

SUMATILAL P. SHAH

423, Budhwar Peth,
POONA. 2.

4th September, 1974.

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Dear Shri S.V. Raju,

I received today my copy of the current month's issue of the "Freedom First" and read over and over again your article in it. You have recorded all the relevant facts about the Delhi Convention of the Swatantra Party very correctly in this article. In a way, this article is historic. I feel that you have done a great service to the cause of the Swatantra Party by writing and publishing this article.

The August issue of the "Freedom First" contained Shri M.R. Masani's article regarding the proposed dissolution of the Party. The copies of that issue were distributed to the delegates at the time of the Delhi Convention. I hope that copies of this month's issue, containing your article, are posted at least to the members of the General Council of the Party. These members certainly do deserve such posting. They can read your article and think over it.

I had written a letter to you on 18th August. I do not know what you thought about it. I had expected some action before 29th August. I, however, feel that some action is called for even now. Those members of the Party who believe in the necessity of the continued existence of the Party must act now; and a lead must be given for taking the necessary action. I am writing here below my ideas about this action. Please confirm receipt of my letter dated 18th August and also receipt of this letter; and please decide on the action promptly.

We insisted on a division, when the official resolution was put to vote at the Delhi Convention; and we recorded our dissent. We did not allow Piloo Mody and his associates to secure a unanimous verdict in favour of the dissolution. Later, at a press conference, some state units announced that they would carry on as

the Swatantra Party. I feel that follow-up action on this announcement is now necessary.

Two things have happened after 18th August. They are very much relevant as far as our action is concerned.

The first thing is the decision of the case filed at Madras. The decision says that dissolution of the Swatantra Party cannot take place even inspite of a majority vote supporting the proposal for dissolution. The decision is based on the fact that there is no provision for dissolution, in the Constitution of the Party.

The second important thing is that the BKD did not dissolve itself. One of its groups actually converted itself into "Bharatiya Lok Dal." This is clear from the resolution passed by the Charan Singh Group of the BKD on 28th August. This fact brings about a situation that some members of the Swatantra Party and the SSP have "joined" a group of the BKD - a group of the existing party which changed its name to "BLD".

These two important things can make it possible for us to announce the continued existence of the Swatantra Party even at the national level. A group of members of the Swatantra Party who joined the "BLD" cannot dictate us that we carry on our activities "in any name other than the Swatantra".

We have nothing to do with the activities of M.S. Oberoi. But we can note that he is determined to carry on as BKD. He convened a meeting attended by about 600 members for announcing the continued existence of the BKD, and he is holding a national convention of the BKD in the next month. We are fully justified if we call a meeting of the existing members of the General Council of the Swatantra Party, who have decided not to join the new party. You are aware that there do exist

such members even in other states besides those in Tamil Nadu, Maharashtra and Delhi.

Such a meeting of the existing members of the General Council of the Party may be called by Shri Mewaram Arya in his capacity as the Joint Secretary of the Party. This meeting can do three things - (1) announce the continued existence of the Party, (2) declare that the majority resolution passed by the Delhi Convention is unconstitutional, and (3) elect a small National Executive for carrying on the work of the Party.

You have rightly observed in your article that it is a mistaken notion that the name of a Party is, like a Trade Mark, legally protected property. So there is no reason at all why we cannot assert our right to continue as the Swatantra Party at the national level. In fact, when any party is divided into separate groups, all the groups are known by the same name of the original united party. This was evident in the case of many parties - the Congress Party, the Forward Block, the Jharkhand Party, the Republican Party, the Communist Party, the SSP and the BKD. A group of SSP, under the leadership of George Fernandes and Madhu Limaye, joined the PSP to form the new, present, Socialist Party; but the group under the leadership of Raj Narain continued to function as SSP. This happened inspite of the fact that the then existing united party of the SSP had passed a resolution in favour of its merger with the PSP for forming the new Socialist Party.

A group of our Party under the leadership of Piloo Mody has broken away from the Party. This group has not broken away for functioning under the name of the Swatantra Party. It has actually broken away

from the Party, for joining another existing party. Naturally, we, the existing members, have no difficulty at all in functioning as the Swatantra Party at the national level.

You have stated at the end of your article the most important thing about the existence of our Party—
“Even the nominal existence of Swatantra is an irritant (for Mrs. Indira Gandhi). It would, so long as it lives, provide a potential focal point for people to rally around when they realised the validity of its past warnings.” Naturally, I feel very strongly that the ~~existing~~ existence of our Party must be preserved. It is quite likely that such existence will be very weak. But it will definitely have impact on Indian politics in future. With that hope for the future, we must assert the continued existence of the Party. I hope that there are some leaders who do not feel like saying “mera jaan chhuta”. Such leaders would like to make renewed efforts for keeping the Party going and also for building it up in future. They would not like the Party to be destroyed. The minority at the Delhi Convention opposed the move for dissolution, because of their “genuine belief that it was not worth while sacrificing the Party for something that was doomed to failure”, as you have stated in your article. Out of the various grounds on which the dissolution was opposed by us, the one listed by you at “(f)” is very important. This validity of the Swatantra Principle provides us with the hope for the future of the Party.

All the activities undertaken by Piloo Mody were in one direction only. You have summarised the situation in one apt sentence — “What Mr. Mody really wanted was to abolish the word ‘Swatantra’ and the flag.” Our future actions must be against this wish of Piloo Mody. We must preserve the name and the flag.

We must not allow abolition. "Setting high standards in public life and providing the people of India with a clear-cut alternative", were the objects of the Party, as you state. These objects are even more relevant in future; and the Party must continue to exist for these objects.

At the Delhi Convention, Shri M.R. Masani himself supported Shri Parmanand Kejriwal's resolution, in opposition to the dissolution of the Party. He himself presented the viewpoint at the press conference. So we will be doing the most appropriate thing if we take an early action of announcing the continued existence of the Party.

I once again congratulate you for your article in the "Freedom First", and hope that you will take the action for the future of the Party.

With regards,

yours sincerely,
Sumatilal P. Shah
[SUMATILAL P. SHAH]