

CONSTITUTION OF THE THAMIL MAKKAL VIDUTHALAI PULIKAL.

CHAPTER I

1.1 SHORT TITLE AND DATE OF OPERATION

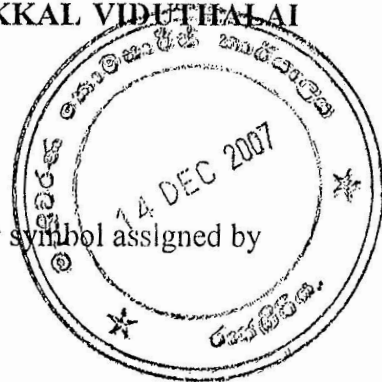
This may be cited as the Constitution of the **THAMIL MAKKAL VIDUTHALAI PULIKAL** and shall come into operation in respect of all or any of its provisions from the 01st day of January 2006.

1.2 NAME OF THE PARTY

The Party shall be known and called as the "**THAMIL MAKKAL VIDUTHALAI PULIKAL**" hereinafter referred to as the Party.

1.3 SYMBOL OF THE PARTY

The symbol of the Party shall be "**Pair of Scales**" or any other symbol assigned by the Commissioner of Elections.



1.4 NATIONAL SECRETARIAT OF THE PARTY

The National Secretariat of the Party shall be situated in Colombo.

CHAPTER II

2. OBJECTIVES OF THE PARTY

- a. To organize, maintain, manage and lead a political party in Sri Lanka with a view to gaining political power through elections.
- b. To foster and to safeguard the unity, sovereignty and territorial integrity of Sri Lanka.
- c. To represent the Tamil speaking people in Sri Lanka and work towards achieving Tamil quest for equality, justice and social, political and minority rights.
- d. To find solutions for the Socio, Economic and Political problems faced by the people of Sri Lanka in General and Particularly Tamil community all over Sri Lanka.
- e. To promote, uphold and honour the Principles of Democracy, Fundamental Rights and Rule of Law.
- f. To promote and establish mutual respect, communal harmony and peaceful living among various communities in Sri Lanka

CHAPTER III

3. MEMBERS OF THE PARTY

3.1 ELIGIBILITY OF MEMBERSHIP

Any person who has attained the age of 18 years and not a member of any other political group or party and is prepared:

- a. to accept and abide by the provisions of this Constitution, and
 - b. to accept and abide by the Rules and Regulations of the Party, and
 - c. to accept the objectives, policies and programs of the Party and
 - d. to accept and abide by the Code of Conduct of the Members of the Party,
- shall be entitled to apply for the membership of the Party.

3.2 CATEGORIES OF MEMBERSHIP

a. Ordinary Members

Any person who is eligible in terms of this Constitution to become a member of the Party may forward a duly completed application form together with the prescribed membership fees to the Treasurer of the Village Committee shall on his application being approved by the Village Committee be enrolled as an Ordinary member of the Party. This membership shall be renewed annually.

b. Life Member

- i. An Ordinary member on paying the prescribed Life Membership Fees to the National Treasurer of the Party shall become a Life Member of the Party.
- ii. All Founder members of the Party who are actively engaged in propaganda and development activities of the Party shall be treated as Life members of the Party.

c. Overseas Members

Those who are residing overseas and willing to extend their assistance and cooperation to the National Secretariat in its overseas activities shall be enrolled as Overseas Members of the Party

3.3 MEMBERSHIP FEES

- a. Annual Ordinary membership Subscription is Rs.100/=.
- b. Life membership Fees is Rupees One Thousand [Rs.1000/=].
- c. Overseas membership Fees is Rupees Ten Thousand [Rs.10,000/=]
- d. Leader's Bureau of the Party is empowered to review the Membership Fees.

3.4 DUTIES OF MEMBERS OF THE PARTY

The following shall be *inter alia* the duties of every member of the Party. Every member shall:

- a. be loyal to the Party and shall recognize, honour and submit to the authority of the Leadership of the Party,
- b. propagate and defend in public the policies and programmes of the Party,
- c. always conform to the standards laid down in the Code of Conduct of the Party,
- d. regularly attend the various meetings and sessions of the organs established by the Party,
- e. be individually and collectively responsible for his conduct and shall also ensure that his conduct in no way affects the image or reputation of the Party,
- f. Any Member of the Party who:
 - i. by an act or omission fails and/or refuses to perform any one or more duties of a member and/or,
 - ii. commits an act which is in conflict with and/or not in conformity and/or not consistent with any one or more duties of a members and/or,
 - iii. commits an act or omission, which may be prejudicial to the interest and reputation of the Party or to the collective responsibility of the membership of the Party,
 - iv. shall be deemed to be guilty of misconduct and shall be liable to be removed from the membership and expelled from the Party by a decision of the Leader's Bureau.

3.5 LOSS OF MEMBERSHIP

Any member of the Party who at any point of time is found to have lost one or more of the aforesaid fundamental characteristics or fails and / or refuses to accept or abide by the provisions of the Constitution, the Rules and Regulations, objectives, policies, programmes and the Code of Conduct of the Party shall be liable to be removed from the membership and expelled from the Party by a decision of the Leader's Bureau.

3.6 MEMEBRSHIP RULES

The Leader's Bureau of the Party shall formulate from time to time Rules and Regulations governing the Membership of the Party in accordance with the provisions of the Constitution. Until such Rules and Regulations are formulated the provisions of this Constitution shall be the rules and regulations of the Membership.

CHAPTER IV

4.1 DECISIONS OF THE PARTY

- a. The Leader's Bureau of the Party shall have power to make all decisions and such decisions shall bind all the members of the Party.
- b. The Leader's Bureau shall have the liberty to adopt its own procedure in arriving its decisions either by consensus or by the majority.

CHAPTER V

5.1 PARTY BRANCHES

The Party shall have the following designated branches:

- a. Village Committee [for every Grama Niladari Division],
- b. Local Authority Branch [for every Local Authority],
- c. District Secretariat [for every District],

5.2 VILLAGE COMMITTEE

- a. The basic organization of the Party shall be Village Committee.
- b. Every Grama Niladari Division shall have only one such Committee.
- c. Every Grama Niladari Division shall have a Village Organizer who shall be appointed by the District Organizer of the Party with approval from the Leader's Bureau.
- d. Village Organizer is the Chairman of the respective Village Committee. Every Village Committee shall have a Secretary and Treasurer with six other committee members who shall be elected by the members of the party residing in the respective Grama Niladari Division.
- e. Every Village Committee is the Propaganda Organ of the Party in the respective Grama Niladari Division.

5.3 LOCAL AUTHORITY BRANCH

- a. Every Local Authority [whether Pradeshiya Shaba, Urban Council or Municipal Council] shall have a Local Authority Branch.
- b. Village Organizers, the Secretaries and the Treasurers of all Village Committees situated within a Local Authority Area shall be the members of the Local Authority Branch.
- c. All Peoples Representatives of the Party who are the sitting members of the respective Local Authority shall be the *ex-officio* members of the Local Authority Branch.
- f. The General Secretary shall appoint the Local Authority Branch Chairman with approval from the Leader's Bureau after receiving the recommendation of the District Organizer of the Party.
- d. Every Local Authority Branch shall have an Administrative Secretary, Propaganda Secretary, Treasurer and not more than 15 Committee members who shall be collectively responsible for party propaganda activities in respect of their Local Authority Area.

5.4 DISTRICT SECRETARIAT

- a. Every District shall have a District Secretariat of the Party, which is headed by the District Organizer. The Leader's Bureau shall appoint the District Organizer.
- b. Office bearers of all the Local Authority Branches and the Village Committees of the Party situated within the District shall be members of the District Secretariat.
- c. All Peoples Representatives representing the Party within the respective District shall be the *ex-officio* members of the District Secretariat.
- d. Every District Secretariat shall have a District Secretary, a Treasurer, a District Propaganda Secretary and not more than 20 Committee members elected by the members of the District Secretariat who shall be collectively responsible for party propaganda activities in respect of their District.

5.5 MEETINGS, QUORUM AND ELECTION OF PARTY BRANCHES

- a. Every branch organization of the party may meet from time to time if and when necessary. Branches must have meetings at least once in a month and discuss the party activities.
- b. The quorum for any meeting of any branch and Working Committee of the Party shall be one - third of its respective total strength.
- c. Elections in respect of Party branches shall take place every year before the 31st of December.
- d. The General Secretary shall extend the period of any branch or permit the postponement of branch elections in consultation with the Leader's Bureau, under exceptional circumstances.
- e. It is the duty of the Office bearers of every branch to conduct the elections annually and submit report to the National Secretariat particulars of newly elected office bearers of their respective branch.
- f. Elections to the party branches shall be conducted in a democratic manner and all documents and files belonging to the party branch in the custody of non-elected members should be duly handed over to the newly elected office bearers in a smooth and friendly manner.

CHAPTER VI

DELEGATES CONFERENCE

6.1 COMPOSITION OF NATIONAL DELEGATES CONFERENCE

- a. The Composition of the National Delegates Conference shall be as follows:
 - i. Delegates specially nominated by the District Secretariat,
 - ii. Life Members specially invited by the Leader's Bureau,
 - iii. Overseas Members specially invited by the Leader's Bureau.
 - iv. All Members of the Committee of People's Representative.
- b. Delegates Conference shall be summoned only by the General Secretary on the direction of the Leader's Bureau by giving 21 days prior notice to the delegates.
- c. Delegates shall meet at least once a year and such meeting shall be known as the Annual National Delegates Conference.
- d. When the Delegates Conference is summoned for a special purpose, it is designated as the Special National Delegates Conference.
- e. Business of the Annual National Delegates Conference shall also include the address by the Leader, Report of the General Secretary and National Treasurer.
- f. The interval between two Annual National Delegates Conference shall not exceed 15 months. But nothing shall prevent the Leader's Bureau from functioning and taking all decisions until the conclusion of next Annual National Delegates Conference.
- g. Every National Delegates Conference shall be chaired by the Leader of the Party and in his absence by any other senior member specially nominated by the Leader's Bureau.
- h. Every motion or resolution that is going to be taken up for consideration of the National Delegates Conference should be first forwarded to the Leaders' Bureau and only upon the sanction of the Leader's Bureau such matters shall be tabled by the General Secretary before the National Delegates Conference.
- i. No member has a right to question in a Court of Law the authority of the Leader's Bureau in respect of its decision regarding the invitation, attendance, the venue and the agenda of National Delegates Conference [whether annual or Special].

CHAPTER VII

WORKING COMMITTEE AND COMMITTEE OF PEOPLE'S REPRESENTATIVES

7.1 WORKING COMMITTEE

- a. Working Committee of the Party shall reflect the National image of the Party.
- b. Working Committee shall have maximum 35 members, of which 20 members shall be elected at the time of Annual National Delegates Conference. The Leader's Bureau shall have right to nominate 15 members to the Working Committee. All members of the Committee of Peoples Representatives are *ex-officio* members of this Working Committee.
- c. In making such nomination the Leader's Bureau shall take into consideration to give mandatory representation to women and organizations affiliated to the Party. The Leader's Bureau shall also nominate sufficient number of intellectuals and learned persons as members of the Working Committee.
- d. The General Secretary shall be the convener of the Working Committee which may meet, whenever possible, at least once in three months. The Leader shall chair the meetings of the Working Committee. In the absence of the Leader, any other senior member nominated by the Leader's Bureau shall chair the meeting of the Working Committee.
- e. The Working Committee shall formulate the Policies and guidelines for the Party and make recommendation to the Leader's Bureau of such Policies and guidelines.
- f. The Working Committee may also constitute sub-committees from among its own members and deliberate on various issues confronted by the public and make recommendations on such issues to the Leader's Bureau.
- g. The Leader's Bureau may also refer any matter to the Working Committee for its investigation, inquiry or consideration and seek advice or report on those matters.
- h. The Leader's Bureau may summon the Working Committee jointly with the Committee of People's Representatives with a view to conduct a wider consultation on an important issue. Decisions arrived at this type of joint meetings shall bind members of both Committees.

7.2 COMMITTEE OF PEOPLE'S REPRESENTATIVES

- a. All elected and /or nominated or appointed members representing the Party in an elected body of People's Representatives shall be the members of this Committee.
- b. All members of this Committee shall be called upon by the Leader's Bureau to enter into a Pledge to abide by the decisions of the Leader's Bureau and will always act accordingly as long as they function as People's Representatives representing the Party.
- c. Members of this Committee are duty bound to honour and respect their Pledge referred to above and collective decisions of this Committee and they are also collectively responsible to act accordingly.
- d. The General Secretary shall time to time convene this Committee in order to discuss issues relevant to matters which, requires collective action by the members of this Committee.
- e. Any member of this Committee who conducts his /her activities in violation of the Pledge referred to above and /or decisions of this Committee shall be called upon by the Leader's Bureau to tender his /her resignation from his/her elected office as People's Representative representing the Party.
- f. Members of this Committee are liable to be removed from Membership of the Party and expelled from the Party by disciplinary action for non compliance with the decisions and/ or directions of the Leader's Bureau.

CHAPTER VIII

8.1 LEADER'S BUREAU

- a. The Leader's Bureau of the Party shall be the Supreme Authority of the Party consisting following office bearers:
 - i. Leader,
 - ii. General Secretary,
 - iii. Assistant Secretary,
 - iv. National Treasurer,
 - v. Assistant National Treasurer,
 - vi. National Organizer,
 - vii. National Coordinator,
 - viii. District Organizer – Ampara District
 - ix. District Organizer - Batticaloa District
 - x. District Organizer – Trincomale District
 - xi. Director - Affiliated Organizations.

- b. Members of the Leader's Bureau other than the Leader and the General Secretary shall be selected from the Working Committee and appointed annually to the Leader's Bureau by a collective decision of the Leader and the General Secretary.
- c. The members of the First Leader's Bureau appointed under the provisions of this Constitution shall hold office until the conclusion of the next Annual National Delegates Conference.
- d. The Leader shall chair the meetings of the Leader's Bureau. In the absence of the Leader, any other senior member of the Leader's Bureau may chair such meetings.
- e. The Leader's Bureau shall meet as and when necessary as summoned by the Leader or the General Secretary.

8.2 POWERS OF THE LEADER'S BUREAU SHALL INCLUDE THE FOLLOWING:

- a. to constitute, dissolve or re-organize any branch or affiliated organization of the Party and suspend the activities of such committees appointed by the Party.
- b. to nominate the candidates of the Party at any elections called by the Elections Commission.
- c. To fill all vacancies and/or positions in the party including making acting appointments.
- d. to interpret the provisions of this Constitution and to correct any error or mistake present in this Constitution.
- e. To remove any member of the Party from the membership and expel him from the Party or to take any appropriate disciplinary action.
- f. to authorize the Leader, General Secretary and National Treasurer to Open Bank Accounts in the name of the Party and operate such accounts with the mandate of the Leader and/or the General Secretary with the National Treasurer and /or any other senior member of the Leader's Bureau.
- g. to appoint necessary staff and to pay their remunerations.
- h. to formulate and enact Code of Conduct, Rules and Regulations of the Party and to revise it time to time as and when necessary.
- i. to establish new affiliated organization or institution to function under the guidance of the Party and to regulate the affairs of such organization or institution.

CHAPTER IX

9.1 OFFICE OF LEADER

- a. The Leader of the Party is the Chief Officer of the Party who is guided by the Leader's Bureau of the Party and answerable to the Leader's Bureau.
- b. The Annual National Delegates Conference shall elect the Leader. The First Leader of the Party under the provisions of this Constitution shall hold his office until the conclusion of the next Annual National Delegates Conference.
- c. In the event of the office of the Leader of the Party becomes vacant by reason of death, resignation or expulsion, either the General Secretary or any other senior member elected by the Leader's Bureau shall function as the Leader of the Party until the conclusion of the next Annual National Delegates Conference.

9.2 OFFICE OF GENERAL SECRETARY

- a. The General Secretary shall be the Chief Administrator of the Party and answerable to the Leader's Bureau.
- b. The Annual National Delegates Conference shall elect the General Secretary. The First General Secretary of the Party under the provisions of this Constitution shall hold his office until the conclusion of the next Annual National Delegates Conference.
- c. In the event of the office of the General Secretary of the Party becomes vacant by reason of death, resignation or expulsion, either the Assistant General Secretary or any other senior member elected by the Leader's Bureau shall function as the General Secretary of the Party until the conclusion of the next Annual National Delegates Conference.

9.3 THE SPOKESMAN OF THE PARTY

- a. The Leader is the Spokesman of the Party. The General Secretary or any other member of the Leader's Bureau shall have power to express views on behalf of the Party to the Public **only upon** the Leader or the Leaders' Bureau authorize them to do so.
- b. If any member of the Party expresses an opinion on behalf of the Party without specific authority from the Leader or the Leader's Bureau it shall be deemed to be a misconduct and serious violation of the Party discipline and shall be dealt with appropriate disciplinary action by the Leader's Bureau.

CHAPTER X

DISCIPLINARY ACTION AND DISCIPLINARY COMMITTEE

- 10.1 Where the Leader's Bureau is in receipt of any information or complaint, that a member of the Party has committed an act or omission which in its opinion –
- a. amounts to a failure and/or a refusal to perform any one or more duties of a member or is in conflict with and /or inconsistent with any one or more duties of a member and/or
 - b. Prejudicial to the interest and reputation of the Party or the collective responsibility of the member,
 - c. the member concerned is liable to be removed from the membership of the Party and expelled from the Party by a decision of the Leader's Bureau.
- 10.2 The Leader's Bureau may also exercise the disciplinary powers in the following manner:
- a. the Leader's Bureau from time to time may appoint disciplinary Committee/s and refer the matter for its report or recommendation,
 - b. on receipt of such report or recommendation the Leader's Bureau shall take appropriate disciplinary action against the member concerned.

CHAPTER XI

11.1 TRUSTEES OF THE PARTY

- a. The following office bearers for the time being of the Party shall be the Trustees of the Party.
 - i. The Leader,
 - ii. The General Secretary,
 - iii. The National Treasurer,
- b. Deeds of Transfer or other documents conveying title to any movable or immovable property of the Party shall be executed in favour of the Trustees of the Party.

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- c. The above said Office bearers and their respective successors in office shall hold title to such properties in trust for the Party. The said title shall devolve from time to time collectively upon persons holding or acting in such offices from time to time.
 - d. It shall be lawful and the right is hereby vested in such Trustees of the Party to deal with and to dispose of such properties in any manner from time to time in accordance with the approval of the Leader's Bureau. All such property transactions approved by the Leader's Bureau shall be executed at least by two Trustees.

11.2 MOVEABLE AND IMMOVABLE PROPERTIES OF THE PARTY

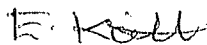
- a. It shall be lawful for the Party to acquire and hold, take or give on lease or hire, mortgage, pledge, buy and sell or otherwise dispose of any movable or immovable property and also utilize the funds belonging to the Party for such purposes.
- b. The Party funds shall not be used for the above purpose except upon a resolution adopted by the Leader's Bureau.
- c. No individual member shall have any right or title to the Properties of the Party.

CHAPTER XII

AMENDMENTS AND INTERPRETATION OF THE CONSTITUTION

- a. The Leader's Bureau shall be the supreme authority to amend, add to, repeal and replace the Constitution of the Party and also to correct any mistake or omission found in this Constitution as well as take suitable decisions on all matters on which this Constitution is silent.
- b. Constitution means the directive rules set out in this Constitution and includes all Rules and Regulations framed in terms of the provisions of this Constitution and all interpretations of this Constitution made from time to time by the Leader's Bureau and the provisions of the Code of Conduct of the Party.

I hereby certify that this is the true copy of the present Constitution of the **THAMIL MAKKAL VIDUTHALAI PULIKAL.**


E.S. KAILESWARARAJAH
General Secretary - TMVP.