

# COMMITTEE FOR THE PROTECTION OF DEMOCRATIC RIGHTS

## AIMS AND OBJECTIVES

1. The sudden imposition of the emergency on 25 June 1975 raised the issue of democratic rights and civil liberties before all sections of the people in a manner never raised before.

2. Looking back it can be seen that a steady violation of the hard-won democratic rights and liberties, especially of the working class, working peoples and peasantry, had begun in an earlier period much before June 1975, and that due to the weakness of a broad-based democratic movement during this period, the state could gradually build up, strengthen and centralise its oppressive apparatus without facing any effective opposition from the people. The emergency marked a significant trend towards greater centralisation of power, when as a result of the inherent economic crises of the Indian economy, coupled with the sharp political crises within the ruling circles at the time, the Congress Party imposed the emergency to maintain themselves and the interests they represented in power.

3. The most important lesson of the emergency was of how the state machinery (judicial, legal, administrative, police, intelligence, para-military) and the mass media serves the interests of the ruling classes at the cost of the lives and liberties of millions of the people.

4. The CPDR, therefore, holds that these democratic rights that exist in the Constitution can be realised only by vigilant movements and expressions of the masses of the people.

5. Even today there remains an alarming divergence between the reality that millions of weaker and deprived sections of the people, both in the cities and villages face, and the so-called sanctity and equality before the law "guaranteed" by the Constitution, whereby democratic rights and civil liberties are supposed to be equally applicable to all citizens of India. The situation particularly for the vast majority of the peasantry, is one in which all democratic rights and civil liberties are denied, where the peasant and his family are enmeshed in an oppressive web of a subservient relationship with the small, but powerful section of landlords, moneylenders and traders. This powerful section, through the interweaving ties of tenant farming, bonded labour and recurring indebtedness totally dominate and control the power structure in the village with the help of the state machinery and the naked power of their hired goondas.

6. Insofar as the meaning of democratic rights for the working class and working people are concerned it means the right to engage in various forms of struggle for their demands, the right to organise in trade unions of their own free choice ascertained through a secret

ballot, the right to elect their union representatives at all levels, and last but not least, the right to go on strike, etc. to press for these and any other demands without the intervention of the state. The CPDR is particularly concerned at the attempts of the state to trample upon these rights that have been won by the working class and the working peoples through the course of many years of hard struggle.

7. The oppressed and exploited castes and tribes are even more so victims to the violation of their fundamental civil rights, as they are not only victims of the economic system, but still more of the social system. Oppressed by age-long prejudices which have in recent years been reinforced by the upper castes maintaining their superior economic position, the oppressed castes and tribes face a dual form of oppression which manifests itself in the majority of them having to constantly live under a perpetual state of "emergency". Those that do attempt to protest against this relentless oppression, face the reality of losing their lives at the hands of their caste oppressors, while the state, at worst aids and abets in this oppression, at best, engages in token ameliorative gestures.

8. Despite the promises of equality of sexes in the Constitution, women have always been, and remain socially and economically oppressed.

9. Students confront an undemocratic educational system which serves neither their needs nor those of the masses of the people. Student struggles stemming from this, which demand more democratic educational institutions and an educational system more relevant to the needs of the people is an important part of the movement for democratic rights.

10. The CPDR also holds that the question of democratic rights is related to the question of safeguarding the economic, political and cultural independence and national sovereignty of our country, as well as those of other countries.

11. The CPDR holds that the question of oppressed nationalities as well as the question of freedom and equality of peoples, languages and nationalities is also very much a question of democratic rights. The CPDR views with the greatest concern any attempts to use language as a means of dominating a people and holds that in those cases/situations where disputes arise, solutions should be found by the democratic process of holding a free plebiscite in the area or among the peoples concerned.

12. The CPDR holds that the struggle of the mass of the people to genuinely participate in the cultural, economic and political forces that affect their everyday lives constitutes a vital force in the creation and sustenance of a truly democratic society.

13. The CPDR maintains that every individual should have the right to hold and propagate whatever political ideology he/she believes

in. The CPDR will constantly struggle against any attempt of the state to encroach upon this right or victimise any person for holding or expressing their political line or ideology.

## **ACTIVITIES**

I The CPDR will be an independent democratic organisation consisting of all those who agree with its aims and objectives. It will be independent of any political party.

II The CPDR will initiate action on issues that relate to the protection of, or expansion of democratic rights and will join all sections of the people, outside of, and within their own organisations, trade unions, student unions, women's associations, peasant associations, political parties, etc. to build a mass movement for the realisation of democratic rights and civil liberties.

III The CPDR will develop through propaganda and activities an understanding and awareness among all sections of the people, specially among the more backward and vulnerable sections of society that the struggle for democratic rights is a necessary element in the struggle against poverty and exploitation.

IV The CPDR will constantly struggle against the open and hidden forces of fascism and will explain and expose the social, cultural, economic and political conditions that give rise to these forces.

V Among issues on which public opinion and movements need to be generated are :

(i) The immediate and unconditional release of all political prisoners, for example, Naxalites, CPI(M), Nagas, Mizos, PAC jawans.

(ii) Abolition of the death penalty.

(iii) Repeal of 42nd Amendment and all laws that enable the detention of people without trial (MISA, DIR, etc.).

(iv) Repeal of Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practices Act 1971, and the Maharashtra Vacant Lands (Prohibition of Unauthorised Occupation and Summary Eviction) Act, 1975.

(v) Denotification of all areas declared as "disturbed areas" such as those in Nagaland, Mizoram, Andhra Pradesh.

(vi) Ban on the use of torture in police custody and the supervision and periodic examination of all prisoners/under-trials by civil liberty organisations.

(vii) The stopping of the use of para-military and armed forces in civilian disturbances arising out of economic, political or social problems, and the disbandment of para-military forces specially created for the purposes of "intervening in internal disturbances"

(viii) Reform of the judicial system to make it more accessible and unbiased towards the weaker sections of society.

(ix) Constant vigilance to prevent the social discrimination in justice, torture and death inflicted particularly on the oppressed and exploited caste and tribes and the poor peasantry.

(x) Ensure a free and uncensored press, independent of the state and of the monopolist interests.

(xi) Establish the right to recall all elected representatives to parliament, legislatures, municipal and local bodies.

VI Unit with all civil liberties and democratic rights organisations.

Committee for the Protection of Democratic Rights,  
C/o Super Book House,  
opp. Canara Bank, Colaba Causeway,  
Bombay 400 005

Bombay  
September 1977.

# **COMMITTEE FOR THE PROTECTION OF DEMOCRATIC RIGHTS**

## **CONSTITUTION**

The Committee for the Protection of Democratic Rights is a democratic mass organisation fighting for democratic rights and civil liberties of the people of India.

Its address will be : C/o Super Book House, Sind Chambers, Colaba Causeway, Bombay 400 005

Its financial year will be April 1st to March 31st.

### **I MEMBERSHIP.**

1. The Organisation shall consist of : (a) Ordinary Members; and (b) Institutional Members
2. Anybody agreeing and willing to abide by the Aims and Objectives of the CPDR is eligible to become a member if he/she so desires.
3. Every ordinary member shall pay a subscription of Rs. 2/- per annum. Members can join the CPDR any time during the year but the subscription will be valid only upto the end of the financial year.
4. Every member of the organisation shall be bound by the provisions of the Aims and Objectives of the organisation and this Constitution and by all rules, bye-laws and decisions from time to time made, or taken, by the organisation.
5. Any democratic organisation barring political parties agreeing and willing to abide by the Aims and Objectives of the CPDR is eligible to an institutional membership in the CPDR. (a) The concerned institution/organisation will send one individual either elected or nominated by it to represent it on the CPDR General Body. (d) The nominated or elected individual will be fixed for atleast one year. (c) The institution/organisation concerned may change it's representative during the year if it so desires but the CPDR must be intimated about such changes in a formal manner, a note signed by an office bearer of the institution/organisation. (d) The institutional representative is entitled to one vote. (e) Other members of the same organisation/institution can become independent ordinary members of the CPDR, (f) The institution/organisation will have to pay a membership fee of Rs. 10 per annum.
6. Every ordinary member of the CPDR is entitled to one vote.

### **II GENERAL BODY**

1. The General Body shall meet atleast once every 4 months.
2. The quorum for all General Body meetings shall be 1/3 of the total membership of the CPDR. However, if the quorum is not present at the stipulated time of the meeting the Secretaries can adjourn the meeting for half an

hour after which the meeting can carry on irrespective of the number of people attending the meeting.

3. Intimation about all General Body meetings along with agenda must be made public atleast 15 days before the date of the meeting.

### III EXECUTIVE COMMITTEE

1. There will be an election to the Executive Committee every financial year. This election will take place on the first General Body meeting after March 31st every year.

2. Any member of the General Body barring those mentioned in Sec. (III)3 is eligible to stand and get elected on the Executive Committee if he/she so desires.

3. No member is eligible to stand for the elections to the Executive Committee if he/she : (i) is a member of a political party, and (ii) has not paid their annual membership fee.

4. The Executive Committee will consist of 7 members, including office bearers, all of them duly elected directly by the General Body.

5. The Executive Committee will draft policies and programmes for the CPDR to be ratified later by the General Body.

6. The Executive Committee will co-ordinate all the activities of the CPDR.

7. The quorum for the meetings of the Executive Committee shall be 2/3 of the entire Committee.

8. Intimation about all Executive Committee meetings along with the agenda must preferably be given atleast 48 hours before the time of the meeting.

### IV OFFICE BEARERS

1. The office bearers shall be as follows : Two Joint Secretaries and one Treasurer.

2. The office bearers shall be directly elected by the General Body.

3. The Secretaries : (a) Will keep the minutes of all the Executive Committees and General Body meetings. (b) Will maintain the report books of the various sub-committees of the CPDR. (c) Will convene and undertake to inform all members about every General Body and Executive Committee meetings. (d) Will prepare the agenda of both the Executive Committee meetings, and General Body meetings, (e) Will present the Annual Report at the end of the financial year.

4. The Treasurer : (a) Will maintain the books of account of the CPDR. (b) Immediately after elections the Treasurer will present a budget for the forthcoming year. (c) Will co-ordinate all the finances of the CPDR. (d) Will present the final income-expenditure and balance sheets at the end of the financial year at the General Body meeting.



## V SUB-COMMITTEES

1. To facilitate the smooth functioning of the organisation's activities Sub-committees may be formed by the Executive Committee from time to time.
2. To allow for proper co-ordination at least one member of the Executive Committee will represent the Executive Committee on the sub-committee.
3. Members of the sub-committees shall be members of the General Body.
4. Members of political parties may become members of such sub-committees if they so desire.
5. All sub-committees are responsible to the Executive Committee.

## VI ELECTIONS

1. The Executive Committee shall appoint an Election Committee every year atleast 30 days before date of the elections.
2. All elections will be conducted by secret ballot.
3. The Election Committee should lay down the procedure for filings nominations, etc atleast 20 days before the date of elections.
4. The Election Committee shall be an absolutely impartial body.
5. The entire procedure of putting in ballots as well as counting of vote must be done in one sitting.
6. The Election Committee will be considered dissolved immediately after the elections are over.
7. All members must be proposed and seconded by atleast one member each.
8. Voting by proxy will not be permitted.

## VII RESOLUTIONS

1. There will be 2 types of Resolutions (a) Ordinary Resolutions.  
(b) Special Resolutions.
2. Vote of no confidence motions, recall of any particular Executive Committee member, amendments to this Constitution and the Aims and Objectives of the organisation will be considered as Special Resolutions.
3. All other resolutions will be considered as Ordinary Resolutions.
4. Any ordinary resolution may be tabled either in the Executive Committee or in the General Body with the permission of the Chair.
5. All ordinary resolutions passed in the Executive Committee must be ratified in the earliest General Body meeting.
6. All special resolutions must be first tabled in the Executive Committee.

7. No special resolution can be passed by the Executive Committee. They may only be discussed at the Executive Committee level.

8. The Executive Committee is obliged to table all special resolutions received before the General Body.

9. All ordinary resolutions must be proposed and seconded by atleast one member each of the General Body.

10. All special resolutions to be admitted for discussion must be proposed and seconded by atleast 25 members of the General Body.

11. All ordinary resolutions may be passed in the General Body by a simple majority present and voting.

12. All special resolutions may be passed by 2/3 of the members present and voting.

13. The organization will maintain a statute book wherein all resolutions and bye laws passed may be recorded.

### VIII BULLETIN

1. The CPDR will publish a bulletin/bulletins in English and Marathi at regular intervals.

2. This bulletin/bulletins will be named 'Raksha'.

3. 'Raksha' will be an organ of the CPDR promoting and propagating the ideas, programme, policies, aim and objectives of the CPDR.

4. The editorial policy of all editions of 'Raksha' will be decided by the Executive Committee.

5. Each language edition of 'Raksha' will have a separate editorial sub-committee.

6. Atleast one member of the Executive Committee will be appointed ex-officio on the different language editorial sub-committees of 'Raksha'.

### IX ADVISORY BOARD

1. The CPDR may appoint an Advisory Body consisting of esteemed democratic people.

2. The Executive Committee may consult the Advisory Body on any issues concerning democratic rights and civil liberties, also on policies, programmes, etc. from time to time.

3. Individual members of this Advisory Body may change from time to time.