fixed by the WC in that behalf;

Note: The SC will decide the proportion in which the Party Fund may be distributed among Subordinate Committees of the Party.

4. Every SC shall coordinate the activities of specialised Committees and shall:
 - (i) Ordinarily function through the District Committees;
 - (ii) Subject to the general supervision and control of the WC, be in-charge of the affairs of the Party Committees within its own area and to that end frame its Constitution, not inconsistent with this Constitution, which shall come into operation only with the previous sanction of the WC;
 - (iii) Submit to the WC annual report of the work done by the Nationalist Congress Party Organisation in the State including audited balance sheets;
 - (iv) Pay to the WC before a date to be fixed by it, the share due to it out of the members' fees vide Article 6(viii) and clause 2 above.
5. The State which has not completed the formation of the State Committee on or before the date fixed by the Working Committee, may, at the discretion of the W. C., be disentitled to be represented at the National Convention. But the W. C. may as a special case, allow the existing delegates to the National Convention from any particular State to participate in the

National Convention of the Party provided that they are satisfied that the process for election of new delegates cannot be completed before the National Convention.

In such cases the WC may, on the request of the concerned State/Regional or Territorial Committee, extend the time for the completion of election in that unit.

6. The WC may suspend any SC on its failure to function in terms of the Constitution or in accordance with its direction and form an adhoc committee to carry on the Party's work in State;

7. Each SC/UTC shall in accordance with the directions/guide- lines issued by the WC constitute a Trust for holding immovable properties belonging to itself and also the properties belonging to other Committees, namely, District Committees, Block Committees and other Subordinate Committees. The number of trustees on the Board of Trustees of the said Trust shall not be less than 5 and not more than 9 including the Chairman and other ex-officio Trustees. The Board of Trustees shall be appointed by the SC/UTC and shall comprise of persons as approved by the WC. The President of the SC/UTC shall be the Chairman officio of the Trust. The Treasurer of the WC and General Secretary In-charge of the concerned SC/UTC Shall be ex-officio members of the Board. The term of the Board of Trustees other than the Chairman and the two ex-officio Trustees shall be three years. The properties shall be held in the name of the said Trust and if that be not possible in certain case/ cases, then in such manner as directed by the WC.

Article 13: Delegates to the National Convention

All members of the State Committee shall be delegates to the National Convention of the Party

Article 14: Nayak Yuva Kranti Party National Committee (NP-NC)

1. The National Committee of the Party shall consist of :-
 - (i) One tenth of the number of members of the SC elected by them from amongst themselves by proportional representation according to the system of single transferable vote, provided that the number is not less than five; however four members each shall be elected from Chandigarh, Andaman Nicobar, Dadra Nagar Haveli, Daman & Diu and Lakshadweep UTCS;

- (ii) President of the Nayak Yuva Kranti Party
- (iii) Ex-Presidents of the Party who have completed a term of 365 days and have continued to be Active members of the Party;
- (iv) Presidents of the SCs, provided that they shall not be eligible to become office-bearers of the N.C.
- (v) Leader of the Nayak Yuva Kranti Party in Parliament;
- (vi) Leaders of the Nayak Yuva Kranti Party in the Legislatures and Leaders of the Councillors in Union Territories and Metropolitan Councils;
- (vii) 15 members elected by the Nayak Yuva Kranti Party in parliament according to the system of single transferable vote;
- (viii) Members co-opted by the WC from special elements not adequately represented and others in accordance with the rules prescribed by it;

2. (i) The President of the Nationalist Yuva Kranti Party, shall be the President of the N. C.;

(ii) The NC shall arrange for the implementation of the programme of the work laid down by the Party and shall have powers to deal with matters and situations that may arise during its term of office;

(iii) The NC shall have power to frame rules, not inconsistent with this Constitution for regulating all matters connected with the Party which shall be binding on all subordinate Party Committees;

(iv) The NC shall meet as often as required by the WC but not less than twice a year, or on a joint requisition addressed to the WC by not less than 20% of the total 4 number of NC members having full voting rights. Such requisition shall specify the purpose for which the requisitionists desire a meeting of the NC. A requisitioned meeting shall be held within two months of the receipt of the requisition provided that not more than one requisition can be moved in one year. At any requisitioned meeting, additional items of business may be brought up by the WC for consideration;

- (v) At all the meetings of the NC, other than requisitioned meetings, at least two hours shall be allotted for consideration of propositions of which due notice has been given by the members of the NC in accordance with the rules prescribed in that behalf;
- (vi) One hundred or one-fifth of the total number of members, whichever is less, shall form the quorum for the NC meeting;
- (vii) Every member of the NC shall pay an annual subscription of Rs.100/- and collect Rs. 200/- for the Party Fund within three months of his/her election to the NC and deposit it with the NC and shall obtain a receipt thereof. He/she shall receive a certificate of membership, duly signed by one of the Secretaries of the NC. Any member who fails to pay subscription or collect the fund within the period stipulated, shall forfeit the right to take part in any of the meetings of NC, Subjects Committee or any National Convention till such dues are cleared up;

Note: A member of NC need not collect fund for the SC also.

Article 15: Co-opted Members:

The Working Committee and Executive Coinmittee at the State level and the concerned Executive Committees at the lower levels may co-opt upto 15% of the total membership of the NC, Sc and other lower committees respectively as per rules Prescribed by the WC. The co-opted members at the NC, SC and lower levels shall not exercise any voting right in any organisational election, nor shall they contest any election in the organisation. However, no person who is a co-opted member shall be debarred for that reason from seeking election to full membership of any Committee in the normal manner.

Article 16: Ex-Officio Members:

All members of the Nationalist Yuva Kranti Party belonging to Panchayat/Nagar Palikas, Legislative Assemblies, Legislative Councils, Lok Sabha/Rajya Sabha shall be ex-officio Members of the Party Committees at the corresponding levels of the party.

A) Any member of any higher committee of the Party who resides within the jurisdiction of any committee subordinate to that committee or elected by any committee to any higher committee, shall be member of that lower committee and will have full rights and privileges as any other member of the concerned committee.

Article 17: Subjects Committee:

(i) The NC shall meet as the Subject Committee under the Chairmanship of the President prior to the National Convention.

The WC or in case a new President has been elected before the National Convention and there is no WC appointed by him/her functioning, a Steering Committee appointed by the President shall submit to the Subjects Committee the programmes of work including draft resolutions for the National Convention. The draft resolutions shall be made available to the members of the Subjects Committee/NC at least two weeks before the meeting. While drafting the resolutions, the WC or the Steering Committee shall take into consideration the resolutions recommended by the SCs and resolutions given notice of by the members of the NC;

(ii) The Subjects Committee shall proceed to discuss the programme and shall frame resolutions for being moved in the Open Session. As far as possible, four hours shall be allotted for the consideration of propositions of which due notice has been given by the SC or the members of the NC.

Article 18: National Convention:

- (i) A National Convention of the Party shall ordinarily be held once in three years at the time and place decided upon by the WC or the NC as the case may be;
- (ii) The National Convention shall consist of the President of the Party and all other delegates;
- (iii) (a) A National Convention shall consider resolutions recommended to it for adoption by the Subjects Committee in the first instance;

(b) Thereafter the Convention shall take up any substantive motion not included in (a) above but which 100 delegates have before the commencement of the day's sittings, requested the President in writing to allow them to place before the Convention; provided, however, that no such motion shall be allowed unless it has been previously discussed at the Subjects Committee and received the support of at least a third of the members then present at the Subjects Committee Meeting;
- (iv) The SC in whose jurisdiction the Convention is held shall make such arrangements for holding the Convention as may be deemed necessary and for that purpose shall form a Reception Committee which shall work under its general guidance and which may also include therein persons who are not its members;
- (v) The Reception Committee shall elect its Chairman and other Office Bearers from amongst its own members;
- (vi) The Reception Committee shall collect funds for the expenses of the Convention and shall make all necessary arrangements for the reception and accommodation of delegates. It may also make necessary arrangements for the visitors:

- (vii) The receipts and disbursements of the Reception Committee shall be audited by an auditor or auditors appointed by the SC, and the Statement of Accounts together with audit report shall be submitted by the SC to the WC within six months of the conclusion of the National Convention. Any surplus funds remaining with Reception Committee shall be divided equally between the NC and the SC.

Article 19: Special National Convention:

- (i) A Special National Convention of the Party shall be held in case the NC so decides or if majority of the SCs through their resolutions request the President of the Party to convene such a Convention.
- (ii) Such a Convention shall be organised by the SC selected for holding the same.

Article 20: Election of the President:

- (i) The Chairman of the Central Election Authority will be ex- officio Returning Officer for the election of the President;
- (ii) Any ten delegates may jointly propose the name of any delegate for election as President of the Nayak Yuva Kranti Party. Such proposals must reach the Returning Officer on or before the date fixed by the WC;
- (iii) The Returning Officer shall publish the names of all persons so proposed and it shall be open to any person whose name has been so proposed to withdraw his/her candidature within seven days of publication of the proposed names by writing to the Returning Officer to that effect;
- (iv) After eliminating the names of those who have withdrawn, the Returning Officer shall immediately publish the names of the remaining candidates and circulate them to the SCs. If after elimination, there remains only one candidate, he/she shall be declared duly elected as President of the Party;

- (v) On a date fixed by the WC which shall not ordinarily be less than seven days after the final publication of the names of the contesting candidates, each delegate shall be entitled to record, for the election of a President, his vote in the following manner: On the voting paper which shall exhibit the names of the candidates, the delegate shall, if there are only two candidates, record his/her vote for one of them. If there are more than two candidates, the delegate shall record at least two preferences by writing the figures 1, 2 etc., against the names of the candidates voted for. In such a case, he/she may give more than two preferences but any voting paper showing less than two preferences will be regarded as invalid. The voting paper shall be deposited in a ballot box provided for the purpose;
- (vi) The SCs shall immediately forward the ballot boxes to the NC.
- (vii) As soon as may be after the receipt of the ballot-boxes, to the Returning Officer shall count the votes of the first preferences recorded for each candidate. If a candidate secures more than 50% of the votes of the first preferences, he/ she shall be declared elected as President. If no candidate secures more than 50% of the first preferences, the candidate who secures the smallest number of first preferences shall be eliminated and the second preferences recorded by the voters who gave him/her the first preferences shall be taken into account in counting the votes of remaining candidates. In this counting, the candidate who secures the smallest number of votes shall be eliminated. By this process of eliminating the candidates who secure the smallest number of votes in subsequent counting after the transfer of votes according to recorded preferences, the candidate who secures more than 50% of the votes shall be declared elected as President;

- (viii) In the event of any emergency by reason of any cause such as the death or resignation of the President elected as above, the senior most General Secretary will discharge the routine functions of the President until the WC appoints a provisional President pending the election of a regular President by the NC;
- (ix) The President shall preside over the National Convention of the Party held after his/her election and during his/her term of office, he/she shall exercise all the powers of the WC when it is not in session.

Article 21: Nayak Yuva Kranti Party Working Committee (NP-WC)

- (i) The WC shall consist of the President of the Party, Leader of the Party in Parliament and 23 other members, of whom 12 members will be elected by the NC, as per rules prescribed by the WC and the rest shall be appointed by the President. The President shall appoint a Treasurer and one or more General Secretaries from amongst the members of the WC. The President will have power to appoint one or more Secretaries/Joint Secretaries from elected members of the NC. The Secretaries/ Joint Secretaries will discharge the duties as may be assigned to them by the President. Ordinarily, Members of the WC will be appointed from amongst the members of the NC but in special cases, delegates who are not members of the NC may be appointed, provided however that a delegate so appointed shall cease to be a member of the WC if he/she is not elected as member of the NC within six months of appointment;
- (ii) The quorum for a meeting of the WC shall be eight;

- (iii) The WC shall be the highest executive authority of the Party and shall have the power to carry out the policies and programmes laid down by the Party and by the NC and shall be responsible to the NC. It shall be the final authority in all matters regarding interpretation and application of the provisions of the Constitution;
- (iv) The WC shall place before every meeting of the NC a report of the proceedings of the previous meeting of the NC and also the agenda of business for the meeting and shall allot time for non-official resolutions of which due notice may have been given by the members of the NC in accordance with the rules prescribed on tilat behalf;
- (v) The WC may appoint, subject to (vii) below, one or more auditors or inspectors or other officers to examine the records, papers and account books of all Party Committees and Organisations. It shall be incumbent on all such Committees and Organisations to furnish all the required information to the audi tors, inspectors or other officers and to give them access to alloffices, accounts and other records;
- (vi) The WC shall have the power:
 - (a) To frame rules for the proper working of the organisation. Such rules shall, as early as possible, be placed for the consideration of the NC;
 - (b) To issue instructions not inconsistent with the Constitution and frame rules in all matters not otherwise provided for;
 - (c) To superintend, direct and control all SCs/UTCs and Subordinate Committees as well as the Reception Committees;
 - (d) To take such disciplinary action as it may deem fit against a Committee other than the NC or an individual;
 - (e) In special case, to relax application of provisions under Article 6(i), (ix) and (x); and Article 9(ii) and (iii).

- (vii) The WC shall have the accounts of the NC audited annually by an auditor or auditors appointed by the NC every year;
- (viii) The WC shall fix the date by which the formation of Subordinate and District Committees, SCs and NC shall be completed.
- (ix) The WC shall constitute a Trust for holding immovable properties belonging to the NC. The Board of Trustees of the said Trust shall be appointed by the WC and shall comprise of not less than five and not more than nine Trustees including the Chairman and other ex-officio Trustees. The President of the Party shall be the ex-officio Chairman of the Trust and the Treasurer of the NC and the General Secretary in-charge of the administration of the NC shall be ex-officio members of the Board. The term of members of the Board of Trustees other than the Chairman and the two other ex-officio Trustees shall be three years. The properties shall be held in the name of the said Trust and if that not be possible in certain case/cases, then in such manner as directed by the WC;
- (x) To meet any special situation, the WC shall have the power to take such action in the interest of the Party as it may deem fit; provided however that if any action is taken which is beyond the power of the WC as defined in this Constitution,

it shall be submitted as early as possible to the NC for ratification but not later than six months.

Article 22: Treasurer:

The Treasurer shall be in-charge of the funds of the Party and shall keep proper accounts of all the investments, income and expenditure.

Article 23: General Secretaries:

- (i) Subject to the general control of the President, the General Secretaries shall be in-charge of the office of the NC;
- (ii) The General Secretaries shall be responsible for the preparation and publication of the report of the proceedings of the National Convention including its audited accounts, as soon as possible after the Convention;
- (iii) The General Secretaries shall prepare report of the work of the NC and the WC including an audited statement of Accounts for the period since the last submission of such a report and submit the same to the first meeting of the NC held before the National Convention of the Party.

Article 24: Scrutiny of Membership:

The Central Election Authority shall arrange for scrutiny of membership through the State Election Authority. Appeals regarding scrutiny of members will be disposed of by the State Election Authority. The State Election Authority will appoint Scrutiny Committees at the appropriate levels.

Article 25: Election Disputes:

The State Election Authority will take such steps as necessary to conduct the organisational elections in a free and fair manner. Any election dispute shall be adjudicated by the State Election Authority. All appeals against the decisions of the State Election Authority shall be disposed of by the Central Election Authority.

Article 26: Election Machinery:

- (i) The WC shall set up a Central Organisational Election Authority of the NC comprising of not less than three nor more than five members, one of which will be Chairman of such Authority.

Apart from conducting the organisational election, the Authority will also supervise and oversee enrolment of members for organisational elections. The Authority will also finalise the calendar of elections starting from enrolment of members upto the stage of completion of elections;

- (ii) The Chairman of the Central Election Authority will be the Ex- officio Returning Officer to conduct elections to the Offices of the Party President and the members of the Working Committee. The Ex officio Returning Officer shall not be eligible to contest the elections, for any post or office of the party for which he is conducting elections. But nothing shall prevent him from being nominated to any office or post of the party.
- (iii) The Central Election Authority shall appoint a State Election Authority at State level comprising of not less than three and not more than five members, one of which will be the Chairman of the Authority. The term of office of the Election Authority will be three years. The Central Election Authority shall appoint the State or Territorial Returning Officer;
- (iv) For the smooth conduct of the organisational elections, the Central Election Authority will make necessary rules and regulations;

- (v) The State Returning Officer shall conduct the Party elections in the State. He/she shall, in consultation with the Executive of the SCs or UTCs and District Committees, appoint District Returning Officers and

such other officers as may be necessary for the proper conduct of elections in the State or Territory. He/she shall also perform such other functions as are allotted by the Central Election Authority from time to time;

- (vi) The State Returning Officer shall hold office ordinarily for one term but will continue till a new State Returning Officer is appointed or is removed from office in accordance with the rules framed in this behalf by the Central Election Authority.

Article 27: Parliamentary Board

The WC shall set up a Parliamentary Board consisting of the President and nine other members, one of whom will be the Leader of the Nationalist Congress Party in Parliament, for the purpose of regulating and coordinating the Parliamentary activities and shall frame rules in that behalf.

Article 28: Election Committees :

- (i) A Central Election Committee shall be set up consisting of the members of the Parliamentary Board and nine other members elected by the NC for the purpose of:
 - (a) Making the final selection of candidates for the State Legislatures and the Parliament;
 - (b) Conducting Election Campaigns;
- (ii) The State Election Committee shall consist of the President of the SC/UTC. The Leader of the N.P. Legislature Party or in case of Union Territory, the leader of the Nationalist Congress Party in the Assembly/Metropolitan Council and not more than ten and not less than four other members, who shall be elected by the General Meeting of the SC or the UTC.

If the members of the Committee are elected by two-third majority of members present they shall be declared elected. The voting for such an

election shall be by ballot and on each ballot paper the voter shall have to record as many votes as there are members

to be elected to the Committee. In case a two-third majority is not secured by each of the members to be elected, there shall be a fresh election by the system of single transferable vote. The President of the SC or UTC shall be ex-Officio Chairman of the State or Territorial Election Committee;

- (iii) The State or Territorial Election Committee, constituted in the above manner, shall recommend candidates for the Parliament and the State Legislatures to the Central Election Committee;
- (iv) The Central Election Committee shall frame necessary rules to give guidance to the State Election Committee in regard to selection of candidates and other matters related to the conduct of elections.

Article 29: Vacancies :

- (i) The office of a delegate or a member of any Committee or Board constituted under this Constitution shall be vacated by resignation, removal, or death;
- (ii) All vacancies shall, unless otherwise provided for, be filled in the same manner in which the vacated member was chosen and the member so elected shall hold office for the unexpired term of the seat vacated;
- (iii) In the absence of any provision to the contrary, a Committee or Board, once it is properly constituted shall not become invalid by reason of any vacancy on it.

Article 30: Cells and Departments

- (i) The President of the Nayak Yuva Kranti Party may create Cells/Departments to discharge responsibilities as assigned to such cells.
- (ii) Chairman of such national cells/departments may appoint chairmen and members of cells/departments at the state level in consultation with the SCs.
- (iii) The Labour Cell shall organise a Central Trade Union for labourers to strengthen the labour movement as well as to widen the mass base of the party. They may adopt their own constitution which may incorporate the principles and aims set forth in Article 2 of the Party Constitution.
- (iv) The Kisan Cell shall organise a Central Kisan organisation to strengthen the Kisan movement as well as to widen the mass base of the party. They may adopt their own Constitution which shall incorporate the principles and aims set forth in Article 2 of the Party Constitution.

Article 31: Specialised Committees of the party shall be constituted as hereunder :-

- (i) NP Committee for the Youth.
- (ii) NP Committee for Women.
- (iii) NP Committee for Students.
- (iv) NP Committee for Scheduled Castes and Scheduled Tribes and other Backward Classes
- (v) NP Committee for Minorities.
- (vi) NP Committee for the Disabled.
- (vii) NP Committee for Senior Citizens.
- (viii) NP Committee for Sports and Culture.

These Committees may adopt their own constitutions and by-laws which shall incorporate the principles set forth in the Article 2 (Objectives Article) of the Party Constitution.

Article 32: Discipline:

- (1) For the purpose of maintaining discipline amongst party members and among Party Committees a Central Discipline Committee shall be appointed by the Working Committee at the National level and Discipline Committees at State level and Union Territory level by the Executive Committees of the Party in the States and Union Territories respectively.
- (2) Supercession or dismissal of the Party Committee over and above the disciplinary proceedings against the individual involved shall be the punishment imposed on Party Committees involved in antiparty activities.

Rules relating to Disciplinary Committees shall be formed by the Working Committee.

- (3) Censor, reprimand, suspension of membership for a term of not more than three years and expulsion shall be the penalties imposed on member who engage themselves in the following conduct.
 - (i) Violation of the Constitution or Rules of the Party;
 - (ii) Denigration of the status of Party membership;
 - (iii) Infraction of the political ethics guidelines of the Party;
 - (iv) Any other action detrimental to the interest of the Party.

A member who is expelled from the Party, on the decision of the Central Disciplinary Committee shall have the right of appeal to the NC; a member penalised by a State Level Disciplinary Committee shall have the right of appeal to the Central Disciplinary Committee.

Details of Disciplinary proceedings shall be laid down in the procedural rules to be made by the WC.

Article 33: Policy Research :

There shall be established a Policy Research Council for the purpose of studying, researching and planning the Party Policies.

Issues of public policy, governmental measures and legislative proposals shall be deliberated by the Policy Research Council before the Party Policies thereon are officially adopted.

Details of the constitution and functioning of the Policy Research Council shall be laid down in Rules to be established for the purpose by the WC.

Article 34 : Ethics Committee:

There, shall be established an Ethics Committee of the Party in order to maintain standards in public life by the Party members and to promote the Party spirit. Details of the constitution and functioning of the Ethics Committee shall be laid down in Rules to be established by the WC.

Article 35 Party Journal:

There shall be published at regular intervals, not less than four times per year, a journal of the Party which shall be circulated to all the members as a vehicle for communication amongst them and as a medium for comments and debates; the journal shall be the responsibility of the Editor, appointed by, and answerable to, the WC.

Article 36: Finance and Audit :

- (i) There shall be established a Fund of the Party into which shall be deposited all membership fees and subscriptions, profits, contributions, sale proceeds of journals or other publications and State subsidies, if any. All the expenses of the Party shall be met from this Fund.
- (ii) The Party fund shall be deposited in any one of the nationalised Banks. The account shall be opened in the Bank in the name of the Party which shall be operated jointly by any two out of the following three Office-Bearers, namely the President, Treasurer and one of the General

Secretaries as authorised by the President, of the Party. The above three authorised persons will have the right to apply for and to avail of any loan required for any Party work from any Bank for and on behalf of the Party

- (iii) The Financial Year of the Party shall be from 1st April to 31st March.
- (iv) The NC and the SCs shall have one or more auditors.

Details of audit shall be laid down in the Rules to be established for the purpose by the WC.

Article 37: Miscellaneous :

- (i) No person shall be a member of any two parallel Committees;
- (ii) A Committee may delegate any of its power to a smaller Committee or an individual;
- (iii) Population figures of the last available census shall be the basis for all Party purposes;
- (iv) Where there is a question of the value of fractions, a fraction of one-half or more shall be treated as one and less than half as zero;
- (v) Wherever in this Constitution, the word "vote" or any of its inflections occur, it means or refers to a valid vote;
- (vi) The State, District and other subordinate committees of the Party shall elect from amongst its members, the President, Vice Presidents, Treasurer and Members of the Executive Committee. The Presidents of the respective Committees shall appoint Secretaries from amongst the members of the Executive Committee.

- (vii) Any question of dispute arising under the Constitution with regard to the provisions, Contents, interpretations of the procedures laid down therein, between members and committees or between Committees inter se shall be determined by the appropriate authorities indicated in

this Constitution and the decision of such authorities shall be final and binding on all members and on all committees of the Nationalist Congress Party and shall not be liable to be questioned by any of them in any Court of law.

- (viii) Any member who does not attend three successive meetings of any Party Committee without prior intimation of his/her absence shall cease to be a member of the Committee concerned.

Article 38: Changes in the Constitution:

The Constitution can be amended, altered or added to only by the National Convention of the Party. The NC shall, however, have the authority, except in regard to Article 2 (the Objectives) to amend, alter or add to the Constitution when the National Convention is not in Session, if so desired by the WC provided that no such addition, alteration or amendment shall be made by the NC except by a majority of two-third of members present and voting at a meeting held specially for this purpose after due notice of the proposed changes have been given to each member at least one month prior to the date of such a meeting. The changes made by the NC shall be placed before the next National Convention for ratification but they may come into operation even before ratification from such date as may be prescribed by the N. C.

Article 39: Dissolution of the Party or merger of the Party with any other Party:

The Party can be dissolved or merged with any other party only if the decision to do so is taken by the meeting of the National Committee of the party, specially called for that purpose, provided that

- a) The National Committee is called by the President himself or by any General Secretary specifically authorised by him for convening the meeting.
- b) One month's clear notice of the meeting with the specific agenda of dissolution of the party or merger of the party with any other party is given to all the members of the National Committee.

- c) 75% of the total number of elected members of the National Committee and State Committee Presidents attend the meeting and not less than 90% of the members present vote for the adoption of the Resolution for dissolution or merger, as the case may be.

Article-40 Properties and Assets of the Party:

In case of merger of this party with any other party as per the provisions in Article 39, all the assets and properties and good will of the party will stand transferred to the party with which the party is merged or to the party which is formed as per the merger resolution and such properties, assets and goodwill shall belong wholly to the merged party or the party formed as per the merger resolution.

In case of dissolution of the Party all the properties and assets of the party at the national level shall vest with the government of India and shall vest with the state government concerned at the state level, provided that this provision shall not be applicable to any such property or assets owned or acquired by any existing trust or Board of Trustees formed as per Article 12(7) of the Party Constitution even though those properties or assets are being used by the party at national, state, district or local level for party purpose.

Form-A

Primary Membership Form-A Under Article 6(1)(b) of the Nayak Yuva Kranti Party Constitution

I wish to be enrolled as a Primary member/renew my Primary Membership of the Nationalist Congress Party. I have read/understood Article 2 (Objectives) of the Nayak Party Constitution and I accept the same.

I am not a member of any other political party, communal or other, which has a separate membership, Constitution and programme. I herewith deposit Rs 5.00 as membership subscription for the years _____

Name _____

(*) Sex: Male/Female

(*) Tick Mark whichever is applicable

(*) Belong to: SC/ST/OBC/Minority

(*) Tick Mark whichever is applicable

Father's or Husband's Name _____

Permanent Address _____
Permanent Place of residence or place of work _____
Age _____
Occupation _____
Unit Committee _____ S. No. _____ Name _____
Name of the Block _____
In case of thumb impression _____
Signature of attesting person _____ Signature or thumb impression of the application _____

Note: Address should be given in full which should be traceable

Note by the Secretary of the _____ District Committee. The above application of _____ has been received in this office with Rs. 5.00 as membership fee for the years _____ which has been deposited by the enroller Shri/Ms _____

The serial number in the District Committee Register is _____

Date: _____

Signature of the Secretary

_____ District Committee

Form-A

Receipt to be given to the Applicant Receipt No. _____

Received from Shri/Ms _____ his/her primary membership form along with the fee of Rs.5.00 (Rupees five only) for the years _____

Signature of the Enroller

Signature of the Secretary

Date: _____

_____ District Committee

Form-B

Active Membership Form-B Under Article 6(x) of the Nayak Yuva Kranti Party Constitution

I wish to be enrolled as an active member of the Nayak Party for the years _____

I have read/understood Article 2 (Objectives) of the Nayak Party Constitution and I accept the same. I am a primary member of the Nayak Party. I have signed the declaration as required under Article 6(x) of the Nayak Party attached overleaf.

I deposit herewith Rs. 50/- being the Primary membership fee of 10 primary members enrolled by me and Rs. 5/- being fee for active membership for the years _____ and my subscription of Rs. 60/-/Rs.50/-/Rs.25/- to the party journal for three years/two years/one year.

Name _____

(*) Sex: Male/Female

(*) Tick Mark whichever is applicable

(*) Belong to: SC/ST/OBC/Minority

(*) Tick Mark whichever is applicable

Father's or Husband's Name _____

Permanent Address _____

Permanent Place of residence or place of work _____

Age _____ Occupation _____

Name of the Subordinate Committee under which the applicant is a primary member _____

Receipt No _____ Date _____

In case of thumb impression

Signature of attesting person _____

Signature or thumb impression of the Applicant

Signature of the Enroller _____ Date _____

Note: Address should be given in full which should be traceable

Received to be given to the Applicant: Receipt No. _____ Form-B

Received from Shri/Ms _____ Address _____
_____ on the application for active membership of the Nayak Party Rs. 25/- along with Rs. 50/- for the years _____ being membership fee of 10 primary members and Rs.60/- Rs. 50/Rs. 25/- as subscription to Party journal for three years/two years/ one year.

Signature of the Enroller

Secretary of the Secretary

Date _____

_____ District Committee

DECLARATION

I hereby declare that-

- (i) I am not a member of any other political party in the country;
- (ii) I have not been prosecuted by any Court of Law in the country for any criminal offence and as of date there is no criminal case pending against me in any Court in India or abroad;

- (iii) I subscribe to and work for promoting the objectives spelt out under Article 2 (Objectives) of the Nationalist Congress Party Constitution;
- (iv) I shall abide by the conditions laid down and rules framed under the Constitution of Nationalist Congress Party.

Signature of the applicant

Date _____

Form-C

Active Membership Form-C Under Article 6(xiv) of the Nayak Yuva Kranti Party Constitution

I, apply for renewal of my Active Membership, as detailed below, for the years _____ and deposit herewith Rs. 5/- alongwith Rs. 50.00 as required under Article 6(ix) of the Constitution being membership fee of 10 primary members enrolled by me.

I have read/understood Article 2 (Objectives) of the Nationalist Congress Party Constitution and I accept the same.

Name _____

(*) Sex: Male/Female

(*) Tick Mark whichever is applicable

(*) Belong to: SC/ST/OBC/Minority

(*) Tick Mark whichever is applicable

In case of thumb impression _____
 Signature of attesting person _____
 Signature of the Enroller _____ Date _____

Signature of the Secretary
District committee