

THE THIRD NATIONAL CONVENTION

The Third National Convention held on February 1 and 2 was significant in more ways than one. From the point of view of Party organisation, the decision of the Convention to transform the Party from a mass to a cadre party is a far-reaching one.

The thirteen resolutions adopted not merely reiterated the Party's stand on various issues of import but provide positive guidelines on the road the country should take if it is to achieve prosperity through freedom.

The organisation of the Convention was itself a model of efficiency coupled with economy and simplicity, eschewing needless money-consuming paraphernalia. While hardly anyone ever misses an opportunity to emphasise the need for economising under conditions of a National Emergency, the

Swatantra Party's III National Convention translated this pious sentiment into reality. It was in short a pioneering effort which it is hoped will convince those who feel that Conventions can never hope to live up to their name unless the proceedings are under a Shamiana and are preceded by long processions, that such functions can equally if not better serve their purpose if such elements are avoided.

While the Central Office is preparing for publication a detailed Report on the Convention and hopes to release it to the public in another month, the full text of the various resolutions adopted as well as the amendments to the Party's Constitution which involve the revision of clauses 4 and 5 and an amendment to clause 6 (b) are included in this Newsletter (Annexure A).

Meetings of Committees

The Convention was preceded by meetings of the Party's Organisation Sub-Committee, the Central Organising Committee and the General Council.

Organisation Sub-Committee

Meeting first on January 30, the Organisation Sub-Committee dealt essentially with organisational matters.

Central Organising Committee

The Central Organising Committee met on January 30 and 31 and again on February 3 after the Convention.

The Committee discussed at length the draft Resolutions that were to be placed before the General Council and the National Convention.

The resignation of Shri Kamakhya Narain Singh of Ramgarh from the Vice-presidentship and membership of the Organisation Sub-Committee was accepted. The Committee unanimously approved the nomination of Prof. M. Ruthnaswamy and Smt. Gayatri Devi of Jaipur as Vice-Presidents of the Party.

Smt. Gayatri Devi M.P. and Mr. Bhanu Pratap Singh M.L.A., President of the U.P. Unit, were coopted to the Central Organising Committee.

To express uncompromising opposition to the Con-

stitution (17th Amendment Bill), it was decided to help in organising a Kisan Sammelan in New Delhi. This Kisan Sammelan and demonstration will be held on March 30.

The General Council

Meeting on January 31 and February 1, the General Council largely concerned itself with discussing and finalising the various draft Resolutions to be placed before the Convention. It was the General Council which, by a majority of 47 votes to 6 decided to transform the Party into an active members' Party. The Council also finalised the draft amendments to the Constitution to be placed before the Convention.

The Rajasthan Victories

The New Year has begun well for the Rajasthan unit of the Party.

In a remarkable show of public confidence, the Party's candidates made their debut in Municipal elections by sweeping the polls in the elections to the Jaipur Municipality, securing 30 out of 43 seats. Similarly, in the municipalities of Dungarpur (11 out of 12), Abai, Newai, Chaksu, Nadbai and Bandikui the Party secured majorities.

Congressmen enacted the subterfuge of not fight-

ing as Party men but as "pro-Congress independents." This strategem was resorted to as the Congress was afraid of losing face if the Party got routed, which perhaps they had anticipated.

That the success in the municipal elections was no flash in the pan was evident from the victory at Mahuwa. Bitterly contested, this Assembly by-election was necessitated by the unseating of the sitting Jan Sangh member by an Election Tribunal. The Swatantra candidate, Mr. Mandhata Singh, defeated his Congress rival, Mr. Shiv Charan Singh, by a majority of 2,571 votes. Incidentally, it was an election petition by the now twice defeated Congressman that resulted in the unseating of the Jan Sangh member and the need for this by-election.

Press comments on this by-election make interesting reading.

The Statesman of February 11 wrote: "The Mahuwa result is a danger signal to the Congress in Rajasthan. Both the Congress and Swatantra parties regarded it as a test fight. That was why so many Ministers and senior State Congress leaders took charge of organising the campaign in the constituency and were present at various polling stations.

"Realising the danger to their existence, rival Congress groups had joined hands to fight the threat to their party by Maharani Gayatri Devi's leadership of the Swatantra Party in Rajasthan.

Reported the *Times of India* in its issue of February 11: "The ruling Party hoped to make use of the by-election for stemming the pro-Swatantra tide that was evident during the recent civic elections. In the process the ruling party faced the opposition unitedly. Congressmen belonging to the rival groups campaigned unitedly for the party nominee under the overall direction of Mr. Kumbha Ram Arya."

The *Indian Express* also of February 11 observed: "Political observers commenting on the election result said that the Congress defeat would not only affect the rest of the three by-elections to be fought during the year, but would also have a considerable impact on the next general elections.

"The Congress had made the Mahuwa by-election a prestige issue. For that purpose the constituency was divided into nine sectors by the organisers of the Congress election campaign.

"Five Ministers, three former Ministers, three Deputy Ministers and the Pradesh Congress President were responsible for the campaign in these sectors.

"The Chief Minister, Mr. Mohan Lal Sukhadia, had gone there thrice. Hundreds of Congress volunteers were also engaged from the adjoining districts.

"For the Swatantra Party, the Maharaja of Jaipur toured the constituency once and Maharani Gayatri Devi twice. During her second tour for two days, the Maharani visited practically every village and hamlet in the remotest areas of the constituency appealing to the electorate to vote for her Party."

The following day, the *Indian Express* once again referred to the Mahuwa campaign under the heading "One More Defeat". Among other things, it said: "The polling percentage of 66.47 per cent shows that the by-election aroused keen interest. This was also obvious from the sustained campaigning by supporters of the victor and the vanquished. The Jan Sangh did not put up a candidate, having presumably learnt a lesson during the Jaipur civic elections.

Reporting on an "inquest" by Congress leaders into the Mahuwa reverse, the *Times of India* of February 12 carried an admission by Chief Minister Sukhadia that "the difficulties experienced by farmers as a result of consolidation operations, alleged excesses by patwaris in the collection of small savings and corruption in the services were used by the opposition to swing the vote in its favour."

Electoral Understandings

On February 8, the *Indian Express* and the *Times of India* carried reports of a statement in Delhi by Jan Sangh leader, Mr. Atal Behari Vajpayee, holding out hopes of a merger of the Swatantra Party and the Jan Sangh. While the General Secretary wrote to the two dailies correcting any wrong impressions that might arise as a result of this report, Rajaji also clarified the Party's position in the course of an interview to the *Indian Express* in Madras that same day. Said Rajaji: "The Swatantra Party has considered the whole position on this subject at the recent Bangalore convention, and a resolution has been passed which puts the matter in clear terms. (for full text of resolution see Annexure A—Resolution on Electoral Understandings)

"We greatly appreciate the desire of the Jan Sangh leader that we should work for a merger of the two parties into one strong, anti-Statist party opposing the Congress' pseudo-socialist policies. We have found however, that, so far, leaders have not found it possible to induce the party members to forget the separate image of their own party and give priority to the main economic objective.

"We have, therefore, contented ourselves at present with the goal of combined action during all elections to give no room for triangular conflicts which give an advantage to the Congress to win seats on a minority vote.

"The Swatantra Party has a very clear-cut ideology and policies based on it. We must strengthen the Swatantra Party and continue to gather enough power to impress our image on the nation. It is only if we succeed in this that we can hope to defeat the Congress. It is necessary for the Swatantra Party to grow strong even to bring about a good and powerful merger with the Jan Sangh.

"Even a merger can be of two sorts: One, a complete fusion in name, form and membership; the

other, a combination on a kind of federal basis. All this will be relevant only if we progress further in the direction of agreement."

The General Secretary, Mr. Masani, in the course of his letter to the *Indian Express* of the same date, stated: "In your issue of February 8 you carry a message under the heading 'Jan Sangh-Swatantra Merger Plan Afoot' which is likely to cause some misunderstanding."

"At its recent National Convention in Bangalore the Swatantra Party, having 'taken note of the disappointing response from other parties including the Jan Sangh, to its efforts to develop a national democratic front of all opposition parties except the Communists, decided to abandon these efforts and to content itself with continuing to work for the more limited objective of evolving electoral understandings with these parties at by-elections and for the next General Elections."

"The Convention also called upon members of the Party to concentrate on the job of building up its own organisation."

"There is therefore no question of 'talks for the merger of the Swatantra Party with the Jan Sangh being carried on at the central and state levels' as stated in the news item in question."

The Bandaranaike Letter

The cat was out of the bag when Mr. Masani read out to delegates gathered at the Bangalore Convention the contents of a letter written by Madame Bandaranaike to Chou En-lai on March 7, 1963. It corroborated reports published by two correspondents of the *Times of India*, Mr. K. C. Khanna from Cairo (May 3, 1963) and Mr. Sudhakar Bhat from Hongkong (November 11, 1963) of a secret assurance given by Prime Minister Nehru to Chou En-lai through the medium of Madame Bandaranaike that Indian troops would not move back to the McMahon Line.

A Congress of "Socialists"?

The Orissa Executive of our Party meeting at Bhawanipatna on January 12 unanimously adopted a resolution attacking the Orissa Government for

"massive misuse of administrative powers and the State's resources" in connection with the holding of the Congress session at Bhubaneswar.

The resolution added that these "improprieties" contradicted the loved professions of socialism and democracy made by the Congress Party. The resolution alleged that over 100 jeeps belonging to Panchayat Samitis and Zilla Parishads and other jeeps in the service of government departments were utilised for the Congress session.

A Sporting Offer

Mr. Bhailalbhai Patel, President of the Gujarat unit of the Party and Leader of the Opposition in the State Assembly, while addressing a public meeting at Rajkot on January 19 offered to undertake the Rs. 100 crore multi-purpose Narmada project and complete it in eight years.

Bhaikaka, who is also an engineer of repute, said he would be responsible for raising the necessary funds and forming a corporation to execute the project if the work was entrusted to him.

He added that the Narmada could irrigate 50 lakh acres of land in Gujarat and reclaim 7 lakh acres of saline land in the Rann of Kutch, and its water could be taken up to Kandla Port.

Rajaji & Malaysia

In a message to Indian settlers in Malaysia sent through the Tamil Arasu Kazhagam leader, Shri Sivagnani Gramani, now touring that country, Rajaji has described Tunku Abdul Rahman as an "enlightened democrat". He has exhorted Indians to extend their support to Tunku's Government.

Rajaji is also reported to have advised Malaysian Indians to strengthen the armed forces of the country and defend their 'adopted land' as they would defend their own country 'when it is threatened with aggression.'

In a letter from Singapore, Shri Gramani is understood to have written to Rajaji that wherever he has come into contact with Malaysian citizens of Indian origin, he has been telling them of Rajaji's piece of good advice.

NEWS FROM STATE PARTIES

BOMBAY

Three public meetings were held in the months of December and January. The speakers at the first meeting on December 8 were Dr. (Mrs.) Shantabai Gulabchand who spoke on the Constitution (17th

Amendment) Bill and Prof. P. J. Shroff on the 'Inami & Special Tenure Abolition Bill of the Maharashtra Government'. Mr. Fred Fernandes presided over this meeting held at Santa Cruz.

The other public meeting in December was at the Cama Hall on the 17th. The subject was 'Impact of

the Inami, and Special Tenure Abolition Bill on religious and other public charities'. Prof. P. J. Shroff presided. Among others who addressed the meeting were Mr. H. D. Banaji, Mr. R. A. Gagrati, Dr. V. R. Pandit, Dr. (Mrs.) Shantabai Gulabchand and Mr. Arthur Menezes.

On January 30, the third meeting, also at the Cama Hall, was addressed by Mr. Rajmohan Gandhi under the presidentship of Prof. P. J. Shroff.

Rajaji's 85th birthday was observed at a meeting held on Sunday, December 9, under the presidentship of Dr. (Mrs.) Shantabai Gulabchand.

The Swatantra Cultural League of the Bandra Unit organised a competition. In keeping with the festive spirit of Christmas, the competition aimed at awarding a reward to those members who were able to bring out attractive versions of the Party's symbol, the Star.

Group meetings of workers were held at Gandhi Nagar, Khar Nagar and Worli.

Prof. Ranga addressed a Party workers' meeting on January 22.

Mr. R. V. Murthy spoke to party workers on January 23 on his impressions of a tour of the United States.

Republic Day was observed with a flag hoisting ceremony at the Party office. Dr. (Mrs.) Shantabai Gulabchand hoisted the National Flag. Elsewhere in the city the Party's culture groups organised sports competitions.

To look into the grievances and difficulties of the student fraternity, a Parents' Association was formed with the initiative of our Party workers at Bandra.

A Seva Sangh Unit was inaugurated at Khar by Mr. Piloo Mody. On that occasion public convenience units built on the initiative of our Party workers were thrown open for public use.

The disturbances at Jogeshwari and Majaswadi saw members of our Party visiting the affected areas and doing their bit to soothe the ruffled feelings of the inhabitants.

DELHI

Agitation against the 17th Amendment continues to occupy the activities of the Delhi Unit. Several meetings of a Sub-Committee set up to organise such a campaign took place alongside with visits to the villages surrounding Delhi and meetings with peasants.

Workers' meetings at Anand Parbat and Kishan Ganj held on 26th and 27th January respectively resulted in the setting up of committees. Various office bearers were nominated.

MADHYA PRADESH

Indore observed Rajaji's birthday on December 8, 1963. Young men spoke from the Party's platform on Rajaji's mission.

A meeting held at Vidisha to protest against the 17th Amendment adopted unanimously a resolution demanding the withdrawal of the Bill.

MADRAS

The Madras district unit organised on the occasion of Rajaji's birthday a Rajaji Jayanti Week. The Week got off to a good start with a public meeting where prominent citizens paid tributes to the Party's founder. Special pujas were performed in over 200 temples and prayers offered in churches and mosques on December 8. That day over 5,000 poor people were fed.

Eight public meetings were held during the Week. The President and General Secretary of the State unit were among those who addressed these meetings.

Three more Constituency Committees have come into being at Egmore, Triplicane and Perambur.

A Swatantra Youth Front was inaugurated at Chidambaram on January 10. State General Secretary S. S. Mariswamy and South Arcot District unit President, Dr. V. Krishnamurthy were among those spoke on the occasion.

Office bearers for the Chidambaram Constituency Committee were nominated at a meeting held for that purpose.

This meeting decided to convene a political conference for the district by March this year.

PUNJAB

As in Delhi so in the Punjab, Party activity centred around organising opposition to the 17th Amendment Bill. Joint meetings of certain opposition parties in the State were held. The State Unit presented oral evidence before the Select Committee on January 24.

A rural conference held at Taran Taran in Amritsar district, was attended by Prof. Ranga and Thakur Yashpal Singh M. P. among others. Despite poor health, the State President, Jathedar Udham Singhji Nagoke took great pains in ensuring the success of this conference through an extensive tour of the district for maximum participation by the peasants of that district. A resolution passed at this Conference unanimously denounced the Bill and demanded its withdrawal.

Meanwhile the Party continues to take active part along with other democratic groups in the State in agitating for the removal of corrupt elements from the administration.

TEXT OF RESOLUTIONS

Adopted at the Third National Convention, Bangalore
on February 1 & 2, 1964

CONDOLENCE

1. This National Convention of the Swatantra Party records its deep sorrow at the passing away of Dr. Rajendra Prasad, free India's first President, at a critical moment in the nation's history. His was a life of dedication in the service of the country and to the values cherished by all free men. His unostentatious grace, his utter simplicity, his charity of outlook and his broad humanity are ineffaceable by death and remain to inspire us.

Death has claimed the lives of two members of the party's Central Organizing Committee and two of its Members of Parliament.

In the death of Sardar Bahadur Lal Singh last December, the Swatantra Party and the peasantry of India suffered an irreparable loss. As President of the All India Agriculturists' Federation, it was Sardar Bahadur Lal Singh's efforts which, in a large measure, were responsible for the founding of the party. A stout champion of the peasants, he was till the end concerned over their welfare.

Raja Kalyan Singh of Bhinai passed away in April, 1962. The establishment of the party in Rajasthan was, in no small measure, a result of his pioneering efforts. Fate decreed that he should not live to see his efforts bear fruit.

Mr. H. K. Baria, M.P. suddenly passed away less than a year after his election to the Lok Sabha from Dohad in Gujarat, a Tribal Constituency.

Death also claimed an associate member of the party group in the Lok Sabha, Mr. Muthuramalinga Thevar, M.P., eminent leader of Tamil Nad and President of the Forward Bloc. Returned to Parliament in the last General Elections, Mr. Thevar campaigned from his sick bed.

This National Convention is deeply grieved at the loss of these stalwarts and conveys its sense of sorrow to their bereaved families.

2. With the rest of the civilized world this Convention records its sense of deep grief at the loss to the cause of peace in the world by the assassination of President Kennedy of the United States of America.

Moved from the Chair (Mr. N. G. Ranga).

INTERNATIONAL RELATIONS AND DEFENCE

1. The Swatantra Party records with pride the patriotic upsurge among the Indian people in the face of the Chinese Communist attack and pays its grateful tribute to the members of the armed forces who battled with the invader under extremely difficult con-

ditions. The military reverses sustained by India and the national humiliation involved in the acceptance of the Chinese unilateral ceasefire and the Colombo proposals are the result of many years of wrong policies in the realm of international relations and defence.

2. Among the most tragic and disastrous of these mistaken policies was the concept of 'non-alignment' and the double standards of judgment to which it led; the persistent appeasement of Communist China; the cold-shouldering of our neighbours in South and South-East Asia. The betrayal of Tibet to Chinese Communist imperialism in 1950, the infamous vote in the U.N. in support of Soviet Russia in the suppression of the Hungarian revolution in 1956 and the continued refusal to have diplomatic relations with Israel, are all illustrations of these double standards.

3. As far back as March 1960, the Swatantra Party had urged that a firm and vigilant policy should be followed in dealing with Chinese Communist imperialism. It had then been pointed out that when our territorial integrity had been violated and our soil occupied by a Communist Power, the policy of non-alignment had lost its meaning and our policies needed to be reviewed. Among the measures then urged for the strengthening of the country's security stress was laid on collaboration with the countries of South and South-East Asia, with a view to concerted measures for the security of the region; vigilance against infiltration and Fifth Column activities; and the importance of keeping the Armed Services free from political influence and manipulation. Unfortunately this advice was ignored.

4. The party is convinced that if right policies had been followed, the Chinese Communist invasion of India and the humiliating military defeat sustained by us could have been avoided.

5. The Swatantra party notes that the disastrous fundamental policies of non-alignment and appeasement still continue, with the result that India has lost considerable prestige amongst its neighbours and in the world and that, instead of the Chinese Communist regime being isolated, it is India that is in danger of finding herself in that situation.

6. The Swatantra party is convinced that so long as this Government, with the dead hand of past policies lying heavily on it, continues in office, there can be no hope of a solution of the problem of recovering our lost territory or of ensuring the country's future security.

7. The party calls upon the people of India to maintain vigilance against the possibility of further appeasement and capitulation to the claims of Communist China.

Mover: Sir H. P. Mody.

Seconder: Maharani Gayatri Devi, M.P.

TERMINATION OF EMERGENCY

The Third National Convention of the Swatantra Party is of the opinion that there is no justification for the continuance of the Emergency and demands the immediate withdrawal of the declaration of the state of emergency, the repeal of the Defence of India Act, and the restoration of the Fundamental Rights of citizens suppressed under the provisions of that Act.

Mover: Mr. P. K. Deo, M.P.

Seconder: Jathedar Udham Singh Nagoke

ELECTORAL REFORM

The Swatantra Party is of the view that a reform of the electoral system has become necessary as a result of the experience so far gained, the coming to light of many abuses, the exorbitant cost of elections ruling out the possibility of success of individuals and groups without considerable financial resources, the abuse of authority by those in office in high position and the composition of Parliament and Legislative Assemblies failing to reflect correctly the popular will, as a result of which the country is being subjected to a minority government at the Centre and in almost all the States.

The party, therefore, suggests the appointment by the President of the Republic of a Commission to examine the working of elections to Parliament and State Assemblies with a view to ascertaining methods of securing clean elections free from abuses and illegitimate advantages taken by the party in office, the reduction of election expenses by measures such as the preparation by Government of voters' slips or cards and the provision of mobile polling booths, the elimination of administrative interference and partiality, the question of holding Union and State elections at separate times and suitable measures of proportional representation.

Mover: Mr. R. N. Singh Deo, M.L.A.

Seconder: Mr. Kamakhya Narain Singh, M.L.A.

ELECTORAL UNDERSTANDINGS

Although insuperable difficulties stand in the way of all democratic opposition parties evolving a United Front to oppose the Congress, the Swatantra Party

will continue to try its utmost in all elections to secure the co-operation of other democratic Opposition parties to avoid multilateral contests which give undue advantage to the ruling party. Such efforts should be no reason for any slackening in building up the party's own organization, which should enjoy the highest priority among our tasks. The Swatantra Party provides today the only clear-cut and effective alternative to the present Government's policies. Its policies evoke increasing response from all sections of the people. The Convention, therefore, calls upon members of the party to concentrate in the coming months, on hard, sustained and disciplined work inspired by devotion to the party's philosophy and policies to spread the party's message.

Mover: Mr. M. R. Masani, M.P.

Seconder: Mr. Lakshman Singh of Dungarpur, M.L.A.

SWATANTRA ALTERNATIVE

(1) The Swatantra Party believes that Planning should aim at abundance, that this should be effective immediately and not prospectively, that it should begin with the poorer and not the richer classes, that it should not substitute State help for self-help and that it should not increase the power of Government but the prosperity of the people.

(2) The Five-Year Plans of the present Government have failed in their professed objectives. The only things they have succeeded in producing are higher taxes, rising prices and growing indebtedness. The people of India have shown their disillusionment and discontent with the present pattern of planning by the way they have voted in recent by-elections to Parliament.

(3) The proceedings of the recent sessions of the Congress Party in Bhubaneshwar show that there is every intention of perversely persisting in policies that have already proved a failure. In the party's view, nothing less than the scrapping of the Third Plan and its replacement by an altogether new policy will save the country from widespread distress and national bankruptcy.

(4) The Swatantra Party is not for *laissez-faire* nor is it opposed to all planning. It reiterates its stand that all planning must be devised and carried out within the framework of the freedoms guaranteed in the Constitution and calculated to achieve the welfare of the people.

(5) The Swatantra Party's approach to the problems of economic development and planning would be to apply to each policy and measure the test suggested by Mahatma Gandhi, namely, to ask if the step contemplated is going to be of any use to the poorest and the weakest members of the community. In the light of such a test, the Swatantra Party believes that

the present approach to planning needs to be replaced by one which provides for the following:

(a) A proper order of priorities starting with the increase in production and the provision of elementary necessities such as pure drinking water, food, clothing and shelter and employment.

(b) A reallocation of the role of State and free enterprise so that the State may perform its proper function of providing the infra-structure through the provision of roads and railways, efficient communications, facilities for the peasant such as irrigation and easy credit, cheap electric power and education, both technical and general; while all other economic activity should normally be left to competitive enterprise.

(c) The incentive of legitimate gain under conditions of competition among producers.

(d) The elimination of monopoly in both State and free sectors so as to provide maximum efficiency and service at minimum cost to the consumer.

(e) Reducing to a minimum governmental controls and regulation to foster economic expansion and minimizing corruption.

(f) The maintenance of stable prices through the observance by Government of measures of monetary discipline.

(g) The revision of policies relating to taxation including land revenue so as to foster saving, investment and employment opportunities.

(h) Remunerative prices for agricultural producers.

Mover: Mr. N. Dandekar.

Seconder: Mr. Murarji J. Vaidya.

STATE MONOPOLY OF BANKING

(1) The Swatantra Party takes note of the fact that in recent months there has been in certain quarters ill-informed talk about the nationalization of the banking industry in the country.

(2) It therefore becomes necessary for the Swatantra Party to express its conviction that any attempt to trifle with the functioning of the banking industry in India will be fraught with grave consequences for the country's delicate credit mechanism and economic development and would impair confidence in the country's financial institutions and credit on which the economic assistance and capital investment which India has received from abroad is based.

(3) The banking industry is already more than adequately subjected to regulation and control of Government and the Reserve Bank to guard against misuse of their powers by the managements of banks. By such a move a State monopoly will be established over all the liquid assets of the people and will force people to waste, secrete or hoard their money, thus minimizing the funds available for productive investment.

(4) The Swatantra Party therefore declares its

outright opposition to the attack that has been launched against the banking industry which, by and large, has given a good account of itself, and to the establishment of a State monopoly of banking.

Mover: Mr. Dahyabhai V. Patel, M.P.

Seconder: Mr. (Chitra) Narayanaswamy.

INDEPENDENT BOARD FOR LICENCES AND PERMITS

The National Convention of the Swatantra Party records its conviction that, apart from many other grave issues, the confidence of the people in the administration cannot be secured and maintained unless the supreme control of the distribution of licences, permits and quotas in exercise of powers obtained in violation of the Fundamental Rights guaranteed in Part III of the original Constitution adopted in November 1949 is vested in an independent, non-political statutory Board free from all influences and political pressures and enjoying the same independent status as the supreme judiciary.

This Convention appeals to all democratic parties to unite on this demand and compel the ruling party to accept this reform.

Mover: Mr. C. Rajagopalachari.

Seconder: Mr. Anandchand, M.P.

CONSTITUTION (17th AMENDMENT) BILL

(1) The Swatantra Party considers the Constitution (17th Amendment) Bill to be a dangerous attempt further to erode the Fundamental Rights guaranteed by the Constitution. By extending the word 'estate' to include every form of landed property owned by the most humble peasant in full freehold right, the Bill seeks to hold the sword of Damocles over the majority of the population of India in respect of their most sacred possession. The expropriatory principle so far applied to Zamindars and other feudal landlords is now sought to be extended to *ryotwari* holders who are full owners of the land as well as to every other type of land ownership. The attempt to give retrospective effect from 26th January 1950, to this distorted definition of 'estate' makes this amendment a gigantic fraud on the Constitution and on the people of India. The fact that this amendment to the Constitution is sought to be made in order to undo a recent judgement of the Supreme Court of India makes it all the more reprehensible, being unabashed disrespect of law and the independence given by the Constitution to the Judiciary.

(2) In view of the extended interpretation of 'public purpose' to cover doctrinaire experiments in land reform, such as collective and co-operative farm-

ing, the Swatantra Party cannot help coming to the conclusion that this Amendment is designed as an instrument held in *terrorem* over the peasants of India by which the collectivization of the land envisaged by the Nagpur Resolution of the Congress party could be legally enforced. The failure of the Nagpur Resolution to secure voluntary acceptance of joint co-operative farming has evidently made those in authority decide to move on to coercive methods. If this Amendment becomes law, the smallest peasant can be faced with the brutal alternatives of surrendering his land to a so-called co-operative farm or of being expropriated by law on payment of nominal compensation which he cannot challenge in a court of law.

(3) Even after the decision of the Supreme Court declaring the Kerala Agrarian Relations Act *ultra vires* as it was sought to be applied to *ryotwari* land, this Amendment to the Constitution did not form part of the Congress Party's Manifesto for the General Elections of 1962. The present Government has therefore no mandate from the electorate to carry through such a far-reaching change. Indeed, this Amendment violates a solemn assurance given to Parliament and the people by the Law Minister of the Congress Government, Dr. B. R. Ambedkar, during the discussion in Parliament on the Constitution (First Amendment) Bill on 1st June, 1951, that the provision contained in Article 31A would not be employed for the purpose of dispossessing *ryotwari* tenants. The Law Minister had further assured the House that whenever any such measure comes before the President of the Republic for consideration, the undertaking given by Government would be binding upon the President in considering giving his sanction so far as any such measure is concerned. The Swatantra Party expresses its confidence that, should the Government seek to press this Bill through the present Parliament, the President will desist from giving his assent to it.

(4) The party deprecates persistence by the Government in this matter which would certainly lead to action in the nature of Satyagraha upsetting the harmony of normal government.

(5) The Swatantra Party was established in 1959 to defend Farm, Family and Freedom in this country. This amendment which seeks to destroy the Farm, and through it the Family and Freedom, cannot but meet with the strongest opposition from the party. The party calls upon its members to develop an intensive campaign throughout the country so that public opinion may be educated and the implications of this Amendment explained and understood. The party calls upon its Members of Parliament in both Houses to fight the Bill to the bitter end and appeals to members of other democratic Opposition parties to join this party in its resistance to this attack on the Fundamental Rights of the people.

(6) The party assures the peasants and others con-

cerned that it will stand by them in resisting any attempt to snatch their lands away from them on the strength of this unlawful law and will strive to get this Amendment, even if enacted, repealed at the earliest possible moment.

Mover: Mr. K. B. Jinaraja Hegde.

Seconder: Mr. G. Latchanna, M.L.A.

FURTHER AMENDMENTS TO PARTY'S CONSTITUTION

The National Convention refers the Notice of Amendments to the Party's Constitution given by various delegates in respect of other matters than the membership provisions in the Constitution to a Sub-Committee consisting of: 1. Prof. N. G. Ranga, M.P., *President*, 2. Mr. K. M. Munshi, *Vice-President*, 3. Mr. Anandchand of Bilaspur, M.P., 4. Mr. Laxmansingh of Dungarpur, M.L.A., 5. Mr. Dahyabhai Patel, M.P., 6. Mr. B. P. Sinha, 7. Mr. Kamakhya Narain Singh and 8. Mr. M. R. Masani, M. P., *General Secretary*, who will consider them along with other proposals for amending the party's constitution and will report within three months.

The National Convention authorizes the General Council of the party at its next meeting, within six months, to consider the report of the sub-committee and to make such modifications in the party's constitution as are accepted by a 3/4th majority of those present; provided that such modifications are placed for notification before the next National Convention of the party.

Mover: Prof. M. Ruthnaswamy, M.P.

Seconder: Mr. V. T. Sreenivasan.

GENERAL SECRETARY'S REPORT

The Third National Convention of the Swatantra Party takes note of the General Secretary's Report submitted to it and resolves that it be recorded.

Mover: Mr. Dahyabhai V. Patel, M.P.

Seconder: Mr. K. B. Jinaraja Hegde.

STATE'S RIGHTS

The Swatantra Party records its conviction that there should be redistribution of power and responsibility so as to give the States larger responsibilities and that the resources of the States should be enlarged by a revision of the system of taxation. The Party is opposed to the tendency, through the Five-Year Plans and otherwise, to convert the Union into a rigid unitary System.

Moved from the Chair.

GOLD CONTROL

This Convention fully supports the general demand that the Gold Control Order should be withdrawn.

Moved from the Chair.

PARTY MEMBERSHIP

1. Clause 4. Membership

Substitute for the existing clause the following:

Every person above the age of 18 who subscribes in writing to the principles of the party, pays the prescribed fee and expresses his readiness to work for the party will be eligible to be a worker of the party.

Work for the party may be any of the following activities:

(a) Enrolling new members; (b) introducing new workers; (c) campaigning for the party; (d) attending to public grievances on behalf of the party and securing their redress; (e) functioning, when called upon, as prospective candidate of the party to an elective public body; (f) collection of funds; (g) acceptance of executive responsibilities in the party; (h) preparation of literature; (i) distribution of literature; (j) organization of study circles and meetings; (k) helping to run party offices; and (l) any other approved activity.

The State Executive Committee shall be competent to frame rules in this behalf.

Decisions in regard to enrolment of workers shall be taken by the State Executive Committee either on its own initiative or on the recommendation of constituency and district committees.

Whenever the State Executive has doubts as to the desirability of enrolling a worker, it shall forward the application with its comments to the National Executive, which shall, after considering the application and the comments directly or through an appropriate body, decide whether or not the worker should be enrolled, and such decision shall be final.

Only workers shall have the right to vote in party elections or to serve as office bearers or members of the elective committees.

Clause 5. Subscription

The clause shall read as follows:

(i) Each worker of the party will pay a subscription of Rs. 3.00 per year, or a life worker's fee of Rs. 100.00. Persons already enrolled as permanent members of the party by the end of 1963 will be entitled to claim exemption from paying any further fee as life members with the right to vote; (ii) a worker of the party will continue as such as long as he pays his dues. Each worker of the party will be issued a party card; (iii) the National Executive of the party will have the authority to expel a worker or a member if in its opinion which shall be final, his continuance as a worker or member of the party is undesirable; (iv) the subscription for membership shall be divided between the various bodies of the party in the following manner: Constituency 20 per cent, District 50 per cent, State or Region 25 per cent, Centre 5 per cent. Provided that the State or Regional Council may modify the proportion in which the membership subscription is to be distributed within the State or Region; (v) every unit shall maintain appropriate accounts of the receipts and expenditure, which shall be annually audited.

Clause 5A: Members:

Add a new clause 5A as follows:

Every person above the age of 18 who subscribes in writing to the principles of the party will be eligible to be a member of the party. No fee will be payable by a member. Meetings of such members may be convened from time to time by the State, district or constituency committees so that they may be given opportunities to be consulted and associated with the work of the party.

Clause 6: Primary Units

In sub-clause (b), substitute for the words "250 members" the word "20 workers", i.e., 20 workers are enough to form a primary unit of the party.

Moved from the Chair

Annexure B

THE BANDARANAIKE LETTER

Mr. Masani's rejoinder on February 5 to the denial by the External Affairs Ministry

A spokesman of the Ministry of External Affairs, while speaking to pressmen in Delhi on February 3, denied that the Union Government had given any assurance to the Prime Minister of Ceylon that India would not move her troops up to the McMahon line. When asked whether Government would take up the matter with Mrs. Bandaranaike, the Prime Minister of Ceylon, in view of her having conveyed such an

assurance to Mr. Chou En-lai, the MEA spokesman said that this need not be done on the basis of a press report and that the Ministry had not seen the text of the letter from Mrs. Bandaranaike to Mr. Chou En-lai.

There are two interesting things about this statement. The first is the attempt to evade the issue raised by Mrs. Bandaranaike's letter in which she states clearly that the Prime Minister of India gave her the

assurance in the presence of Mr. Ali Sabri and Mr. Ofori Atta but in the absence of any Indian officials. The question is therefore not whether the Prime Minister did so.

The second point that arises is that, since the spokesman of the MEA spoke to the press, things have changed. I have sent the text of the letter to Mr. Lal Bahadur Shastri, who is attending to the Ministry of External Affairs and by now it will be with the Ministry. The technical objection raised by the Ministry's spokesman to moving in the matter is thus no longer tenable. It is also worth noting that Mrs. Bandaranaike has not denied the authenticity of her letter. Since the Ministry claims that no assurance of the nature mentioned in Mrs. Bandaranaike's letter was given, it is surely up to the Government now to take this matter up with Mrs. Bandaranaike and ask her to correct herself and inform Mr. Chou En-lai accordingly. So long as this is not done, a peculiar situation will exist, namely, that Mr. Chou En-lai will be in firm possession of this assurance from our Prime Minister, while the people of India will be expected to believe that no such assurance was given. Would this not lead to a natural suspicion among our people that the true facts are being withheld from them once again, as had already happened during the occupation of Aksaichin by Chinese Communist troops when the information had been withheld from Parliament and people over a number of years, and that the Indian people are again being misled in the interest of appeasing Communist China?

Text of letter dated March 7, 1963 from the Prime Minister of Ceylon, Madame Sirimavo Bandaranaike, to Chou En-lai, Prime Minister of Communist China.

I thank you for your letter dated February 21, 1963, which you were so good as to send me through my Ambassador, Mr. A. B. Perera.

As you will readily appreciate, it is vitally necessary that there should be complete understanding between ourselves on all questions if the efforts of the Colombo Conference to promote direct negotiations between China and India are to bear fruit. I am, therefore, glad that you were able to have the advantage of discussions with His Royal Highness Prince Norodom Sihanouk of Cambodia and H.E. Minister Ofori Atta of Ghana before replying to my messages of January 24 and 28, 1963.

As there are many points in your letter on which it is necessary that we should understand one another completely, I am setting out my views on each of the separate points raised in your letter before I shall attempt to appraise the present situation in regard to the Sino-Indian boundary question and express my views as to what positive steps can now be taken for bringing about direct negotiations between China and India.

I have completely understood your Government's position that you accept the Colombo Conference proposals as a basis for talks between Chinese and Indian officials; but there are two questions or points of interpretation of the Colombo proposals which you propose should be taken up at the negotiations between China and India. It is not the position of your government that these two questions should be resolved during the course of the talks.

It is with this understanding that I went to India and presented to the Government of India copies of the memorandum which you handed to me as well as the letter signed by Marshall Chen Yi on your behalf.

My colleagues and I, who conferred with you in Peking, were of the view—and I venture to think quite rightly—that the attitude of the Government of China was helpful towards bringing about a settlement of the Sino-Indian boundary question by peaceful negotiations and constituted a positive response to your efforts as well as to the proposals themselves.

Both in India and China when the Colombo Conference proposals were discussed, my colleagues and I explained to the Governments of China and India exactly what the Colombo Conference proposals meant. When I was in China, I handed over to you a document headed, "the Principles underlying the proposals of the six" which set out the rationale of the proposals as well as the effect of the proposals. In regard to the proposed demilitarised zone in the western sector in paragraph 9 (d) and (e) of that document, I explained the proposals as follows:

- "9(d) That the demilitarised zone should be so administered as not to exclude the presence of either India or China as hitherto pending a final settlement of the border dispute;
- 9(e) Pending a final settlement of the border dispute, this zone should be so administered as to exclude the presence of the military forces of both sides. It is therefore, proposed that this zone should be administered by civilian posts to be agreed upon by both sides."

This was, as would be apparent to you, a statement of what was meant by paragraph 2(c) of the conference proposals conveyed to you by my special envoy Mr. G. S. Peiris.

When I was in India shortly afterwards, I handed over a copy of this same document to Prime Minister Nehru and at several discussions as in China, my colleagues and I also answered questions and discussed the various matters raised by the Indian Government and its representatives just as we did in China.

The Indian Government drew a distinction between the Colombo Conference proposals on the one hand and the two questions or points of interpretation raised by you in your memorandum and letter

which I had conveyed. Their view was that they were called upon to make a response at that stage to the Colombo Conference proposals only, though, at my request, they did indicate their views on the matter raised by you.

I can assure you that neither my colleagues nor I made any statement in New Delhi that were different to what had already been stated in Peking on the Colombo Conference proposals. For purposes of presenting the Colombo Conference proposals to the Indian Parliament, the Indian Government summarised what had been stated at the discussions in New Delhi in a document, a copy of which you will have already received. This document was prepared by the Government of India as a summary of the discussions in New Delhi. This document is expressed in the language of the Indian Government but its content is no different in substance to the thoughts conveyed in my document entitled "The Principles underlying the proposals of the Six". For instance, in the Indian document, the meaning of paragraph 2(c) of the Colombo Proposals is expressed in subparagraph 3 under the heading "Western Sector" in the following way:

"The demilitarised zone of 20-kilometres created by the Chinese military withdrawals will be administered by civilian posts of both sides. This is a substantive part of the Colombo Conference proposals. It is only as to the location of the number of posts and their composition that there has to be agreement between the two Governments of India and China."

If you were to compare this text with paragraph 2(c) of the proposals themselves and paragraphs 9(d) and (e) of my document entitled "The Principles underlying the proposals of the six", you will appreciate that there is no difference between them except in regard to modes of expression. The basic idea in all these statements is that although neither India nor China should have military posts in the proposed demilitarised zone, neither the presence of India nor China was to be excluded and that the proposed demilitarised zone should be administered by civilian posts to be agreed upon by both the sides. The Indian comment that administration by civilian posts of both sides "is a substantive part of the Ceylon Conference proposals"—although it is not my comment—does not, in my view, add anything to or alter in any way the content or the substance of the proposals as already set out. The Colombo Conference proposals are silent on the question as to what happens if China and India fail to agree in regard to the establishment of civilian posts. On that question, while in China, my colleagues and I expressed the view that it would not be contrary to the Colombo Conference proposals if the area remained unoccupied. We explained, however, that this was our personal view and not a view held

by the Colombo Conference as you have quite correctly understood it.

I should like to disabuse your mind of any incorrect impression that you may have formed that the Colombo Conference proposals were not clearly and consistently explained in India in the same way that they were explained in China.

I know it is your view that the Colombo Conference proposals are inequitable to the Government of China for the reasons stated in your letter and more particularly because you say the same principle has not been adopted uniformly for all sectors of the Sino-Indian frontier. These arguments I appreciate; but they constitute a criticism from your point of view of the Colombo Conference proposals themselves and not a criticism of the manner in which the Conference proposals were presented either in China or in India. As I explained to you while in China, the Colombo Conference at its deliberations between the 10th and 12th of December, 1962 paid a great deal of attention to the need to formulate proposals which had a reasonable attention to the need to formulate proposals which had a reasonable chance of being accepted both by China and India and it was this practical approach that characterised the entire question more than any other considerations. We realise at the time our proposals did not wholly satisfy the requirements of China which had been set out in the three-point proposals of October 24, 1962 or of India on her September 8, 1962 line. It is quite true that several of the participating countries, at the commencement of the Colombo Conference, thought that the role of mediators would best be served merely by making appeals to both sides to desist from Conflict. But as the Conference proceeded, it was the unanimous view of the participating countries that the Conference should put forward definite proposals to assist in bringing China and India to the conference table. It is incorrect to suppose that any of the conference countries intended that we should arrogate to ourselves the role of the proposals. The proposals were not intended to be in the nature of a judgment of an international tribunal or an arbitral award. This is quite clear from the fact that although the conference countries endeavoured to ascertain the facts of the Sino-Indian boundary question both from China and India, the conference did not seek to assume judicial or arbitral functions.

It is quite true that there is no imperative obligation or requirement that the Conference seeks to impose either on China or India to accept these proposals in toto. When the proposals were put forward, all the conference countries hoped that these proposals would be carefully considered and would be accepted by both sides as a basis for direct negotiations between themselves. Even if the proposals were not wholly accepted, and were only partially accepted, it was the view of the Conference

that it would yet mark a step forward towards bridging the difference between China and India and taking them one step closer to the Conference table.

It was in this spirit and with this intention that I undertook my mission to China and India on behalf of the Colombo Conference.

As I have already said, the Indian Government drew a distinction between the Colombo Conference proposals and the two questions or points of interpretation which you have raised. Their summary of the discussions at New Delhi for purposes of presentation to the Indian Parliament dealt only with the Colombo Conference proposals. The Indian Government expressed their views on the two questions or points of interpretation you have raised separately. Briefly, their attitude was that the Chinese Government were seeking to raise two questions outside the Colombo Conference proposals when, in their view these two matters were contrary to the proposals themselves. They maintained that the Colombo Conference proposals gave both India and China the right on the eastern sector to move right up to the McMahon line on the south and north respectively and that it would be contrary to the Colombo Conference proposals if India were required to keep her forces further south. They also maintained that the Colombo Conference proposals by their express terms, did not exclude the presence of India in the matter of civilian posts from the demilitarised zone of the western sector and that in that way, would be contrary to the conference proposals. The Indian Government therefore, felt that the Chinese reaction to the Colombo conference proposals was not a positive response but amounted to a rejection of the Colombo Conference proposals. My colleagues and I explained to the Government of India that this was a wholly incorrect view. We pointed out that the Colombo Conference proposals were, in our view, accepted by the Government of China as a basis for negotiations although the Chinese Government wished to raise the two questions for discussion and bargaining at the Conference table. We pointed out that the Chinese Government did not insist on the Government of India accepting the Chinese point of view on these two questions before the commencement of talks. In these circumstances, we asked the

Government of India to consider to what extent they would be prepared to meet these two proposals.

In the course of an informal discussion, at which officials were not present, Prime Minister Nehru informed my colleagues, Mr. Aly Sabry, Mr. Ofori Atta and myself that in regard to the question or point of interpretation on the Eastern Sector, while he was not prepared to accept any condition restricting his government from deploying its forces in that area, it was not his intention to advance his forces up to McMahon line, and that I could give you this assurance. I have already done so by my message to you of 25th January. It would appear that on this point Mr. Nehru's assurance is borne out by his subsequent statements. In my view this attitude of Mr. Nehru could be helpful towards bringing about direct negotiations.

It would appear that on the second question, India is not willing to be excluded from the 20 kilometre demilitarised zone for, in their view, if they were so excluded, they would be conceding China's sovereignty in an area which, according to them, is at the lowest disputed territory. This then appears to be the principal outstanding issue which is now preventing direct negotiations from immediately commencing between Chinese and Indian officials and I thought that I should appeal to you in the way I did in my message of January 24, 25, and 28. I am particularly anxious that whatever may be the outcome of the Colombo Conference proposals, there should be no misunderstanding between the Governments of Ceylon and China in regard to our respective positions in this matter. I am not seeking in any way to further the cause of India or of China and every request of mine to both sides is motivated by only one consideration, my sincere desire to further the cause of world peace. You wish to commence immediate negotiations is understandable and indeed praiseworthy, but the chances of negotiations succeeding would be slight if even on a single outstanding question China and India adopt an unbending attitude.

I appreciate very much the kind sentiments expressed in your letter to me regarding what you consider to be the positive achievements of the Colombo Conference which I conveyed last December. I can assure you direct negotiations will be achieved and that the efforts of the Colombo Conference countries will succeed in the end.

(For Private Circulation)