

1967

THE DRAFT CONSTITUTION
OF
THE RASHTRIYA JAN CONGRESS.

Article 1

The Rashtriya Jan Congress shall work for the creation of a democratic society based, by and large, on the teachings of Mahatma Gandhi -- free from economic, political and social exploitation. Its aims and objects, in particular, shall be :

(1) To foster, in the field of agriculture, an economy where independent farmers are linked together by the principle of co-operation. Our country where land is the limiting factor and, therefore, more valuable than labor and capital, cannot but have an agrarian organisation which is economical in the use of land resources, though it may be wasteful of labour and capital resources, that is, an economy where we have to apply to land increasing units of labour or capital or of both, in order that the fullest use may be made of the former or which is the same thing, maximum yield per unit of land realised.

Inasmuch therefore, as, given the same resource facilities, soil content and climate, a small farm produces acre for acre, more than a large one, howsoever organised, that is, whether on a cooperative, collective or capitalistic basis, the Jan Congress shall encourage and prefer small farms to large ones.

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In order, further, that the Nation may secure non-agricultural goods and services for enjoyment of a better life in an ample measure, it is necessary that more and more men are released from agriculture for employment in manufacturing industries, transport and communications, commerce, education, power and other occupations. The Jan Congress shall, therefore, endeavour to so organise and develop agriculture that more and more food and raw materials are produced, that is, production per acre goes on rising, with fewer and still fewer men on the soil.

(2) To establish, in the field of manufacturing industry, an economy which will take account of the paucity of the capital in the country as a whole, the need of increasing our per capita income which is so low and the need of eradication of unemployment and under-employment from which a vast number of our people suffer to day as also the need of avoiding or eliminating exploitation of man by man. We have, therefore, to devise an economy which will require little capital and produce more goods and employ more persons per unit of capital that is invested. These needs can obviously be met only by a small scale economy which is labour intensive rather than capital intensive. These industrial units will be carried on mostly by self-employed persons and dispersed mainly in the villages.

Capital- intensive undertakings may, however, be set up or allowed to be set up for such purposes as could not be carried out, or for production of things that could not be manufactured, on a small scale or by hand labour. All these and such other projects or industries also as the defence and

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research needs of the country may require, will be owned or controlled by the State.

So that agricultural and industrial production will increase, unemployment and under-employment in our villages and towns will decrease, disparities in distribution of wealth and property will be reduced, and democracy will prosper.

(3) To work for a change in the motivations of our people so that they may shed fatalism and work hard for their own betterment as also for economic development of the country.

(4) To promote the principle that rights flow only out of duties well - performed, so that individual happiness and social peace are assured.

(5) To inculcate a spirit of reliance on our own resources so that, on one hand, the nation develops a sense of self-respect and, on the other commands the respect of the world.

(6) To work for removal of all discrimination in matters of social, political and economic behaviour between one citizen and another, on the ground of one's caste or religion so that nationalism or the feeling of a common Indian brotherhood gets strengthened day by day.

(7) To forge or develop in the sphere of external affairs, a policy which conduces to a world order wherein disputes between one nation and another are solved by mediation or arbitration of an international authority but which policy, at the same time, subserves our national interest---so that, if possible, war and consequent human misery are avoided and, if necessary, our people keep themselves ready for maintenance of the country's frontiers and its honour.

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Article 2

The Rashtriya Jan Congress shall consist of :-

- (1) The Rashtriya Committee,
- (2) The Rajya Committees,
- (3) The territorial Committees (in the centrally administered territories)
- (4) The Zila Committees,
- (5) The Nagar Committees,
- (6) The kshetriya committees,

and their respective executive committees.

Notes:- (i) The executive committee of the Rashtriya Committee shall hereafter be referred to as 'The working Committee'.

(ii) The Nagar committees will be constituted in urban areas having a population of one lakh or more.

Article 3.

(a) Any person of 21 years of age or over, who accepts Article 1, shall, on making a written declaration in the prescribed form 'A' and on payment of annual subscription of one rupee, become a primary member of the Jan Congress provided that

- (i) he is not a member of any other political party,
- (ii) He does not, in his own right, own or possess more than 25 acres or 10 hectares of land or pay a tax on an income of more than Rs. 25,000/- per annum.
- (iii) he has not been convicted for moral turpitude by a court of law during the period of seven years preceding the date of his application, and is not at the time under police surveillance.
- (iv) he normally uses swadesh articles.

(b) Any person, who has been a primary member for three consecutive years, may become an active member on payment
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of an annual subscription of an additional one rupee if he fulfils the following conditions and signs a declaration in form 'B' :

- (i) He abstains from alcoholic drinks, and believes in prohibition,
- (ii) He is not a Government beneficiary on account of controls, licences and such other advantages.
- (iii) He has not been removed or disqualified by the State Administration from the membership of an elected body during seven years preceding the date of his application.
- (iv) He undergoes the minimum training and performs the minimum task as prescribed by the state executive committee.
- (v) He enrolls 25 primary members each year.
- (vi) He wears Khadi by habit.

Notes : (1) The condition prescribing three years primary membership in clause (b) above shall remain suspended till December 31, 1969.

(2) The executive committee concerned may, by a unanimous vote, grant exemption from sub-clause (b) (ii) for reasons to be recorded on the application.

(c) The annual subscription paid by primary members shall be distributed in the following proportions amongst the various Jan Congress Committees:

- | | |
|--------------------------------------|--------------|
| (1) Rashtriya Committee | ... 10 paise |
| (2) Rajya Committee | ... 25 paise |
| (3) The Nagar or the Zila committee. | ... 40 paise |
| (4) The Kshetriya committee | ... 25 paise |

Only the Rajya Committee will be entitled to utilise the amount of active membership fee.

Note:- The year of membership, primary and active, shall be from January 1, to December 31.

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Article 4

The term of every Jan Congress Committee and of its executive committee shall be two years.

Article 5

(a) Permanent registers of primary and active members shall be kept by the Rajya Committee and the Zila or Nagar committees. Their registers shall state full name, address, age, occupation, residence and date of enrolment of every member.

(b) Membership shall cease by death, resignation removal or non-payment of annual fee.

Article 6

Only an active member, whose name is in the register of active members, shall be eligible for election as a member of a Jan Congress Committee.

Article 7

The area of Khshetriya committee shall be conterminus with the area of a Vidhan Sabha constituency.

A Khshetriya committee shall consist of :

- (i) Members elected unanimously each by at least 25 ordinary members of a compact area of at least 10,000 Assembly voters.
- (ii) Members of the Rajya, Zila or Nagar Jan Congress committee residing in the area.
- (iii) Members of the State Legislature and Parliament elected from the area.

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- (iv) Members of the Rajya Sabha and the State Vidhan Parishad residing in the area.
- (v) Leaders of the Jan Congress parties in the local self-governing bodies residing in the area.

Article 8

A Zila committee shall consist of:-

- (i) The President and Secretary of every Kshetriya committee.
- (ii) Members of the State Legislature and Parliament or the Rajya committee of the Jan Congress elected from the district.
- (iii) Members of the Rajya Sabha or the State Vidhan Parishad residing in the district.
- (iv) Leaders of the Jan Congress party in the Zila parishad.

Notes- A Nagar Committee shall also be constitute on lines to the Zila Committee.

Article 9

- (a) The Rajya Jan Congress Committee shall consist of:-
- (i) Members elected by active members of the Kshetriya committees at the rate of one for every Kshetriya committee.
- (ii) Presidents of the Zila and Nagar Committees, ~~must~~ provided that they shall not be eligible for presidentship or secretaryship of the Pradesh committee.

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- (iv) Members of the Rajya Sabha and the State Vidhan Parishad residing in the area.
- (v) Leaders of the Jan Congress parties in the local self-governing bodies residing in the area.

Article 8

A Zila committee shall consist of:-

- (i) The President and Secretary of every Kshetriya committee.
- (ii) Members of the State Legislature and Parliament or the Rajya committee of the Jan Congress elected from the district.
- (iii) Members of the Rajya Sabha or the State Vidhan Parishad residing in the district.
- (iv) Leaders of the Jan Congress party in the Zila parishad.

Note:- A Nagar Committee shall also be constitute on lines to the Zila Committee.

ARTICLE 9

- (a) The Rajya Jan Congress Committee shall consist of:-
 - (i) Members elected by active members of the Kshetriya committees at the rate of one for every Kshetriya committee.
 - (ii) Presidents of the Zila and Nagar Committees, ~~present~~ provided that they shall not be eligible for presidentship or secretaryship of the Pradesh committee.

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(b) Every member of the Rajya Committee shall pay an annual fee of Rs. 12 to the Rajya Committee. Non-payment of the fee shall debar the member or members concerned from participation in meetings of the committee.

(c) On failure of any Zila, Nagar or Kshetriya committee to function in terms of the constitution or in accordance with the directions of the Rajya Executive committee, the latter may suspend the existing committee and form an ad hoc committee to carry on the work of the Jan Congress. The Rashtriya working committee shall have the same power in respect of State and territorial committees.

Article 10

The Rashtriya Committee of the Jan Congress shall consist of:-

- (i) President of the Rashtriya Jan Congress
- (ii) Ex-presidents of the Rashtriya Jan Congress who have completed one full term and are active members.
- (iii) Members of the State and territorial Jan Congress Committees, equal to their respective strength in the Lok Sabha, elected by them from among themselves by the system of ^{single transferable vote,} proportional representation.
- (iv) Presidents of the State Jan Congress Committees provided that they shall not be eligible to become either President or Secretary of the Rashtriya Jan Congress Committee.

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(iv) Leader of Jan Congress party in Parliament.

Article 11

The Rashtriya or Rajya committee (as the case may be) shall meet at least two days before the annual session, and prepare a programme of the work including the draft resolutions for the annual session.

Article 12

(a) The annual session of the Rashtriya or Rajya Jan Congress shall ordinarily be held at the time and place decided upon by the executive of the Rashtriya or Rajya Committee.

(b) The annual ^{session} shall consider, besides the resolutions recommended by the committee, such motions ~~as~~ have been given notice of in writing by at least ⁵25 delegates before the commencement of the day's sitting. Such a motion must first be discussed by the committee, and only if one-third of the members have accorded support to it, shall it be entitled to be discussed at the open session.

(c) ~~In addition to above,~~ A member of the Rashtriya or Rajya Committee (as the case may be) may send a motion, seconded by another member, to its Executive Committee for consideration, before the annual session.)

Article 13.

The Rashtriya or Rajya Jan Congress may hold a special session, besides the annual session, if one fifth of the members of the committee concerned requisition it.

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Article 14

The President of the Rashtriya or Rajya Jan Congress shall be elected by the committee concerned by a simple majority vote.

The President shall preside over sessions of the Jan Congress held after his election and during his term of office and meetings of its committee. In special circumstances, when a meeting of the Executive cannot be held, he shall exercise all powers of the Executive Committee.

Article 15

The Rashtriya or Rajya Executive Committee shall consist of the President, Vice-President, Treasurer and 18 members elected by the Committee concerned. The President will nominate three secretaries from amongst the members of the Executive Committee.

(a) The working committee shall be the highest executive authority of the Jan Congress and shall have power to carry into effect the policy and programme laid down by the Jan Congress. It shall be the final authority in all matters relating to interpretation and application of the provisions of the constitution.

(b) The working committee or the State Executive Committee shall frame rules for proper working of the Jan Congress. Such rules shall be placed for approval before the Committee concerned.

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(11)

(c) The working committee or the State Executive Committee shall superintend, direct and control all subordinate committees; it shall take such disciplinary action against a committee as it may deem fit.

(d) The Working Committee or the State Executive Committee shall appoint auditors to check the account of the Jan Congress Committee under it annually or at more frequent intervals.

Article 16

Elections to all Jan Congress executives shall be held by the system of single transferrable vote and nobody shall be elected to the office of president or secretary for two consecutive terms.

Article 17

The executive bodies of the Zila, Nagar and Kshetriya committees shall each consist of the President, Vice-President, Treasurer and 18 members elected from amongst the members by the respective committees. The General Secretary and two Joint Secretaries shall be nominated by the President.

Article 18

The Rajya Executive Committee shall elect by single transferable vote a screening committee of three members to scrutinise enrolment of members. The sub-committee shall have power to reject any application for membership

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without assigning any reason. It will formulate its own procedure of work.

Article 19

The working committee or the Rajya executive Committee shall frame rules for the conduct of elections and disposal of election disputes or complaints and disciplinary proceedings.

Article 20

The Parliamentary Board of the Rashtriya or Rajya Jan Congress shall each consist of seven members. The President of the Committee shall be Chairman of the Board. The leader of the Jan Congress party in Parliament or State Legislature will also be a member of the Board. Five other members shall be elected by the Committee by the single transferable system of voting. The working committee or State Executive Committee shall frame rules defining powers and functions of the Board.

Article 21

(1) The Rashtriya Jan Congress committee or the Rajya Committee shall meet at least twice a year, the Rashtriya working committee or the Rajya Executive committee once in two months, and lower committees at least once in three months, and their executive every month.

(ii) On receipt of a requisition signed by at least one-fifth of the members, the Secretary of the Committee

concerned, in consultation with the President, shall cause a meeting to be held after giving due notice to all members. The signatories shall state in the requisition the purpose for which the meeting is required to be summoned.

Article 22

(a) 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.

(b) All vacancies shall, unless otherwise provided for, be filled in the same manner in which the vacated member was chosen and members so elected shall hold office for the unexpired term of the seat vacated.

(c) 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 23

A Jan Congress Committee may delegate any of its powers to a smaller committee or a member.

Article 24

The quorum for a meeting of a Jan Congress Committee shall be one-half of the total membership of the committee concerned.

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Article 25
A notice of 15 days, in the case of an ordinary meeting, and a notice of 7 days, in the case of an urgent meeting, shall be necessary. The period in each case shall be reckoned from the date on which the notice is issued and shall exclude the date fixed for the meeting.

Article 26

The flag of the Jan Congress shall consist of three colours in perpendicular form with the picture of a Kisan holding a plough on his right shoulder.

The same shall be the election symbol of the Jan Congress - a Kisan with a plough on his right shoulder.

Article 27

This constitution can be amended, altered or added to only by a session of the Rashtriya Jan Congress. The working committee shall, however, have authority, except in regard to Article 1, to alter or add to the constitution when the Jan Congress is not in session, provided that no such addition, alteration or amendment shall be made by the Rashtriya Committee, except by a majority of three-fourths of the members present and voting at a meeting held specially for this purpose after due notice of the proposed changes has been given to each member at least 15 days before the date of such meeting.

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