

SWATANTRA SAYS - NO MANDATE

From Our Special Representative

NEW DELHI, Wednesday.—A special session of the All-India Swatantra Party held in Madras recently passed a resolution asserting that the present Parliament or, for that matter, any Parliament is not legally competent to alter the basic structure of the Constitution.

Letters embodying the resolution were sent by the party today to the President, the Prime Minister, the Law Minister, the Home Minister and members of the Lok Sabha and the Rajya Sabha.

The resolution said: "The Swatantra Party is firmly of the opinion that many of the provisions of the 44th Constitution Amendment Bill radically change the basis of the structure of the Constitution and hence will be illegal and liable to be questioned if Parliament passes the Bill in its present form. Hence it requests the ruling Congress Party to give up its present attempt to pass the amendment Bill through the present Parliament."

POLITICAL PROPRIETY

Besides this legal objection, the resolution said, the Swatantra Party also objected to the Bill on principles of democratic and political propriety. The existing electorate did not give any mandate to the ruling party to alter the Constitution in any manner it liked. "It is a fallacy to say that the people in the 1971 elections gave mandate to the ruling party to do this since neither a Bill of this nature nor any suggestion to amend the Constitution drastically as contemplated in the Bill was placed before the electorate by the Congress in 1971."

During 1971 Parliamentary elections, the Congress secured only 43% of the total 54% votes polled. "In simple arithmetic, this will mean that the ruling Congress Party obtained only about 25% of the votes of the total electorate. By the same reasoning all Opposition parties put together secured the overwhelming majority of the total votes. Thus, it will be evident that the electorate gave no mandate whatsoever to the Congress to radically alter the Constitution", it said.

NO MORAL RIGHT

Further, the present Lok Sabha, which is now functioning under an extension of one year it granted to itself by means of Emergency provisions, has no moral right to change the Constitution and to carry out basic changes at that.

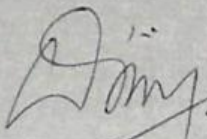
"Above all, the existing Constitution was the result of discussions and debates spread over a period of three years and the best talents of India fashioned it on the basis of near unanimity, satisfying the requirements of Opposition parties, religious, social and political groups of this country. The 44th Amendment, however, is acceptable to the ruling party and the CPI only and is opposed by all other democratic Opposition parties who together represent more than 54% of the population of the country", it added.

STATESMAN

28/10/76

2020

Received from the Swatantra Party, Maharashtra
the sum of Rupees Six Hundred and
Sixty only towards full settlement of
all my dues.


(VIJAY SUVARNA)
2/10/76