

Jammu & Kashmir National Democratic Party (NDP)



WELCOME

CONSTITUTION AND RULES

**JAMMU & KASHMIR NATIONAL
DEMOCRATIC PARTY (JKNDP)**

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CONSTITUTION AND RULES

JAMMU & KASHMIR NATIONAL DEMOCRATIC PARTY

Article I: Name of the Party

The name of the party is 'J&K National Democratic Party

Article II: Aims and Objects

J&K National Democratic Party is dedicated to the task of building a 'Country First Mission' on the principles of Social and Economical Equality, Self respect and over all national development.

Article III: Mandatory Declaration as required under section 29-A (5) of the Representation of People Act, 1951.

J&K National Democratic 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: Party Flag

The colour of the flag of the party shall be Red Green Blue and its size would be rectangular with the 3:2 ratios.

Article V: Head Office, State, Union Territory
State Office :

Head Office Washbugh DC Office Road Pulwama Jammu & Kashmir

Article VI: Associated Organizations of Party

01. JKNDP Youth Wing
02. JKNDP Kisan Wing
03. JKNDP Student Wing
04. JKNDP Legal Cell
05. JKNDP Medical Cell
06. JKNDP Sport Cell
07. JKNDP Councilors Cell
08. JKNDP Disaster Cell

Article VII Membership

The Membership of the Party is open to all Jammu & Kashmir Indian Citizen.

There are three types of membership is available as follows.

(a) Primary Membership

1. **The Membership of the Party is open to all Indian Jammu & Kashmir Citizen.** Any person of the age 18 or over, who accepts Article II and Article III, shall on making a written declaration in Membership Application (Online/Offline) and on payment of Yearly Membership Fee Rs. 1000/- Per Year Only, become a Primary Member of J&K National Democratic Party provided that he/she is not a member of any other political party.
2. No person will be eligible to become a primary member except at his permanent place of residence or at a place where he/she is running his/her business or job.
3. The term of primary membership will be one year from **1 January to 31st December.**
4. Renewal of primary membership will be deemed to have been completed by depositing required membership fee.
5. Record of primary members will be maintained by every district/state office.

6. Primary Member could be terminated from membership by District President and above authority.

Active Membership

1. The Membership of the Party is open to all J&K Indian Citizen. Any primary member of J&K National Democratic Party could become an Active Member on making a written declaration in Application Form (Online/Offline) and on payment of Yearly __ Membership Fee Rs. 5000/- per year.
2. A basic training is compulsory for Active Membership will be given by J&K National Democratic Party.
3. The term of active membership will be one year from 1 January to 31st December.
4. Renewal of active membership will be deemed to have been completed by depositing required membership fee.
5. Record of active members will be maintained by every district/state office.
6. Active Member could be terminated from membership by District President and above authority.

(c) Special Membership

1. The Membership of the Party is open to all Indian Citizen. Any person of the age 18 or over, who accepts Article II and Article III,, shall on making a written application (Online/Offline) and on payment of Yearly Membership Fee Ps. 2500/- Per Year Only, with the recommendation of District President and above authority on specified form “Special Membership Recommendation Form”, become a Special Member of J&K National Democratic Party provided that he/she is not a member of any other political party.
2. The term of special membership will be one year from 1 January to 31st December.
3. Renewal of special membership will be deemed to have been completed by depositing required membership fee.

4. Record of special members will be maintained by every state office.
5. Special Member could be terminated from membership by State President and above authority.
6. For joining of any Post in the J&K National Democratic Party, Special Membership is must.

(d) Suspension & Disciplinary Action: For any member District President/State President / President will have rights for suspension & Disciplinary Action.

(e) Membership Form: All the membership form will be provided by State Committee only.

(f) Member's Rights: Every member will have right of vote in their respective committee/cell/division/council. Only Active Member and Special Member will have right to get elected/nominated in any committee/ cell/ division/ council.

Article VIII: District Executive Council

1. Introduction: District Executive Council is administrative authority of the State Public Political Party at District Level.

2. Organization: District Executive Council is the consist of

1. District President
2. District Vice President
3. District Treasurer
4. District General Secretary
5. District Secretary-Membership
6. District Spoke Person
7. **Powers:**The District Executive Council shall use all the power delegated by State Committee.

Article IX: The District President

The District President is the Head Representative of the State Committee at District Level.

Article X: Election of the District President

1. For the election of District President, the District committee shall appoint a Returning Officer who shall not have any office bearer's post at the District Level for last three years.
2. Any 5 members of the District Committee may jointly propose the name of any member of the District Committee for election as District President of the Party. Such proposal must reach the Returning Officer, appointed by the District Committee.
3. After eliminating the names of those who have withdrawn, Returning Officer shall publish the name of the remaining candidates. If after elimination there remains only one candidate, he shall be declared duly elected as District President of the Party.
4. On a date fixed by the District Committee, which shall not ordinarily be less than seven days after the final publication of the names of contesting candidates, each member of the District Committee shall be entitled to record for the election of the District President of the Party. The member will write the name of the candidate and will drop in the ballot box provided for the purpose.
5. After the receipt of all the ballot boxes the Returning Officer shall count the votes for each candidate. The candidate who gets maximum number of the vote will be declared as District President of the Party.
6. In the event of any emergency arising by reason of any cause such as the death or resignation of the District President, the District Committee shall fix a date for the election of the District President. The new District President shall be elected within a period of 30 days. Until a new District President is elected, the District Committee shall elect an Acting District President amongst its own members.

Article XI: The Election of Office Bearers at District Level

1. Any 5 members of the District Committee may jointly propose the name of any member of the District Committee for election as Office Bearers of the party at district level for each post.

2. For the election of the Office Bearers the District Committee shall appoint a Returning Officer who shall not have any office bearer's post at State Level for 3 years.
3. After eliminating the names of those who have withdrawn, Returning Officer shall publish the name of the remaining candidates. If after elimination there remains only one candidate for each post, he shall be declared duly elected for the nominated post.
4. On a date fixed by the District Committee, which shall not ordinarily be less than seven days after the final publication of the names of contesting candidates, each member of the District Committee shall be entitled to record for the election of the Office Bearers. The member will write the name of the candidates and will drop in the ballot box provided for the purpose.
5. After the receipt of all the ballot boxes the Returning Officer shall count the votes for each candidate. The candidate who gets maximum number of the vote will be declared Office Bearer. (Particular Post)

Article XII: District Vice President

District Vice President will use all the delegated power given by District President.

Article XIII: District Treasurer

Treasurer shall be In Charge of the funds on J&K National Democratic Party at District Level and shall keep proper accounts of all funds, investments, income and expenditures.

Article XIV: District General Secretary

Subject to the general control of the District President the District General Secretary shall head the Secretariat and shall be In Charge of the functioning of J&K National Democratic Party at District Level.

Article XV: District Secretary-Membership

District Secretary-Membership will be liable for making New

Members, Member's Record Keeping, Membership Fee, Disciplinary Action on Members, and Member's Resignation etc at district level.

Article XVI: District Spoke Person

Spoke Person will be liable for the representation of party view, agenda and programs in front of public or media at District Level.

Article XVII: Term of the District President and Office Bearers

The term of the District President and Office Bearers is 3 years. It could be extended by District Committee by 180 days. No person could become The District President for more than two consecutive terms.

Article XVIII: Eliminations of the District Presidents and Office Bearers

The District President and all the office bearers could be eliminated only by the District Committee with 2/3 majority basis.

Article XIX: District Committee

1. Introduction: District Committee is the second administrative authority of the J&K National Democratic Party at District Level. It takes decision on majority basis.

2 Organization: It includes following office bearers:

1. District President
2. District Vice President
3. District Treasurer
4. District General Secretary
5. District Secretary-Membership
6. District Spoke Person
7. Members of Nagar Palika/Gram Panchayat and other Local Authorities.
8. Primary Members
9. Active Members
10. Special Members

11. **Quorum:** Not less than one-third of the total number of members shall form the quorum for a meeting of District Committee.

Article XX: State Executive Council

1. Introduction: State Executive Council is topmost administrative authority of the J&K National Democratic Party at State level and shall have the power to carry out the policies and program at state level.

2. Organization: State Executive Council is consist of

1. State President
2. State Vice President
3. State Treasurer
4. State General Secretary
5. State Secretary-Membership
6. State Provincial President

3. Powers: The State Executive Council shall have the power at State Level-

- a. To frame rules for the proper working of the organization.
- b. To issue instructions to various units.

4. Account: The State Executive Council will have accounts of the District Committee audited annually by an auditor or auditors appointed by it.

Article XXI: The State President

The State President shall preside over the State Yearly Session or Special Session of the Party at State Level. He shall exercise all the power of the State Committee when it is not in Session. In this regard all the decisions taken by State President must be approved within 60 days by the State Committee.

Article XXII: Election of the State President

For the election of State President, the State Committee shall appoint a Returning Officer who shall not have any office bearer's post at the State Level for last three years.

1. Any 5 members of the State Committee may jointly propose the name of any member of the State Committee for election as The State President of the Party. Such proposal must reach the Returning Officer, appointed by the State Committee.
2. After eliminating the names of those who have withdrawn, Returning Officer shall publish the name of the remaining candidates. If after elimination there remains only one candidate, he shall be declared duly elected as State President of the Party.
3. On a date fixed by the State Committee, which shall not ordinarily be less than seven days after the final publication of the names of contesting candidates, each member of the State Committee shall be entitled to record for the election of the State President of the Party. The member will write the name of the candidate and will drop in the ballot box provided for the purpose.
4. After the receipt of all the ballot boxes the Returning Officer shall count the votes for each candidate. The candidate who gets maximum number of the vote will be declared as State President of the Party.
5. In the event of any emergency arising by reason of any cause such as the death or resignation of the State President, the State Committee shall fix a date for the election of the State President. The new State President shall be elected within a period of 30 days. Until a new State President is elected, the State Committee shall elect an Acting State President amongst its own members.

Article XXIII: The Election of Office Bearers at State Level

1. Any 5 members of the State Committee may jointly propose the name of any member of the State Committee for election as The Office Bearer (Post Name).
2. For the election of The Office Bearers the State Committee shall appoint a Returning Officer who shall not have any office bearer's post at the State Level for 3 years.
3. After eliminating the names of those who have withdrawn, Returning Officer shall publish the name of the remaining candidates. If after elimination there remains only one

candidate for each post, he shall be declared duly elected for the nominated post.

4. On a date fixed by the State Committee, which shall not ordinarily be less than seven days after the final publication of the names of contesting candidates, each member of the State Committee shall be entitled to record for the election of the Office Bearer. The member will write the name of the candidate and will drop in the ballot box provided for the purpose.
5. After the receipt of all the ballot boxes the Returning Officer shall count the votes for each candidate. The candidate who gets maximum number of the vote will be declared Office Bearer.

Article XXIV: State Vice President

State Vice President will use all the delegated power given by State President. The vice president shall preside over the yearly session or special session of the party in the absence of the President.

Article XXV: State Treasurer

The Treasurer shall be In Charge of the funds on J&K National Democratic Party at State Level and shall keep proper accounts of all funds, investments, income and expenditures.

Article XXVI: State General Secretary

Subject to the general control of the State President the State General Secretary shall head the Secretariat and shall be In Charge of the functioning of J&K National Democratic Party at state level.

Article XXVII: State Secretary-Membership

State Secretary-Membership will be liable for making New Members, Member's Record Keeping, Membership Fee, Disciplinary Action on Members, and Member's Resignation etc at state level.

Article XXVIII: State Provincial President

Provincial President has powers determined by the party's constitution or rules. Usually, these powers are not the same as those of a regular president, but they are given the powers necessary to run the day-to-day business of the party and move the party forward. Provincial

President will be liable for the representation of party view, agenda and programs in front of public or media at State Level.

Article XXIX: Term of the State President and Office Bearers

The term of the State President and Office Bearers is 3 years. It could be extended by State Committee by 180 days. No person could become The State President for more than two consecutive terms.

Article XXX: Eliminations of the State Presidents and Office Bearers

The State President and all the office bearers could be eliminated only by the State Committee with 2/3 majority basis.

Article XXXI: State Committee

1. Introduction: State Committee is the second topmost authority of the J&K National Democratic Party at State Level. It takes decision on majority basis. It frames rules, agenda, programs etc. for the development and smooth working of J&K National Democratic Party at State Level.

2. Organization: State Committee is the consist of:

1. State President
 2. State Vice President
 3. State Treasurer
 4. State General Secretary
 5. State Secretary-Membership
 6. State Spoke Person
 7. District Presidents
 8. Members of Legislative Assembly
 9. Members of Legislative Council
 10. **Quorum:** Not less than one-third of the total number of members shall form the quorum for a meeting of State Committee.
- 4. Fee:** Every Member of the State Committee shall pay an annual fee of Rs. 5000/-

Article XXXII: National Executive Council

1. Introduction: State Executive Council is topmost administrative authority of the J&K National Democratic Party and shall have the power to carry out the policies and programs. It shall be the final authority in all matters regarding interpretation and application of the provision of the constitution. Its decision is mandatory for all party members.

2. Organization: State Executive Council is consist of:

1. The President
2. The Vice President
3. The Treasurer
4. The General Secretary
5. The Secretary-Membership
6. The Spoke Person

3. Appointments: The State Executive Council may appoint one or more auditors or inspectors or other officers, to examine the records, papers and account books of all party units. It shall be incumbent on all such units to furnish all the required information to the auditors, inspectors or others, and to give them access to all offices, accounts and other records.

4. Powers: The State Executive Council shall have the power:

- a. To frame rules for the proper working of the organization.
- b. To issue instructions to various units.
- c. It shall be final authority in all matters.
- d. Its decision is mandatory for all party members.
- e. Calling Yearly Session and Special Session.
- f. To make/abolish new office address at any level.

5. Date of Formation: The State Executive Council shall fix the date, by which formation of subordinate, District and State Units.

6. Board of Trustee: The State Executive Council shall appoint a Board of Trustee for holding properties belonging to the State Executive Council.

7. Special Power: To meet any special situation the State Executive Council shall have the power to take such action in the interest of

J&K National Democratic Party as it may deem fit. However, that if any action is taken which is beyond the powers of the State Executive Council as defined in this constitution.

Article XXXIII: The President

1. The President shall be representative of the J&K National Democratic Party and must have respect for Indian Constitution, Constitution of J&K National Democratic Party and democratic ideology.
2. The President shall preside over the Yearly Session or Special Session of the Party. He shall exercise all the power of the State Committee when it is not in Session. In this regard all the decisions taken by The President must be approved within 60 days by the State Committee.
3. Term of the President: The term of the president is 3 years. No member will held the post of a President for more than 7 continues terms.
4. Till the first State President's election is held as per the provisions of the Constitution, Shri Asif Nabi shall act as The President of J&K National Democratic Party having full authority to constitute his own State/District Committees as may be deemed expedient by him in consultation with the Advisory Board.

Article XXXIV: The Election of the President

1. Any Founder Member / Advisory Board Member from past 7 years can apply to contest the President Election by an Application Letter.
2. For the election of The President, the State Committee appoints a Returning Officer who shall not have any office bearer's post at the State Level for 3 years.
3. After eliminating the names of those who have withdrawn, Returning Officer shall publish the name of the remaining candidates. If after elimination there remains only one candidate, he shall be declared duly elected as The State President of the Party.

4. On a date fixed by the State Committee, which shall not ordinarily be less than seven days after the final publication of the names of contesting candidates, each member of the State Committee shall be entitled to record for the election of the President of the Party. The member will write the name of the candidate and will drop in the ballot box provided for the purpose.
5. After the receipt of all the ballot boxes the Returning Officer shall count the votes for each candidate. The candidate who gets maximum number of the vote will be declared as President of the Party.
6. In the event of any emergency arising by reason of any cause such as the death or resignation of the President, the State Committee shall fix a date for the election of the President. The new President shall be elected within a period of 30 days. Until a new President is elected, the State Committee shall elect an Acting President amongst its own members.

Article-XXXV: The Advisory Board

There shall be an Advisory Board comprising of not more than 100 persons who have attained excellence in their respective fields. The members of the Advisory Board shall be nominated by the State Committee. The members of the Advisory Board shall hold office for a period of one year unless they are re-nominated by the State Committee. Till the first Advisory Board is constituted as per the provisions of this Constitution, The President shall have full authority to constitute the same. The Advisory Board shall meet at least once in six months to review the overall functioning of the party and ensure that the various level bodies of the Party function in accordance with the stated aims and objects of the Party.

Article XXXVI: The Election of Office Bearers

1. Any 5 members of the State Committee may jointly propose the name of any member of the State Committee for election as The Office Bearer (Post Name).

2. For the election of The Office Bearers the State Committee shall appoint a Returning Officer who shall not have any office bearer's post at the State Level for 3 years.
3. After eliminating the names of those who have withdrawn, Returning Officer shall publish the name of the remaining candidates. If after elimination there remains only one candidate for each post, he shall be declared duly elected for the nominated post.
4. On a date fixed by the State Committee, which shall not ordinarily be less than seven days after the final publication of the names of contesting candidates, each member of the State Committee shall be entitled to record for the election of the Office Bearer. The member will write the name of the candidate and will drop in the ballot box provided for the purpose.
5. After the receipt of all the ballot boxes the Returning Officer shall count the votes for each candidate. The candidate who gets maximum number of the vote will be declared Office Bearer. (Nominated Post)

Article XXXVII: Vice President

Vice President will use all the dedicated power given by the president. The vice president shall preside over the yearly session or special session of the party in the absence of the President.

Article XXXVIII: Treasurer

The Treasurer shall be In-charge of the funds on J&K National Democratic Party and shall keep proper accounts of all funds, investments, income and expenditures.

Article XXXIX: General Secretary

The general secretary shall head the secretariat and shall be In-charge of the functioning of J&K National Democratic Party and shall be responsible for the preparation and publication of the report of the proceedings of J&K National Democratic Party's Yearly Session or Special Session including its audited accounts, as soon as possible after the session. He shall prepare a report of the work of the State Executive Council and The State Committee.

Article XL: Secretary-Membership

Secretary-Membership will be liable for making New Members, Member's Record Keeping, Membership Fee, Disciplinary Action on Members, Member's Resignation etc.

Article XLI: Spoke Person

Spoke Person will be liable for the representation of party view, agenda and programs in front of public or media.

Article XLII: Term of the President and Office Bearers

The term of the President and Office Bearers is 3 years. It could be extended by State Committee by 180 days. No person could become The President of the J&K National Democratic Party for more than 7 consecutive terms.

Article XLIII: Eliminations of the Presidents and Office Bearers

The President and all the office bearers could be eliminated only by the State Committee with 2/3 majority basis.

Article XLIV: State Committee

1. Introduction: State Committee is the second topmost authority of the J&K National Democratic Party. It takes decision on majority basis. It frames rules, agenda, programs etc. for the development and smooth working of J&K National Democratic Party.

2. Organization: National Committee is the consist of:

1. President
2. Vice President
3. Treasurer
4. General Secretary
5. Secretary-Membership

6. Spoke Person
7. State, Union Territory, Presidents
8. Members of Parliament (Lok Sabha & Rajya Sabha)

3. Quorum: Not less than one-third of the total number of members shall form the quorum for a meeting of State Committee.

4. Fee: Every Member of the State Committee shall pay an annual fee of PS. 10000/-

Note: In this constitution whenever the word “State” occurs, it will include “Territorial”, the word “District” will include “City” as required by the context.

Article XLV : Yearly Session of the Party

The Yearly Session of the J&K National Democratic Party shall ordinarily be held every year in the first week of December. In this session the agenda and programs will be discussed for next year. The State Committee will be the Reception Committee and will do all the necessary arrangements for the Yearly Session.

Article XLVI: Special Session of the Party

Special Session of the Party would be held as per the requirement for emergency/general election/mid-term election etc.

Article XLVII: Election Disputes

For any types of party election disputes, respective committee will make a panel of three senior members (those are not candidates in election) that will solve the dispute on majority basis.

Article XLVIII: Disciplinary Action Committee

Three members Disciplinary Action Committee shall be constituted at various levels to deal with cases of indiscipline. The final decision will be taken on majority basis.

Article XLIX: Vacancies

All vacancies caused by resignation, removal or death shall unless otherwise provided for, be filled in the same manner in which the previous incumbent was chosen and persons so elected, shall hold office for the unexpired term.

Article L: Amendment in Constitution

The Constitution of the J&K National Democratic Party can be amended, altered or added to only by Yearly Session of the Party, provided that the State Executive Council on the recommendation of the State Committee shall have the power to amend, alter, or add to this constitution by a majority of two third of its members present and voting. However, till the State Executive Council and State Committee are constituted under the provisions of this Constitution, the amendments, if any required, shall be made by core members of the party by a simple majority in General Meeting.

Article LI: Merger and Dissolution

National Committee is having the power of merger and dissolution of the J&K National Democratic Party by 2/3 majority.

Article LII: Accounting

J&K National Democratic Party will maintain its account in accordance with Election Commission of India directions issued by time to time.

Article LIII: Loan

J&K National Democratic Party shall get unsecured / secured friendly loan from its Members / Friends.

Article LIV: Shadow Cabinets

J&K National Democratic Party shall make as many as Shadow Cabinets and Ministers as State Level Government Cabinets. State President shall be Chief Minister Candidate of party and State Presidents shall be Chief Minister Candidate of the respective

states. Only President / State President is having to appointed
Shadow Cabinet and Shadow Ministers in State level respectively.