

**THE CONSTITUTION
OF
THE LAMKANG NAGA NATIONAL COUNCIL**

PREFACE

‘GREAT IS THE LORD FOR HE HAS BESTOWED US THE GRACE TO WITNESS THE
CONSTITUTION OF THE LAMKANG NAGA NATIONAL COUNCIL’

The initiative to draft the Constitutions of the Lamkang Naga National Council started sometimes ten years back. It however, could not have been compiled though several Nationalist are learned to have drafted the constitution. The L.N.N.C. under the presidentship of Mr. D. Ringo felt the need for the constitution and accordingly formed a drafting Committee, in the L.N.N.C. General Assembly at Betuk Sengkereng , the Branch Office of the L.N.N.C. in the year 1997. The Drafting Committee consist of seven individual members and the L.N.N.C. Executive. The Committee, under the chairmanship of Mr. Michael Bepol met several times and finally came out with the compiled draft. The L.N.N.C. general assembly for approval of the constitution was convened and held on 20th December ’99 at the Council’s Head Qaurter P. Pantha. The draft was read, explained, discussed and approved on the same day. Thus, the constitution of the L.N.N.C. came in to force w.e.f.20/12/99

ACKNOWLEDGEMENT

The President L.N.N.C. on behalf of the Lamkang tribe and the L.N.N.C. is grateful to the members of the L.N.N.C. constitution drafting committee for their effort and labor they have spend to make this a reality. Mr. Micheal Bepol, the chairman of the drafting committee and father of the constitution had dedicated his services in drafting and compiling the constitution .The tribe is indebted to him and the committee members. We wish him and the members a long and prosperous fruitful life.

DILBUNG RINGO
President
The Lamkang Naga National Council

PREAMBLE

We, the people of the Lamkang Naga tribe, having solemnly resolved to constitute ourselves into an indigenous sovereign, socialist, secular democratic nation; hereby adopt to ourselves this ***Lamkang Naga Kver Kunpun*** constitution in our constitution assembly on this twentieth day of December of the year One Thousand Nine Hundred And Ninety Nine Anno Domino.

**Chapter 1
PRELIMINARY**

Article

1. This constitution shall be known as the constitution of the Lamkang Naga Kver Kunpun and shall be binding on all Lamkang people and the area they inhabited.

2. In the context of this constitution unless otherwise expressly provided in this constitution;
 - i) 'Constitution' means the constitution of the Lamkang Naga Kver Kunpun.
 - ii) 'Tribe' means the Lamkang Naga tribe.
 - iii) 'Council' means the apex platform of the Lamkang tribe.
 - iv) 'President, Secretary or Treasurer' means the president, secretary or the treasurer of the Lamkang Naga Kver Kunpun.
 - v) 'Chief' means the chief of Lamkang Village.
 - vi) 'Customary Law' means the law abided by the fore-father of the Lamkang Naga people.
 - vii) 'People' mean all the individuals of the Lamkang Tribe.
 - viii) 'Snu Lop' means the highest women secular organizations of the Lamkang women.
 - ix) 'Kurchuknao Kunpun' means the highest students secular organization of the Lamkang students.

Chapter 2

OBJECTIVES AND DIRECTIVES PRINCIPLES

3. The objectives and directives principles of the constitution are:
 - i) To safeguard and promote the rights and interest of the Lamkang people;
 - ii) To secure and provide social and provide social and economic justice to the Lamkang people;
 - iii) To streamline and pilot the development and general welfare of the Lamkang people;
 - iv) To research, promote; codify and preserve the intrinsic custom and culture of the Lamkang tribe;
 - v) To settle dispute within and without the tribe amicably;
 - vi) To foster the spirit of unity, fraternity, secularism, future welfare;
 - vii) To promote the cause of women and youth and that of language and literature.

Chapter 3

STRUCTURE AND COMPOSITION

4. The Lamkang Naga Kver Kunpun shall consist of;
 - i) The Chiefs and Secretaries of the Lamkang Naga Kver Kunpun recognized Lamkang village;
 - ii) The outgoing President and Secretary of the Lamkang Naga National Council.
5. Lamkang Naga Kver Kunpun shall have an executive body consisting of;
 - i) President, ii) Vice President, iii) Secretary, iv) Joint Secretary, v) Treasure, vi) Social & Cultural Secretary, vii) Publicity Secretary viii) Other designates the executives may create from time to time with the approval of the general body and ix) Lamkang Naga Kver Kunpun may form a sub-committee with the approval of the general body.

Chapter 4

GENERAL QUALIFICATION OF THE EXECUTIVE MEMBERS

6. For any post in the Lamkang Naga Kver Kunpun a person must be;
 - (i) Lamkang by blood,
 - (ii) an adult of the age of 35 years or above,
 - (iii) free from criminal convict under any court of law,

- (iv) free from violation of the customary law of the tribe and persistently abided in it,
- (v) mentally sound,
- (vi) Conventionally is a social worker.

Note: Provided that adopted national if certified by the village authority as having abided in that particular village continuously for more than ten years he/she shall have the right as under clause (i) section 6 except in the case of president.

RESPECTIVE ESSENTIAL QUALIFICATIONS OF THE EXECUTIVE MEMBERS

7. In the addition to qualification above mentioned under Article 6, a person for the post of president must;
 - (i) be graduate or above in education qualification,
 - (ii) preferably have held the post of other subordinate post in the previous tenure,
 - (iii) have at least five years experience in the conduct of institution/organization affairs particularly those related to the Lamkang people,
 - (iv) not have deterrent behavior to any caste, creed, denomination, sect etc.,
 - (v) obtain good character certificate from the village authority where he/she hails from.
8. A person for the post of Vice President shall have the same qualification as under Article No. 7.
9. In addition to the qualification described above under Article No. 6, a person for the post of secretary must:
 - (i) be a graduate or above in education,
 - (ii) have the experienced in the recording of meeting proceeding.
10. A person for the post of Joint Secretary must have the same qualification as the secretary.
11. In addition to the qualification described above under Article No. 6 of this constitution a person for the post of Treasurer shall;
 - i) not be financially bankrupt,
 - ii) be without any black record relating to financial matter,
 - iii) have the basic knowledge of book keeping.

Chapter 5 DISQUALIFICATION FOR THE EXECUTIVE MEMBERS

12. No withstanding any disqualification as the Lamkang Naga Kver Kunpun may prescribed from time to time the following shall be constitute disqualification for the Executive members and shall form enough reason for removal or expulsion of the incumbent;
 - i) violation or cause to violate the Lamkang customary law,
 - ii) misappropriate used of fund,
 - iii) activities detrimental to the interest of the tribe,
 - iv) mental disorder,
 - v) declared criminal convict under any court of law,
 - vi) fail to convene general body meeting at least once in a year in case of president and one and half year for other relevant designated person,

- vii) Perpetual disobedience to the directives of the president in case of subordinate designate with concrete proof of disobedience.
- viii) religious or sectarian fanatic behavior deterrent to other denomination or sect,
- ix) three consecutive absence from the general or executive meeting as the case may be,
- x) absence from Lamkang area which will adversely and correctly affects the interest of the Lamkang as a whole or individual,
- xi) if enrolled as a member of any political party.

Chapter 6 ELECTION AND PROMOTION

13. There shall be an Election Commission;
 - (a) The commission shall have the following commissioners consisting of;
 - i) One Chief Election Commissioner,
 - ii) Two other Commissioners.
 - (b) The term of the office of the commission shall be of five years.
 - (c) The former president or any of the executives can be appointed as these commissioners otherwise
 - (d) Candidate of the qualification under Article No. 6 & 7 can be elected.
14. Except in case of president, the appointment or removal of any subordinate shall be presided by the president.
15. The presiding officer shall have a casting vote in case of tie.

Chapter 7 RESIGNATION

16. Any member of the Executive can resign by tendering resignation paper with his/her own handwriting.
17. President shall address his/her resignation to the Speaker of the Assembly whereas the rest of the Executives shall address to the president.
18. Resignation can be effective once the same has been put up and is accepted at the meeting. The outcome of the resignation shall be conveyed to the person concerned within two weeks from the date of receipt of the application.

Chapter 8 VACANCY

19. Vacancy (cies) occurring not as a result of removal or expulsion except in the case of President or Secretary after the expiry of two-third of the tenure shall be filled up by way of co-option by the Executive.
20. Vacancy in respect of President or Secretary occurring after the expiry of two third of the tenure shall be filled up by promotion of the Vice President or Joint Secretary as the case may be.
21. Vacancies occurring before the expiry of two-third of the tenure resulting from removal or expulsion or otherwise shall be filled up by election.
22. Any person holding office consequent upon occurrence of vacancy shall do so only for the unexpired period of the tenure where the vacancy occurred.

Chapter 9
STATUTARY OBLIGATION

23. Every designated member of the Lamkang Naga Kver Kunpun shall take an oath of office. This shall apply for even promoted designates.
24. The oath of office shall be administered by the outgoing president or any other former presidents which shall be organized under the supervision of the Assembly. The oath of the mid-term elected or appointed designates shall be administered by the incumbent president.
25. The outgoing executives shall hand over the charge within a week if not done on the oath taking. Violation of this article shall invite violation of the customary law of the tribe.

Chapter 9 STATUTARY OBLIGATION

- do-23. Every member of the L.N.N.C executive whether promoted or elected shall take oath of office.
- do-24. The oath of office of the President shall be administered by the outgoing president or any former president. Other members if selected or promoted simultaneously, with the president shall take oath along with the president. Otherwise they shall be administered the oath by the President.
- do-25. The outgoing president shall hand over charge within a week of the oath taking if not done on the day of oath taking. Violation of this shall constitute violation of customary law of the tribe.
- do-26. No person, including the president elect shall sit as arbitrator before or without oath for the office.
- do-27. The presiding officer for the removal or expulsion if not done by the president shall take oath before sitting as arbitrator in a dispute.
- do-28. Every oath taking shall be recorded and maintain in writing by the L.N.N.C. Executive

Chapter 10. POWERS AND FUNCTIONS

- do- 29. The ultimate authority in all matters shall lie to the general body in a meeting. The general body meeting or general assembly shall not however, interfere with the actions of the Executive done in accordance with the provisions of the constitution.
- do-30. Among others the powers of the general body shall be:
 - i) Election of the executive members;(when necessary)
 - ii) Amendment of the constitution (if needed)
 - iii) Annual budget (for annual general assembly)
 - iv) Consideration and adoption annual report and annual audited statement of accounts of the L.N.N.C.
 - v) Transaction of any business concerning L.N.N.C. for which due notice have been given
 - vi) Discussion/ consideration of report/s the executive may put up

Art. 31. The executive shall exercise all powers except those reserved for the general body or general assembly. The Executive shall be answerable to the general assembly. The administration and management of the affairs of the council shall vest in the executive. The executive shall exercise such proceeding and do such act as are necessary for the proper management of the affairs of the council and for carrying out the objectives of this constitution. In particular, the executive shall exercise the following powers:

Management of the properties of the L.N.N.C.

Prepare and submit the audited statement of account of the previous year at the annual general assembly,

Form sub-committee if necessary;

Frame rules of business in conformity with the constitute.

Pay fees, rent, taxes etc. if need be;

Give or accept donation or subscription with the or without condition on behalf of the council

Do all acts and things as are conducive and incidental for the realization of the council.

Co-ordination the function of the village authority and other affiliated secular organization.
Settle dispute among the units or between the units and others if brought to it.
Render service or help to the victims of natural calamity in the tribe;
Interpret the customary law of the tribe and L.N.N.C constitute
Levy subscription or duties to the village authorities and invest the same in the management of the tribe affairs subject to the approval of general assembly.
Provided that the subscription/duties shall not be receive without issuing for the same

-do- 32. The executive shall cause its accounts to be audited within 15th .january every year and the audited statement of accounts shall be tabled for discussion and approval in annual general assembly.

-do-33. The president or in his absence the vice president or in the absence of both person appointed by the member present or if and when the session is to deal with matters relating to the president , the members present shall appoint a person to preside over the session.

-do-34. The president shall have the powers to issue directives to the units of L.N.N.C according to the provision of this constitution.

Chapter 11. MEETINGS

Art.35. the LNNC executive shall convene general assembly of members as listed under art.4 of this constitution at least once in a calendar year or offender if needed.

-do-36. The quorum for ordinary general assembly of the L.N.N.C shall be three/fifth of the members as described under aer.4 while for special general assembly for the purpose of budget, amendment, removal etc, the quorum shall be two/third of the members as mentioned above.

-do-37. In case quoram is not form, the meeting shall be adjourned fixing the dated, venue and the time there and then for the adjourned meeting in which no quorum shall be necessary provided due information is given to the absentees.

-do-38. The president the publicity secretary and the general secretary shall be responsible for failure to convene general assembly and executive meeting.

-do-39 the LNNC executive shall meeting as often necessary but not less than once in six months.

-do-40. In the event of failure to call meeting by the authorized person/s one fifth of the members as under art.4 can call the meeting in the case of general assembly and by three fifth of members of the executive in the case of executive.

-do-41. For any meeting call by the members as under aer.40 the quorum shall be simple majority shall be invalid. However, the convenors can yet do so after 20 days of the failed meeting and a second failure to form the said quorum shall be the convenors to convene meeting for that particular agenda.

-do-42. Every meeting proceeding shall be recorded in a proceeding book for both general assembly and executive meeting. A copy each of the proceeding g in the case of general assembly shall be endorsed to each lamkang village within fifteen days of the meeting.

NOTICE FOR THE MEETING

-do-43. Fifteen and ten clear day's prior notice for special general assembly on amendment, removal, budget etc. and for ordinary general assembly respectively shall be given. Specifying the agenda dare venue for the meeting.

Provided that when and if warrant also deem confidential agenda not specified in the notice may be transacted.

-do-44. Notice for general assembly shall be in writing and if possible published in the local news papers. However, for executive it is open to it. According to need convenience.

Chapter 12 DISPUTE AND SETTLEMENT OF DISPUTE

Art.46. the L.N.N.C shall also be the apex judiciary court of the tribe and shall settle dispute among the units or between the unit and the others,

-do-47. When L.N.N.C its as judiciary court, it shall be open to the president to nominate (in consultant with his colleagues) judge or judges from among the members present to hear the statement from the disputing parties and pass judgment or verdict on the tribe.

-do-48. Every suit shall be filled and every verdict on trial of dispute shall be recorded in writing and maintaining by the L.N.N.C.

-do-49. The appellate authority, as soon as the appeal is receives shall initiate a compromise mission. In the even of failure in the compromised mission, the appellate authority shall take necessary step to settle the dispute according to the provisions of the revelant law in force keeping in mind that justice displayed is justice denied.

-do-50. The aggrieved party of L.N.N.C court shall have the optics tore-appeal to the same L.N.N.C court addressing to the president stating the reason for it and assuring compensation if fail t justice.

-do-51. For re-trial on re-appeal the president shall change the judge or judges of the previous trial court and increase the number of judges if necessary.

-do-52. The initial expense on the re-trial process shall be the responsibility of the re-appealant. And if the re-appealed be justified in the re-trial, the same expense shall be re-embursed by the respondent.

Chapter 13. BOOKS AND RECORDS TO BE MAINTAIN

-do-53. The L.N.N.C executive shall maintain the following books and records:

i). up-to-date list of general/primary members under art.4 showing the name, address, designation. Any change in this regard shall be notified to the president L.N.N.C in respect of member under art.4(i)

ii). Up-to-date list of L.N.N.C executive members;

iii)(a) cash book (b customary law book, (c) L.N.N.C constitution copy (d) receive back (e) property registered

iv) Aoth taking record of village authority and aloof L.N.N.C executive members.

Chapter 14 FUND

-do-54. L.N.N.C fund shall be created by way of subscription from each and every Lamkang village, the rate of which to be fixed by the general assembly in a meeting convenes for the purpose.

-do-55 In addition to the provision under art.54 above the executive shall have the obligation to drive fund from the public, funding agency, government etc.

-do-56. In case of emergency, the executive may borrow money upto an amount of Rs.5,000/- (Rupess five thousand as against) the defieny of fund. This shall, however be tabled on the floor of the house of general assembly for discuss and approval.

* provided that the executive shall take enough precaution and genuine reason while borrowing*

-do-57. Notwithstanding the provision of this constitution under different articles, un-authorised handling of the L.N.N.C fund by any one including the executive members shall constitute misappropriation of tribe fund. Any misappropriation fund shall be recovered if necessary with fine to be fixed by the assembly on the purpose. And any delinquent misappropriate shall be boycotted even as the amount is realize.

-do-58. The L.N.N.C cabinet members shall have the following financial discretionary powers:

i) President Rs.1000/- (Rupee one thousand)

ii). General secretary and Treasure Rs 500/- (Rupees five hundred) each.

Chapter 15 AMENDMENT

-do-59. Amendment to this constitution shall be effected by the vote of two-third majority of the general members present and voting in a meeting coverned for the purpose.

-do-60. A copy each of the amendment shall be supplied to each and every lamkang village within one month of the effect of amendment free of cost by the L.N.N.C executive supply of such copy besides the above provision shall be done or made on demand and on payment.

-do-61. Copy of the proposed amendment shall be enclosed while circulating notice for the meeting to amend.

Chapter 16 MISCELENEOUS

-do-62. National or regional indigeneous secular organization who desire to be member shall reply for nomination with a nominal fee the rate of which is to be fixed by the executive.

-do-63. Every member of L.N.N.C shall have the right to inspect books and record of the L.N.N.C during office hour free of cost. The L.N.N.C shall supply copy/lies of record or document on demand and on payment of fee for the same.

-do-64.(i) the rate of fee to be charged for supply of copy as under Art.63 above shall be calculated @00.05 (paisa) per a word. Any friction in the total least than Rs.1/- shall not be counted out left out.

ii) rate of form shall be Rs. 10/- (Rupees ten)

ii) Nomination paper filling for L.N.N.C executive shall be a) For president Rs. 200(two hundred)

b) For the rest of post of executive member Rs.150/- (Rupees one hundred and fifty) only

Chapter 17 SCHEDULE

1. List of L,N,N,C recognition lamkang village in alphabetical order

1. Angbrasu, 2. Angkhe chayang 3. Betuk sengkheeng 4. Challong.5. Charangching khunkha 6.Charangching Khullen.7. Charangching Khunou.8. Komsen 9. Kurnuching 10. Kongpe 11.Keithelmanbi 12. Kotal khunthak 13. Lamkang khunjai 14. Lamkang khunkha 15. Lamkang khunou 16. Leinganching 17. Leipun Thampak 18. Lungkharlon 19. Old lamkang Khunthak 20.Paraolon