

Communist Party of India (Marxist)

Constitution

&

The Rules

Under the Constitution

ARTICLE I
Name

The name of the Party shall be Communist Party of India (Marxist).

ARTICLE II
AIM

The Communist Party of India (Marxist) is the revolutionary vanguard of the working class of India. Its aim is socialism and communism through the establishment of the state of dictatorship of the proletariat. In all its activities the Party is guided by the philosophy and principles of Marxism-Leninism which shows to the toiling masses the correct way to the ending of exploitation of man by man, their complete emancipation. The Party keeps high the banner of proletarian internationalism.

ARTICLE III
Flag

The flag of the Party shall be a red flag of which the length shall be one-and-a half times its width. At the centre of the flag there shall be a crossed hammer and sickle in white.

ARTICLE IV
Membership

1. Any person residing in India, eighteen years of age or above who accepts the Programme and Constitution of the Party, agrees to work in one of the Party organisations, to pay regularly the Party membership dues (fee and levy as may be prescribed) and to carry out decisions of the Party shall be eligible for Party membership.
2. (a) New members are admitted to the Party through individual application on the recommendation of two Party members. Party members who recommend an applicant must furnish the Party Branch or the unit concerned, full information about the applicant from personal knowledge and with due sense of responsibility. The Party Branch shall make recommendation to the next higher committee, if the applicant is to be

admitted. The next higher committee takes a decision on all recommendations.

(b) All Party committees higher to the Party Branch and up to the Central Committee level have the power to directly admit new members to the Party.

3. (a) All applications for Party membership must be placed before the appropriate committee within a month of their presentation and recommendation.

(b) If the applicant is admitted to the Party, he or she shall be regarded as a candidate member for a period of one year commencing from the date of such admission.

4. If a leading member from another political party of local, district or state level comes to the Party, in addition to the sanction of Local Party Committee or District or State Committee, it is necessary to have the sanction of the next higher committee of the Party before he or she is admitted to membership of the Party. In exceptional cases the Central Committee or the State Committee can admit such members to full membership of the Party. And whenever a State Committee admits such members it should obtain previous sanction from the Central Committee.

5. Members once expelled from the Party can be re-admitted only by the decision of the Party Committee which confirmed their expulsion or by a higher committee.

6. Candidate members have the same duties and rights as full members except that they have no right to elect or be elected, or to vote on any motion.

7. The Party branch recommending or the Party committee admitting candidate members shall arrange for their elementary education on the Programme, Constitution and the current policies of the Party and observe their development, through providing for their functioning as members of a Party branch or unit.

8. By the end of the period of candidature, the Party branch or Party committee concerned shall discuss whether the candidate member is qualified to full membership. If a candidate member is found unfit, the Party branch or committee shall cancel his or her candidate membership. A report on admission to full membership shall be regularly forwarded by the branch or the Party committee concerned to the next higher committee.

9. The higher committee may, on scrutiny of the report, alter or modify any such decision after consultation with the branch or the Party committee

which has submitted the report. The District and State Committee will exercise supervisory power over the recruitment of candidates and over admissions to full membership and have the right to modify or reject the decision of the lower committee in this respect.

10. A Party member may transfer his or her membership from one unit to another, with the approval of his or her unit and by sending his or her application through his or her unit to the higher unit under whose jurisdiction the concerned units function.

ARTICLE V Party Pledge

Every person joining the Party shall sign the Party Pledge. This Pledge shall be: "I accept the aims and objectives of the Party and agree to abide by its Constitution and loyally to carry out decisions of the Party.

"I shall strive to live up to the ideals of communism and shall selflessly serve the working class and the toiling masses and the country, always placing the interests of the Party and the people above personal interests."

ARTICLE VI Party Membership Records

All membership records shall be kept under the supervision of the District Committee.

ARTICLE VII Check-up of Party Membership

1. There shall be annual check-up of Party membership by the Party organisation to which the Party member belongs. Any Party member who for a continuous period and without proper reason has failed to take part in Party life and activity or to pay Party dues shall be dropped from Party membership.
2. A report on check-up of Party membership by a Branch or a Party committee concerned shall be sent to the next higher committee for confirmation and registration.
3. There shall be right of appeal on decisions of droppage from Party membership.

ARTICLE VIII
Resignation from Party membership

1. A Party member wishing to resign from the Party shall submit his or her resignation to the Party branch or to the Party unit to which he or she belongs. The unit concerned may accept the same, decide to strike his or her name off the rolls and report the matter to the next higher committee. If the resignation is on political grounds the unit may refuse to accept the resignation and may expel him.
2. In the case where a Party member wishing to resign from the Party is liable to be charged with serious violation of party discipline which may warrant his or her expulsion and where such a charge is substantial, the resignation may be given effect to as expulsion from the Party.
3. All such cases of resignations given effect to as expulsion shall be immediately reported to the next higher Party committee and be subject to the latter's confirmation.

ARTICLE IX
Membership Fee

1. All Party members as well as candidates shall pay a Party membership fee of rupees two per year. This annual Party fee shall be paid at the time of admission into the Party and by March end of each year to the branch or unit secretary by the member concerned. If he or she does not clear the fee in due time his or her name shall be removed from the Party rolls. The Central Committee may extend this date if the circumstances warrant such extension.
2. All Party fees collected from Party members by Party branches or units will be deposited with the Central Committee through the appropriate Party committees.

ARTICLE X
Party Levy

Every Party member must pay a monthly levy as laid down by the Central Committee. Those whose incomes are of annual or of seasonal character have to pay their levy at the beginning of the season or at the beginning of every quarter on the same percentage basis. If a member has failed to deposit his levy within three months after it is due, then his name is to be removed from the Party rolls.

ARTICLE XI

Duties of Party Members

1. The duties of the Party members are as follows:
 - (a) To regularly participate in the activity of the Party organisation to which they belong and to faithfully carry out the policy, decisions and the directives of the Party;
 - (b) To study Marxism-Leninism and endeavour to raise their level of understanding;
 - (c) To read, support and popularise the Party journals and Party publications;
 - (d) To observe the Party Constitution and Party discipline and behave in the spirit of proletarian internationalism and in accordance with the noble ideals of communism;
 - (e) To place the interests of the people and the Party above personal interests;
 - (f) To devotedly serve the masses and consistently strengthen their bonds with them, to learn from the masses and report their opinions and demands to the Party, to work in a mass organisation, unless exempted, under the guidance of the Party.
 - (g) To cultivate comradely relations towards one another the constantly develop a fraternal spirit within the Party;
 - (h) To practice criticism and self-criticism with a view to helping each other and improving individual and collective work;
 - (i) To be frank, honest and truthful to the Party and not to betray the confidence of the Party;
 - (j) To safeguard the unity and solidarity of the Party and to be vigilant against the enemies of the working class and the country;
 - (k) To defend the Party and uphold its cause against the onslaught of the enemies of the Party, the working class and the country.

2. It shall be the task of the Party organisation to ensure the fulfillment of the above duties by Party members and help them in every possible way in the discharge of these duties.

ARTICLE XII

Rights of Party Members

1. Rights of the Party members are as following:
 - (a) To elect Party organs and Party committees and be elected to them;
 - (b) To participate in discussion in order to contribute to the formation of the Party policy and of the decisions of the Party;
 - (c) To make proposals regarding one's own work in the Party;
 - (d) To make criticism about Party committees and Party functionaries at Party meetings;

- (e) To be heard in person in his or her unit when a Party unit discusses disciplinary action against him or her;
 - (f) When any Party member disagrees with any decision of a Party committee on organization he or she has a right to submit his or her opinion to the next higher committee. In case of political difference a member has the right to submit his or her opinion to the higher committee up to the Central Committee. In all such cases the Party member shall, of course, carry out the Party decisions and the difference shall be sought to be resolved through the test of practice and through comradely discussions;
 - (g) To address any statement, appeal or complaint to any higher Party organisation up to and including the Central Committee.
2. It shall be the duty of Party organisations and Party functionaries to see that these rights are respected

ARTICLE XIII

Principles of Democratic Centralism

1. The structure of the Party is based on, and its internal life is guided by, the principles of democratic centralism. Democratic centralism means centralised leadership based on inner-Party democracy under the guidance of the centralised leadership.

In the sphere of the Party structure, the guiding principles of democratic centralism are:

- (a) All Party organs from top to bottom shall be elected;
- (b) The minority shall carry out the decisions of the majority; the lower Party organisations shall carry out the decision and directives of the higher Party organs, the individual shall subordinate himself to the will of the collective. All Party organisations shall carry out the decisions and directives of the Party Congress and of the Central Committee;
- (c) All Party committees shall periodically report their work to the Party organisation immediately below and all lower committees shall likewise report to their immediate higher committee;
- (d) All Party committees, particularly the leading Party committees, shall pay constant heed to the opinions and criticism of the lower Party organisations and the rank-and-file Party members;
- (e) All Party committees shall function strictly on the principles of collective decisions and check-up combined with individual responsibility;
- (f) All questions of international affairs, questions of all-India character, or questions concerning more than one state or questions requiring uniform decisions for the whole country, shall be decided upon by the all-India

- Party organisations. All questions of a state or district character shall be ordinarily decided upon by the corresponding Party organisations. But in no case shall such decisions run counter to the decisions of a higher Party organisation. When the Central Party leadership has to take a decision on any issue of major state importance, it shall do so normally after consultation with the state Party organisation concerned. The state organisation shall do likewise in relation to districts;
- (g) On issues which affect the policy of the Party on an all-India scale, but on which the Party's standpoint is to be expressed for the first time, only the Central leadership of the Party is entitled to make a policy statement. The lower committees can and should send their opinions and suggestions in time for consideration by the Central leadership.
2. Basing itself upon the experience of the entire Party membership and of the popular movement, in the sphere of the internal life of the Party, the following principles of democratic centralism are applied:
- (a) Free and frank discussion within the Party unit on all questions affecting the Party, its policy and work;
 - (b) Sustained efforts to activate the Party members in popularising and implementing the Party policies, to raise their ideological-political level and improve their general education so that they can effectively participate in the life and work of the Party;
 - (c) When serious differences arise in a Party committee, every effort should be made to arrive at an agreement. Failing this, the decision should be postponed with a view to resolving differences through further discussions, unless an immediate decision is called for by the needs of the Party and the mass movement;
 - (d) Encouragement of criticism and self-criticism at all levels, from top to bottom, especially criticism from below;
 - (e) Consistent struggles against bureaucratic tendencies at all levels;
 - (f) Impermissibility of factionalism and factional groupings inside the Party in any form;
 - (g) Strengthening of the Party spirit by developing fraternal relations and mutual help, correcting mistakes by treating comrades sympathetically; judging them and their work not on the basis of isolated mistakes or incidents, but taking into account their whole record of service to the Party.

ARTICLE XIV
All-India Party Congress

1. The supreme organ of the Party for the whole country shall be the All-India Party Congress.
 - (a) The regular Party Congress shall be convened by the Central Committee ordinarily once every three years.
 - (b) An Extraordinary Party Congress shall be called by the Central Committee at its own discretion, or when it is demanded by two or more State Committees representing not less than one-third of the total Party membership.
 - (c) The date and venue of the Party Congress or of the Extraordinary Party Congress shall be decided by the Central Committee at a meeting especially called for the purpose.
 - (d) Regular Party Congress shall be composed of delegates elected by the State Conferences as well as by Conferences of Party units directly under the all-India Party Centre.
 - (e) The basis of representation at a regular Party Congress and the basis of representation and method of election of delegates to the Extraordinary Party Congress shall be decided by the Central Committee on the basis of total Party membership, strength of the mass movements led by the Party, strength of the Party in the respective States.
 - (f) The members of the Central Committee shall have the right to participate as full delegates in the Party Congress, whether regular or extraordinary.
2. Functions and powers of the regular Party Congress are as follows:
 - (a) To discuss and act on the political and organisational report of the Central Committee;
 - (b) To revise and change the Party Programme and the Party Constitution.
 - (c) To determine the Party line on current situation;
 - (d) To elect the Central Committee by secret ballot.
3. It elects a Credentials Committee which goes into the credentials of all the delegates and submits a report to the Congress.
4. The Congress shall elect a Presidium for the conduct of its business.

ARTICLE XV
Central Committee

1. (a) The Central Committee shall be elected at the Party Congress, the numbers being decided by the Party Congress.

- (b) The outgoing Central Committee shall propose to the Congress a panel of candidates.
 - (c) The panel of candidates shall be prepared with a view to creating a capable leadership, closely linked with the masses, firm in the revolutionary outlook of the working class and educated in Marxism-Leninism.
 - (d) Any delegate can raise objection with regard to any name in the panel proposed as well as propose any new name or names, but the prior approval of the member whose name is proposed is necessary.
 - (e) Any one whose name has been proposed shall have the right to withdraw.
 - (f) The panel proposed, together with the additional nominations by the delegates, shall be voted upon by secret ballot, and by the method of single distributive vote. In case there is no additional nomination, approval of the delegates will be taken by show of hands.
2. The Central Committee shall be the highest authority of the Party between two all-India Party Congress.
 3. It is responsible for enforcing the Party Constitution and carrying out the political line and decisions adopted by the Party Congress.
 4. The Central Committee shall represent the Party as a whole and be responsible for directing the entire work of the Party. The Central Committee shall have the right to take decisions with full authority on any question facing the Party.
 5. The Central Committee shall elect from among its members a Polit Bureau including the General Secretary. The number of members in the Polit Bureau shall be decided by the Central Committee. The Polit Bureau carries on the work of the Central Committee between its two sessions and has the right to take political and organisational decisions in between two meetings of the Central Committee.
 - (a) The Central Committee shall elect a Secretariat from among its members. The number of members of the Secretariat shall be decided by the Central Committee. The Secretariat will, under the guidance of the Polit Bureau, look after the day-to-day work of the Party Centre and assist the Polit Bureau in the implementation of Central Committee decisions.
 6. The election of the secretaries of the State Committees and of editors of state Party organs shall require the approval of the Central Committee.
 7. (a) The Central Committee shall remove any member from itself for gross breach of discipline, misconduct or for anti-Party activity by two-thirds of

the members present and voting and in any case by more than half the total strength of the Central Committee voting for such removal.

(b) It can fill up any vacancy occurring in its composition by simple majority of its total members.

(c) In case member or members of the Central Committee are arrested the remaining members can coopt substitute member or members and they shall have full right as the original members but should vacate their places as the arrested members get released and assume their duties.

8. The time between two meetings of the Central Committee shall not normally exceed three months and it shall meet whenever one third of its total members make a requisition.
9. The Central Committee shall discuss and decide political and organisational issues and problems of mass movements and guide the State Committees and all-India Party fractions in mass organisations.
10. The Central Committee is responsible for the Party finances and adopts the statement of accounts submitted to it by the Polit Bureau once a year.
11. The Central Committee shall submit its political and organisational report before the Party Congress, whenever it is convened.
12. With the aim of strengthening the revolutionary leadership of the Party and ensuring a check-up over the State and district organisations, the Central Committee sends representatives and organisers, who must work on the basis of special instructions laid down every time by the Central Committee or Polit Bureau.
13. The Central Committee may when it deems necessary convene an extended session of the Central Committee, or Plenum or Conference. The Central Committee shall decide the basis of attendance and method of election of delegates for such bodies.
14. In case of emergency or in case of large-scale arrests, the Central Committee, the State Committees, and the District Committees shall be reorganised into smaller compact bodies. The names for such reorganisation of Central Committee are prepared by the remaining members of the P.B. and should be approved by the members of the Central Committee inside and outside. The names for the reorganisation of State and District Committees are prepared by the remaining members of the respective committees and are to be approved by their next higher committee. They can form sub-committees as they deem it necessary, to discharge their functions and responsibilities. The

reconstituted Central Committee is empowered to frame new rules for safeguarding the Party organisation. But when the situation normalises the elected Committees are restored.

ARTICLE XVI
State and District Party Organs

1. The highest organ in the State or District shall be the State or the District Conference which elects a State or District Committee.
2. (a) The organisational structure, the rights and functions of the State or District Party organs are similar to those enumerated in the articles concerning the Party structure and functions at the all-India level, their functions being confined to the State or district issues and their decisions being within the limit of the decisions taken by the next higher Party organ. In case it becomes necessary to increase the number of members of these Party Committees they can do so with the permission of the next higher committee.
(b) The State or District Committee shall elect a Secretariat including the secretary. But the State or District Committee may not have a Secretariat if permitted by the next higher committee.
(c) The State or District Committee shall remove any member from itself for gross breach of discipline, misconduct or for anti-party activity by a decision of majority of the total members of the State Committee or District Committee.
3. (a) The State Committee shall decide on the area of the District Committee taking into account the needs of the movement. It may not necessarily be confined to administrative division.
(b) The State Committee shall decided on the various Party organs to be set up between the primary unit (the Branch) and the District or the region and shall make necessary provisions relating to their composition and functioning. This will be done in accordance with the rules laid down by the Central Committee.

ARTICLE XVII
Primary Unit

1. (a) The primary unit of the Party is the Party Branch organised on the basis of profession or territory;
(b) Party members are to be organised on the basis of their occupation or vocation, when they are working in a factory or an institute or any industry. When such Branches are organised the members of such Branches shall be

associate members of the Party branches in place of their residence or organised as auxiliary Branches there. The work to be allotted in their place of residence shall not be detrimental to the work allotted to them by their basic units in the factory or institute or occupation;

(c) The number of members in a Branch shall not be more than fifteen. The functions and other matters related to the Branch will be determined by the State Committee.

2. The Branch is the living link between the masses of workers, peasants and other sections of the people within its area or sphere and the leading committee of Party. Its tasks are:
 - (a) To carry out the directives of the higher committee;
 - (b) Win the masses in the factory or locality for the political and organisational decisions of the Party;
 - (c) Draw in militants and sympathisers into activity to enroll them as new members and educate them politically;
 - (d) Help the district, local or town committee in its every day organisational and agitational work.
3. To carry out the current work, the Branch elects its Secretary who is confirmed by the next higher committee.

ARTICLE XVIII

Central and State Control Commission

1. The Party Congress shall directly elect a Central Control Commission consisting of not more than five members. The Chairperson of the Central Control Commission will be an ex-officio member of the Central Committee.
2. The Control Commission shall take up:
 - (a) Cases of disciplinary action referred to it by the Central Committee or Polit Bureau;
 - (b) Cases of appeal where disciplinary action has been taken by the State Committee.
 - (c) Cases involving expulsion, suspension from full Party membership and decisions of droppage from Party membership against which an appeal has been made to the State Committee or to the State Control Commission and rejected.
3. The decision of the Central Control Commission will be final and binding. But the Central Committee can withhold, modify or reverse the decisions of the Central Control Commission in extraordinary cases. Any such decision shall be supported by a majority of not less than two-thirds of the members

present and voting. All such decisions shall be reported to the next all India Party Congress.

4. The detailed rules for the functioning of the Control Commission shall be framed by the Central Committee after consultation with the Control Commission.
5. In the eventuality of a vacancy arising in the Central Control Commission between two party Congresses, the Central Committee shall have the right to fill the vacancy.
6. The State Conference may elect a State Control Commission to go into the cases of disciplinary action. In whichever State the State Control Commission is set up, the functions and authority will be similar to that of the Central Control Commission, but within its own State.

ARTICLE XIX **Party Discipline**

1. Discipline is indispensable for preserving and strengthening the unity of the Party, for enhancing its strength, its fighting ability and its prestige, and for enforcing the principles of democratic centralism. Without strict adherence to Party discipline, the Party cannot lead the masses in struggles and actions, nor discharge its responsibility towards them.
2. Discipline is based on conscious acceptance of the aims, the Programme and the policies of the Party. All members of the Party are equally bound by Party discipline irrespective of their status in the Party organisation or in public life.
3. Violation of the Party Constitution and decisions of the Party as well as any other action and behaviour unworthy of a member of the Communist Party shall constitute a breach of Party discipline and is liable to disciplinary action.
4. The disciplinary actions are :
 - (a) Warning;
 - (b) Censure;
 - (c) Public censure;
 - (d) Removal from the post in the Party;
 - (e) Suspension from full Party membership for any period but not exceeding one year;
 - (f) Expulsion.

5. Disciplinary action shall normally be taken where other methods, including methods of persuasion, have failed to correct the comrade concerned. But even where disciplinary measure has been taken, the efforts to help the comrade to correct himself shall continue. In case where the breach of discipline is such that it warrants an immediate disciplinary measure to protect the interests of Party or its prestige, the disciplinary action shall be taken promptly.
6. Expulsion from the Party is the severest of all disciplinary measures and this shall be applied with utmost caution, deliberation and judgement.
7. No disciplinary measure involving removal from the post held in the Party, suspension from full Party membership other than suspension pending enquiry, expulsion from the Party, shall come into effect without confirmation by the next higher committee. In case of expulsion the penalised Party member shall be removed from all Party activities pending confirmation. The expelled member stands suspended from the Party till the expulsion is confirmed by the next higher committee. The higher committee will have to communicate its decision within six months.
8. The comrade against whom a disciplinary measure is proposed shall be fully informed of the allegations, charges and other relevant facts against him or her. He or she shall have the right to be heard in person by the Party unit to which he or she belongs and shall have the right to submit his or her explanation to any other unit which takes action against him or her.
9. When a member is simultaneously a member of two Party units, the lower unit can recommend disciplinary action against him or her but it shall not come into operation unless accepted by his or her higher unit.
10. Party members found to be strike-breakers, drunkards, moral degenerates, betrayers of Party confidence, guilty of grave financial corruption can be summarily suspended from Party membership and removed from all responsible positions in the Party by the Party unit to which he belongs or by a higher Party body pending the issue of the charge-sheet to him and getting his explanation. This summary suspension and removal from all responsible positions in the Party cannot be extended for a period of more than three months.
11. There shall be right of appeal in all cases of disciplinary action.
12. The Central, State or District Committee has the right to dissolve and appoint new committees or take disciplinary action against a lower committee in

cases where a persistent defiance of Party decisions and policy, serious factionalism, or a break of Party discipline is involved. But the State and District Committee will immediately report such action to the next higher committee for whatever action it deems necessary.

13. In exceptional circumstances Party Committees in their discretion may resort to summary procedure in expelling members for grave anti-Party activities.

ARTICLE XX

Party Members in Elected Public Bodies

1. Party members elected to Parliament, State Legislature or Administrative Council shall constitute themselves into a Party group and function under the appropriate Party Committee in strict conformity with the line of the Party, its policies and directives.
2. The communist legislators shall unswervingly defend the interests of the people. Their work in the legislature shall reflect the movement and they shall uphold and popularize the policies of the Party.
The legislative work of the communist legislators shall be closely combined with the activity of the Party outside and mass movements and it shall be the duty of all communist legislators to help build the Party and mass organisations.
3. The communist legislators shall maintain the closest possible contact with their electors and masses, keeping them duly informed of their legislative work and constantly seeking their suggestions and advice.
4. The communist legislators shall maintain a high standard of personal integrity, lead an unostentatious life and display humility in all their dealings and contact with the people and place the Party above self.
5. Salaries and allowances drawn by communist legislators and local body members are considered to be Party money. The Party Committee concerned shall fix up the wages and allowances of the members.
6. Party members elected to local bodies such as corporations, municipalities, town or area committees, zilla parishads, block samities, gram panchayats shall function under the appropriate Party Committee or Party Branch. They shall maintain close day-to-day contacts with their electors and the masses and defend their interests in such elected bodies. They shall make regular reports on their work to the electors and the people and seek their

suggestions and advice. The work in such local bodies shall be combined with intense mass activity outside.

7. All nomination of Party candidates for election to Parliament, Legislatures or Councils or Centrally Administered areas shall be subject to approval by the Central Committee.

Rules governing the nomination of Party candidates for corporation, municipalities, district boards, local boards and panchayats shall be drawn up by the State Committees.

ARTICLE XXA

The Communist Party of India (Marxist) 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 XXI

Inner-Party Discussions

1. To unify the Party, free and businesslike discussions of Party policy in the various organisations of the Party as a whole are useful and necessary. This is the inalienable right of Party members arising from inner-Party democracy. But interminable discussions on issues of Party policy which paralyse the unity and will of action of the Party would be a gross misuse of inner-Party democracy.
2. Inner-Party discussion shall be organised on all-India scale by the Central Committee:
 - (a) Whenever it considers it necessary;
 - (b) Whenever over an important question of Party policy there is not sufficient firm majority inside the Central Committee.
 - (c) When an inner-Party discussion on all-India scale is demanded by State Committees representing one-third of total Party membership.
3. A State Committee can initiate inner-Party discussion on an important question of Party policy concerning that particular State, either on its own, or on a demand of District Committees representing one-third Party membership in the State with the approval of the Central Committee.
4. Inner-Party discussion shall be conducted under the guidance of the Central Committee which shall formulate the issues under discussion. The

Central Committee which guides the discussion shall lay down the manner in which the discussion shall be conducted.

When the State Committee initiates the discussion, it can formulate the issues under discussion and the manner in which the discussion shall be conducted, with the approval of the Central Committee.

ARTICLE XXII

Discussion Preparatory to Party Congress And Conferences

1. Two months before the Party Congress, the Central Committee will release draft resolution for discussion by all units of the Party. It is obligatory on the part of the State Committees to render it into respective languages and forward to all Branch Committees the required number of copies in the shortest possible time after its release by the Central Committee Amendments to the resolution will be sent directly to the Central Committee which will place its report on them before the Party Congress.
2. At each level, the Conference shall take place on the basis of reports and resolutions submitted by the respective Committees.

ARTICLE XXIII

Party Members Working in Mass Organisations

Party members working in mass organisations and their executives shall organise themselves into fractions or fraction committees and function under the guidance of the appropriate Party Committee, They must always strive to strengthen the unity, mass basis and fighting capacity of the mass organisations concerned.

ARTICLE XXIV

Bye-Laws

The Central Committee may frame rules and bye-laws under the Party Constitution and in conformity with it. Rules and bye-laws under the Party Constitution and in conformity with it may also be framed by the State Committees subject to confirmation by the Central Committee.

ARTICLE XXV

Amendment

The Party Constitution shall be amended only by the Party Congress. The notice of proposals for amending the Constitution shall be given two months before the said Party Congress.

RULES UNDER PARTY CONSTITUTION
(Adopted by the Central Committee in its Meeting on April 8-10, 1988)

Under Article IV, Section 10:
Membership

Regarding Transfer of Member from one unit to another or from one state to another:

(Explanation: Though in practice all transfers from one State to another are done by the CC, the particulars mentioned generally are inadequate. Therefore when a State asks the Centre to transfer a comrade to another State, it must specify the following so that a proper record is kept of each Party member at each level. The same would apply to transfers within the State.)

Rules : Transfer of Membership

The following particulars must be supplied along with the letter of transfer:

Name of comrade
Age
Year of joining the Party
Unit to which he/she belonged
Mass organisation in which he/she worked
Levy amount per month and paid up to
Any record of disciplinary action
State from which he/she is to be transferred
State to which he/she is to be transferred
Year of renewal of Party membership
Address where he/she can be contacted.

Auxiliary Groups:

(Explanation: The Salkia Plenum has directed that militants thrown up through mass struggles should be put into auxiliary groups, trained and educated so that they can be recruited as Party members. For this provision is to be made in the rules.)

1. Party units should take steps to organise active participants and militants thrown up in the course of mass movements and from the mass organisations into auxiliary groups which are groupings of broad sympathizers.
2. Party Committees should arrange for the education and training of such auxiliary group members about the Party Programme and basic policies, so as

to equip them in a reasonable period of time to be capable of joining the Party as candidate members.

**Under Article VI:
Party Membership Records**

Rule: The Constitution provides for the membership records to be kept under the supervision of the District Committee. While the final authority for veracity of the records and its authenticated copy will be the DC, the maintenance of records can be delegated to the intermediate/local committee in a State, if so decided by the State Committee concerned.

**Under Article VII:
Check-up of Party Membership**

(Explanation: Clause (1) states that a Party member may be dropped from membership who “for a continuous period and without proper reason has failed to take part in Party life and activity or to pay Party dues”. This is to safeguard against arbitrary droppages without the due reasons stated in the Constitution. Some specific rules are required on the procedure to be adopted.)

Rules

- (1) The unit concerned which wishes to drop a member must do so after giving the member a chance to explain his or her position. The branch must convey the decision to drop the member in writing to the next higher committee.
- (2) The higher committee, when confirming and registering the membership, must examine the list of droppages and give its specific opinion on the same.
- (3) The committee concerned must submit a renewal report to the next higher committee giving details of the Party membership enrolment, droppages, transfers and composition of the membership.
- (4) For renewal of Party membership there should be a renewal form to be filled up by the member concerned every year which includes basic data such as age, year of joining the Party, income and front in which working.
- (5) The receipt for the membership fee has to be given to the member concerned.
- (6) The concerned Party unit should inform the Party member about the decision to drop the member from Party membership within 30 days from the date of confirmation of the decision to drop the member.
- (7) The appeal against droppage from Party membership should be filed by the concerned comrade within 30 days of intimation of droppage from Party membership.

Under Article IX :

Membership Fee

Renewals: *(Explanation: Article IX, Clause I states that the annual membership fee is to be paid by a member by “March end of each year to the branch or unit secretary by the member concerned.”*

If membership fees are deposited only by March end to the units, by the time it is forwarded to the District/State Committees, it takes time. So in practice now the CC gets the consolidated membership fees from the State over a varied period of time. Now the duration stretches from April to December even. There has to be a cut-off date by which the membership fees should reach the Centre.)

Rules

- (1) Renewal of Party membership each year must be completed by March 31st.
- (2) The State Committees must deposit the membership fees with the Centre by 31st May each year.
- (3) In case of any contingency the date can only be extended by the Central Committee/PB.
- (4) New enrolment during the current year of candidate membership fees to be remitted by the end of the year or before.

Note: *New enrolment of candidate members (after the renewal period) continues throughout the year. Their fees are to be deposited with the Central Committee separately.*

Under Article X: Party Levy

Rules

1. Party members levy rates: The Central Committee decides that the levy from Party members shall be collected as per the following rates:

For Income

Upto Rs. 300	per month	25 paise
Rs. 301 to 500	per month	50 paise
Rs. 501 to 1000	per month	0.5%
Rs. 1001 to 3000	per month	1 %
Rs. 3001 to 5000	per month	2 %
Rs. 5001 to 7000	per month	3 %
Rs. 7001 to 8000	per month	4 %
Above Rs. 8000	per month	5 %

2. If a member is to pay quarterly or annually, calculate his/her monthly income on the basis of his/her annual income and calculate amount which he or she has to pay applying the above rates.
3. If spouse or any other member earning and contributing to the family income, is not a Party member, their income is not to be included, for the calculation of levy rates.

Note:

1. Income means with regard to salaried employees and wage earners, all their total gross income, including DA and other allowances. Apart from this, if the member has additional income from land, business or houses, that too is to be added.
2. In case of peasants, income after excluding actual amounts expended towards agricultural production.
3. If a person is living off joint family income, then his share of income.
4. In extreme cases, unemployment, drought or illness, if exemptions are to be given, it is for the respective State Committee to take necessary decision.

Note: The percentage share of local, area, district and state is to be decided by the State concerned.

**Under Article XV, Section 10:
Central Committee Finances**

Rules

1. The Central Committee is authorised to appoint a Trust to manage its properties.
2. The Central Committee is to decide each year, or as the case may be, the quantum each State will pay towards Party fund or special Party fund drive to run the Party's central apparatus.
3. Polit Bureau will constitute a Finance Sub-Committee which will meet and
 - (a) Take decision on financial matters and expenditure involving amounts upto Rs. ten thousands only. Expenditure of higher limit will be referred to the P.B.
 - (b) Finance Sub-Committee will place quarterly accounts of the CC and its establishment to the Polit Bureau.
 - (c) Finance Sub-Committee will submit yearly accounts as approved by the PB to the Central Committee for its approval (as laid down by the Party Constitution).
 - (d) One member of the Sub-Committee will be incharge of the income and disbursement of the Party finances after which these will be passed over to the accounts incharge for finalisation and compilation.

- (e) Half-yearly accounts of the Party organs and other establishments (if any) to be submitted to the Sub-Committee.

**Under Article XVI: Sub-Clause 3(b):
State and district Party Organs, Setting up of Intermediate Committees**

(Explanation: Clause 3(b) states, “The State Committee shall decide on the various Party organs to be set up between the primary unit (the Branch) and the District or the region and shall make necessary provisions relating to their composition and functioning. This will be done in accordance with the rules laid down by the Central Committee)

The State Committee can decide to set up intermediate committees between the primary unit and the District Committee or the region under the following rules:

- (a) The State Committee will decide the size of the committee to be set up.
- (b) Such a committee will be elected by the conference of delegates at that level. The committee should elect a Secretary and /or the Secretariat.
- (c) The criteria of election of delegates to the conference of the intermediate committee will be decided by the State Committee.
- (d) The intermediate committee (local, area, zonal etc.) will exercise all those functions enumerated for the State/ District Committees, their function being confined to the local area or zone under its jurisdiction.
- (e) Committees set up on an ad-hoc/nominated basis for coordination purposes will not have the general powers laid out for full-fledged elected committees. Their scope of work is to be guided by the decisions of the respective committees who appointed them.
- (f) The number of delegates to the District Conference and the conferences of committees below the district will be decided by the State Committee.

**Under Article XVI: Rules on Party Finances & Accounts
For Committees Below The CC (States & District Party Organs)**

(Explanation: Similar to the rules framed for the CC finances and accounting, the following rules will apply to all the lower elected committees)

- (a) At State level (and for the intermediate/District committees as decided by the State Committee) finance sub-committee of the committee concerned will be constituted by the Secretariat.
- (b) The sub-committee will be responsible for the disbursement of the money and maintenance of the accounts under the supervision of the Secretariat.
- (c) The sub-committee will submit a six-monthly account to the Party Committee and this statement should be forwarded to the next higher committee.

- (d) Annual accounts should be audited by the sub-committee and placed before the Party committee for approval.
- (e) The district committee will submit the consolidated statement of account of its and all the lower elected committees to the state committee before July 31 every year after being duly audited by a chartered accountant.
- (f) The state committee will submit the consolidated statement of accounts of its and all the lower elected committees before August 31 every year to the Central Committee after being duly audited by a chartered accountant.

Under Article XVIII:

Rules For The Functioning Of The Central Control Commission

1. On receipt of a reference or an appeal under Article XVIII, the Central Control Commission should take steps to investigate and decide upon the issue.
2. No appeal can be preferred by any one other than the aggrieved Party member.
3. The Central Control Commission shall have the right to directly correspond with the examine unit/units or persons concerned in order to ascertain facts and to arrive at conclusion.
4. The Central Control Commission will ordinarily meet once in three months. The Chairperson shall call a meeting of the Central Control Commission after giving 14 days prior notice.
5. Majority of the members constitute quorum of the meeting. The Central Control Commission can take a decision only if all the members agree or majority of the members of the Central Control Commission agree. A decision taken may be informed to the absent member or members.
6. The Central Control commission may take decisions by consultation by correspondence among its members on such issues which are simple and not complicated.
7. The Central Control Commission will communicate its decision to the appellant and the respective State Committee and the decision of the Central Control Commission has to be implemented immediately by the respective committees.
8. The Central Control Commission will present before the Central Committee a consolidated report of its activities and decisions at least once in a year.
9. These rules shall apply mutatis mutandis to State Control Commissions.

Procedural Rules For

Central Control Commission To Conduct Business

1. On receipt of an appeal, the Chairperson of the Central Control Commission shall intimate about the case to the other members.

2. The Chairperson shall also propose the immediate steps to be taken up for the investigation in a particular case. The other members of the Central Control Commission may send their proposals regarding the same.
3. The Central Control Commission has the right to ask for any information which is required for deciding the appeal from the concerned committees and members and they should provide such information to the Central Control Commission within a period of two months and if no such information is received within this period, the Central Control Commission may proceed with the case.

Procedural rules for the Central Committee

The Central Committee shall consult the Central Control Commission before a final decision is taken to withhold, modify or reverse a decision of the Central Control Commission in extraordinary cases under Article XVIII, Section 3.

Under Article XIX, clause 11

1. The Party unit which took disciplinary action against a Party member should inform the Party member concerned about the decision within 30 days after the decision or within 30 days after confirmation by the next higher committee, if confirmation is required as per clause 7 of Article XIX.
2. The appeal against the disciplinary action should be filed by the concerned Party member within six months from the date of communication of disciplinary action.

Under Article XIX, Clause 13: Party Discipline

Provision for summary expulsion in exceptional circumstance is meant for “grave” anti-Party activities. The means only under extremely serious circumstances such as when a member is found to be a spy or enemy agent or when the member’s activities seriously compromise the Party’s position, should it be invoked.

Under Article XX: Party Members In Elected Bodies

Rules

1. Each CPI(M) Parliament member has to pay levy amount as decided by the Central Committee to the Central Committee.

2. The percentage of the levy share as fixed by the PB for the State will be remitted to the State Committee concerned (to the State the member belongs) each month.
(Explanation: Article XX Sub-clause (5) in the Constitution states that salaries and allowances drawn by Communist legislators and local body members are to be considered Party money. Earlier there was no system of pensions for MPs/MLAs. Now it is there. So the following rule.)
3. Salaries and allowances of Communist legislators, local body members include pensions drawn by them, if any.

Under Article XXII

Discussions Preparatory To Party Congress And Conferences

The forums of the Party conferences will be utilised to discuss and review the work report since the past conference and political-organisational questions related to the implementation of the line laid down in the past conference/Congress. The discussion on the draft political resolution of the Congress will be conducted separately as per the provisions laid down in the Constitution.

Under Article XXIII

Party Members Working In Mass Organisations

1. The Party Committee at Central, State and District levels may form sub-committee from amongst its members and any other member considered suitably equipped to guide the work of the Party members working in different mass fronts. They will specialise in the problems of the front, check up on Party building, guide and coordinate the activities of the Party members in different mass organisations, whether they exist as Party units or fraction committees, and see that Party policy is being followed and implemented.
2. All the Party members working in a mass organisation or the elected bodies of that organisation at various levels constitute the fraction of that body. They have to function under the guidance and decisions of the respective Party committees.
3. Fraction committees are to be set up from amongst the fraction members where there are large number of them working at different levels in a mass organisation. The fraction committee will be set up by the respective Party committee by including those comrades, apart from members of the Party committee if any, who are equipped with the required level of maturity or mass experience considered necessary by the Party committee.
4. The fraction committee, as constituted above, should carry out the decisions of the respective Party committees in the Executive or General Council of the

particular mass organisation, and all necessary measures to implement the decisions of Party Committees by the fraction in that mass organisation shall be taken by the fraction committee.

Adopted By the Eighth Congress, Cochin, December 23-29, 1968

Amendments made to the Constitution upto the XVIII Congress, April 2005, and to the rules by the Central Committee upto December 2005, have been incorporated.

January 2006