

(September, 2011)

APPENDIX – D

CONSTITUTION

of

LOK SATTA PARTY

Preamble

Indian people have enjoyed, over the past fifty six years, the fruits of a liberal and noble Constitution given to us by the generation that fought for freedom. The foundations of our democracy are strong and durable and our liberties are genuine.

However, the bulk of the people still suffer from the burdens of discrimination by birth and inadequate opportunities and their potential remains unfulfilled. Avoidable suffering is the lot of the majority of our people. The young people, who today constitute a vast majority of India, have hardly any place in our public affairs. Our antiquated political culture does not suit the aspirations of the new generation which is not burdened by the baggage of the past and is raring to conquer the future.

Politics has increasingly become the preserve of a new class of entrepreneurs abusing public office for private gain. Excessive centralization, ineffective instruments of rule of law, marginalization of citizens in governance, autocratic political parties and unaccountable exercise of power have led to a perverse political culture and pervasive corruption. In our power-centered politics women continue to be marginalized. The disadvantaged sections who need high quality and reliable public services most, have no real power to determine the priorities of government or improve the outcomes. The middle classes, who should constitute the vanguard of a democratic polity, are increasingly alienated from the political process.

The need of the hour is to foster a new political culture and to create a new political formation for the new generation. The new political culture should be rooted in our own liberal traditions and Constitutional values. These values should find expression in a member-controlled, democratic, transparent political process. There must be a harmonious reconciliation between the imperatives of rapid economic growth and the need for social justice and equal opportunities to all. Liberty and human dignity should be preserved and promoted at all costs and the citizen should be at the heart of the political process.

In the twenty first century we need to build a society completely free from all forms of discrimination by birth and all vestiges of the pernicious caste system. All power should vest with the citizen and governance should be decentralized and restructured, based on the principles of citizen sovereignty and subsidiarity.

Corruption and private gain at public cost must be things of the past and all processes of governance should be transparent and accountable. The state needs to focus on creating conditions for peace and order, opportunities for fulfilling human potential and preventing avoidable suffering and wholesome and sustainable economic growth coupled with social justice. Politics must once again become a moral endeavour promoting human happiness and harmony.

It is with this vision and with a view to rejuvenate our republic and promote inclusive politics and reasoned public discourse that we, like-minded citizens of India, have decided to come together and form a new political formation – Lok Satta Party.

Article I. Name

The Party shall be named as “Lok Satta Party” (hereafter referred to as “The Party” or “Party”).

Article II. Aims and Objectives

The aims and objectives of ‘The Party’ are:

1. to establish a new political culture which will place the citizen at the centre of governance;
2. to protect the unity and integrity of India at all times and create a secular and just republic in which the citizen will be the true sovereign;
3. to nurture, protect and promote the constitutional values of liberty, justice and equality for all;
4. to create a political, economic and social environment which will ensure equal opportunities for vertical mobility to all sections of society, irrespective of caste, ethnicity, religion, or gender.
5. to eliminate all forms of discrimination by birth and guarantee dignity and opportunity to every citizen irrespective of origin and status; and to promote social equality and justice and fully integrate all disadvantaged sections including dalits, adivasis and socially and economically backward classes;
6. to ensure that every child, irrespective of her origins and socio-economic position, has reasonable access to quality education which will provide an opportunity to fulfill her true potential.
7. to build a viable and effective healthcare system which reaches every man, woman and child and guarantees good health to all, irrespective of economic status or birth;
8. to promote and implement policies aimed at rejuvenation of Indian agriculture and substantial enhancement of rural incomes and improvement of quality of life;
9. to ensure that every young person acquires adequate knowledge and skills to make her a productive partner in wealth creation and thereby promote gainful employment and economic opportunities;
10. to ensure that every family, rural or urban, gets access to basic amenities of life including housing, sanitation and transport and opportunity for earning a decent livelihood;
11. to provide social security to the vast underpaid, dispossessed and unorganized sector workers;

12. to empower women and provide opportunities for their economic, social and political advancement;
13. to promote public awareness about democratic functioning of all institutions of governance and encourage reasoned debate and healthy public discourse.
14. to establish a people-centric democratic polity based on liberty, self-governance, empowerment of citizens, rule of law and self-correcting institutional mechanisms.
15. to work for fundamental political, electoral and governance reforms listed below:
 - i. effective separation of legislature, executive and judiciary at all levels with appropriate checks and balances;
 - ii. political reforms which make elections truly democratic, representative and transparent; facilitate and promote the participation of men and women of integrity in the political process and curb electoral malpractices;
 - iii. effective empowerment of local governments at all levels in all respects as participative tiers of constitutional, democratic governance with their own legislature and executive in a manner that authority and accountability fuse and the link between vote and public good and taxes and services is fully established;
 - iv. speedy, accessible, effective and affordable justice at all levels to all citizens, irrespective of means and status at birth;
 - v. insulate crime investigation from the vagaries of partisan politics and to make police effective, citizen friendly, accountable and just in all respects;
 - vi. combat corruption and mis-governance through an institutional framework which will enhance transparency and accountability at all levels of administration.

Article III. Allegiance to Constitution

Lok Satta Party shall bear true faith and allegiance to the Constitution of India as by law established and to the principles of socialism, secularism and democracy and would uphold the sovereignty, unity and integrity of India.

Article IV. Flag and Logo

1. The Party flag shall also serve as the Party logo.
2. The flag shall be in the form of a rectangle of dark blue colour and bearing a pure white circle, centered in which shall be a five-pointed star of the same

colour as the rectangle. The dimensions, relative spatial arrangement and colors of the flag shall be as prescribed.

3. The dark blue colour symbolizes the vastness, depth and inclusive nature of the ocean in which all streams finally merge.
4. The five-pointed blue star signifies that the Party sets its course by the twinkle of the distant star and not by the lights of passing ships. The five corners of the star stand for the five pillars of true democracy viz liberty, self-governance, citizen empowerment, rule of law and self-correcting institutions.
5. The white colour of the circle stands for purity. The colour symbolizes unity of purpose and action amidst the diversity in religion, region, caste, language and beliefs.

Article V. Membership

1. The Party shall have categories of members, with each category of members having respective rights and obligations, as prescribed.
2. The Party shall have the power to create other categories of, or modify existing categories of, membership from time to time.
3. Membership of the Party is open to any Indian citizen who has attained the age of 18 years and who abides by the Party's constitution.
4. Any individual who has a prior record of indulging in criminal, corrupt and/or morally reprehensible behaviour will not be eligible to be a member of Lok Satta Party.
5. The enrolment and renewal of membership shall be as per the procedure prescribed.

Article VI. Organizational Structure

The Party shall have a six-tier organizational structure comprising the following units:

1. Primary unit at the village panchayat, municipal ward, city corporation division or at such other levels as may be prescribed.
2. Intermediate unit at the mandal, municipality, municipal corporation or at such other levels as may be prescribed.
3. Assembly Constituency Unit at the State Assembly Constituency level.
4. District Unit at the district or at such other levels as may be prescribed.
5. State Unit at the state, union territory or such other levels as may be prescribed.
6. National Unit at the national level.

Note 1: *Party members representing professionals, women, youth, students and other similar categories may form separate groups as part of the units at primary and intermediate levels and at such other levels as may be prescribed.*

Note 2: *The party may provide affiliation to organizations and associations of like-minded citizens from time to time.*

Article VII. Party Elections

1. All elections within the Party shall be through a voting system as prescribed.
2. All elections shall be by secret ballot.
3. The eligibility criteria to vote in the Party elections shall be as prescribed.

Article VIII. Leadership and Office Bearers

- 1 There shall be a President, General Secretary(-ies)/Secretary(-ies) and Treasurer and such other office bearers as may be prescribed, at all levels of the Party.
2. The President at all levels shall be directly elected by an Electoral College consisting of specified categories of members of the Party at that level, in the manner prescribed.
3. At all levels, the General Secretary(-ies)/Secretary(-ies) and other office bearers, excepting Treasurer, shall be elected by the General Council at that level, as prescribed and subject to the concerned provisions of this Constitution.
4. At all levels, the Treasurer will be appointed by the President.
5. In addition to the elected office bearers, the President of the National and State Units may create and fill, various other categories of office bearers whose title, numeric strength and responsibilities shall be as per specified requirements.
6. Unless otherwise specified the term of all office bearers for all organs of the Party shall be 3 years.
7. Party units representing professionals, women, youth, students and other such groups shall have an elected head.

Article IX. Party Organs

1. To assist in its functioning, the Party shall have the following organs at various levels:
 - General Council
 - Executive Committee
 - Working Committee
2. The President shall function as the chief executive of the Party unit and he shall be the chairperson for all Party organs at the respective levels.
3. Members of the Party elected to various legislative bodies such as state legislatures, local governments and Parliament may form legislative

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committees, which shall function under the working committees at the respective levels.

Article X. Primary Unit

There shall be a Working Committee consisting of all office bearers and co-opted members, as prescribed.

Article XI. Intermediate and Assembly Constituency Units

- a. **At the Intermediate level**, there shall be a Working Committee consisting of all office bearers and ex-officio and co-opted members as prescribed.
- b. **At the Assembly Constituency level**, there shall be a Working Committee consisting of all office bearers and ex-officio members and co-opted members, as prescribed.

Article XII. District Unit

There shall be a Working Committee consisting of office bearers and ex-officio members numbering not less than 15 and not more than the maximum strength prescribed.

Article XIII. State Unit

There shall be a State Working Committee with not less than 25 members and not more than the maximum strength prescribed.

Article XIV. National Party

1. There shall be an elected National Working Committee with not less than 31 members and not more than the maximum strength prescribed.
2. Until such time that the Party has more than one state unit, the state unit of Andhra Pradesh shall function as the National Party.

Article XV. General Council

1. General Council is the general body of the Party and shall be constituted at all levels other than at the primary and intermediate levels as prescribed.
2. In constituting the General Council, excepting at the primary and intermediate level, appropriate weightage shall be given to women, youth, disadvantaged groups, under-represented sections, areas and membership.
3. The number of co-opted and ex-officio members of the General Council shall be as prescribed.

Article XVI. Executive Committee

1. There shall be an Executive Committee constituted at all levels of the Party, excepting at the primary level, with members of the Working Committee, ex-officio and/or co-opted members as prescribed.
2. The Executive Committee shall exercise such powers and functions as may be delegated by the General Council and be responsible for implementation of policies framed by the General Council.

Article XVII. Working Committee

1. A Working Committee shall be constituted, at all levels, with the President, office bearers and ex-officio and/or co-opted members as prescribed.
2. The National Executive Committee shall prescribe the strength and the manner in which State Working Committees will be constituted.
3. The State Executive Committee shall prescribe the strength and the manner in which Working Committees at all levels within the state will be constituted.
4. The Working Committee shall be responsible for the day-to-day functioning of the Party.
5. The Working Committee at the National, State and District levels shall have the authority to constitute sub committees to assist in its functioning. The Working Committee shall decide the composition of the sub committee and the manner in which they will function.

Article XVIII. Co-Option

1. Excepting at the Primary level, the General Council of the Party at all other levels shall have the right to co-opt a certain number or percentage of their total membership as prescribed.
2. At the National and State levels, the President shall have the authority to co-opt members to the Working Committee.
3. The co-opted members may be chosen from among members of the Party.
4. Co-opted members shall not have the right to vote but will have the eligibility to contest for any office.
5. Co-opted members who are appointed as office bearers shall have voting rights.

Article XIX. Filling Vacancies

If for any reason, a vacancy arises for any elected office at any level of the Party, the concerned Electoral Authority shall fill the vacancy only for the remainder of that term, as prescribed.

Article XX. Powers of the President

The President:

1. at all levels shall have substantial powers in discharging his duties as the chief executive of the Party unit.
2. at all levels shall have the power to assign specific responsibilities to office bearers and members of the working committee.
3. at all levels shall have the deciding vote in case of a tie.
4. at National and State levels shall have the power to appoint any individual to assist in the functioning of the Party.
5. at National and State levels shall have the right to propose and recommend any major policy, subject to the ratification of the General Council.
6. at National and State levels, shall have the right to constitute Working Groups at the respective levels, or others, to assist in the functioning of Party.
7. at the National and State levels, may establish a Committee of Independent Ombudsmen, comprising not more than three persons of high credibility, impeccable credentials and public recognition, to oversee the functioning of the party, with particular reference to organizational elections, primaries for selection of candidates for various elective offices, financial contributions and

expenditure. Such Committee will regulate its own functioning and the term of the Ombudsmen will be five years.

8. at National and State levels shall have the right to suspend any Party member for breach of discipline.

Article XXI. Electoral Authority

1. An autonomous Electoral Authority shall be constituted as prescribed.
2. The eligibility criteria to be a member of the Electoral Authority and the term of the members and/or office bearers of the Electoral Authority shall be as prescribed.
3. The Electoral Authority shall:
 - a. conduct internal Party elections at all levels of the Party as prescribed;
 - b. conduct primary elections for selecting Party candidates for elective office as prescribed;
 - c. conduct elections to fill any vacancies that arise at any level of the Party as prescribed;
 - d. conduct a recall election if warranted;
4. If there is a dispute over an election at any level an appeal shall lie to the Electoral Authority at the next higher level. If there is a dispute at the National level the appeal shall lie to a Committee constituted by the National President.
5. If there is a dispute over the election of the National President an appeal shall lie to a committee constituted by the National General Council.

Article XXII. Electoral College

1. At all levels of the Party, specified categories of members shall constitute the Electoral College for electing the President.
2. The electoral college for electing specified number of members to be sent to the State General Council, shall be as prescribed.

Article XXIII. Selection of Candidates

Selection of Party candidates for local, state, national legislatures and other elective bodies shall be through a democratic process, as may be prescribed.

Article XXIV. Motion to Challenge and Recall

1. There shall be a provision to challenge and recall the President at all levels of the Party, as prescribed.
2. There shall be a provision to challenge and unseat any office bearer at all levels of the Party as prescribed.

Article XXV. Gender and Social Equity

1. The Party shall endeavour to ensure equitable and fair representation to women at all levels.
2. The Party shall endeavour to ensure equitable and fair representation to traditionally weaker and marginalized sections of society such as BCs/SCs/STs/other minorities at all levels.
3. The Party shall adopt proactive affirmative action-based approach to ensure gender and social equity, as prescribed.

Article XXVI. Disciplinary Authority

1. An autonomous Disciplinary Authority shall be constituted as prescribed.
2. The Disciplinary Authority shall frame the procedure for conducting disciplinary and appeal proceedings.
3. The Disciplinary Authority may have chapters at different levels of the Party to assist in its functioning.
4. The Disciplinary Authority shall:
 - a. receive and investigate complaints received against any member, active member or office bearer of the Party and recommend appropriate disciplinary action.
 - b. take *suo motu* cognizance of any news or information against any member, active member or office bearer of the Party and conduct appropriate investigation;
 - c. investigate the complaints forwarded by the Party electoral authority and send its finding to it;
 - d. reject any complaints on appropriate grounds which shall be communicated to the complainant in writing;
 - e. dispose of all disciplinary proceedings within the time frame prescribed;
 - f. provide an opportunity for one appeal to the next level of the Disciplinary Authority.

Explanation: Free and fair expression of views on policy issues within Party fora, and legitimate challenge of leadership in a manner prescribed by this Constitution shall not constitute grounds for disciplinary action.

5. In exceptional circumstances, there may be a final appeal to a committee constituted by the National President.
6. The Disciplinary Authority shall have the power to impose the following penalties:
 - a. Suspension of membership
 - b. Change in the membership category
 - c. Removal from office
 - d. Expulsion from the Party

Article XXVII. Resources and Accounts

1. The Party units at national, state, district and other such levels as authorized by the State Working Committee shall maintain a bank account.
2. The President shall designate office bearers to operate the account, jointly.
3. Donations to the Party and membership fee should be duly acknowledged by a receipt.
4. All donations above the limit prescribed by the Party shall be received only in the form of a cheque.
5. Annual statement of accounts should be prepared at all levels and should be submitted to the General Council after approval by the Executive Committee,.

Article XXVIII. Rules and Regulations

1. The National Executive Committee shall make appropriate rules and regulations for better functioning of the Party.
2. The National Executive Committee shall have the power to frame appropriate code of conduct for all members and office bearers of the Party.

Article XXIX. Amendments to the Constitution

1. Any amendments to the Party Constitution shall be made with the approval of two-thirds of total members and not less than three-fourths of members present and voting at the National General Council.
2. Notice of intent to propose any amendment to the Party Constitution should be given at least 30 days before the scheduled meeting of the National General Council.

Article XXX. Merger or Dissolution

1. A requisition meeting of the National General Council shall be convened with thirty days advance notice to consider any proposal for merger or dissolution of the Party.
2. The resolution for merger or dissolution should be approved by two-thirds of the total members or three-fourths of the members present at the specially-convened meeting of the National General Council.
3. Such resolution should be approved through a ballot by at least 51 % of the active members of the Party

Article XXXI. Meetings

The various organs of the Party shall meet regularly as prescribed.

Article XXXII. Requisition and Emergency Meetings

There shall be a provision for convening Requisition and Emergency meetings of various organs of the Party as prescribed.

Article XXXIII. Quorum

1. One-third of the total membership shall constitute the quorum for the General Council meeting at all levels of the Party.
2. 51% of the total membership shall constitute the quorum for the Executive and Working Committee meeting at all levels of the Party

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