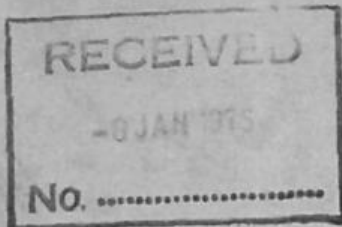


भारत निर्वाचन आयोग सचिवालय
SECRETARIAT OF
ELECTION COMMISSION OF INDIA

3681



संख्या
No. 56/52/74/ 56

निर्वाचन सदन,
अशोक रोड, नई दिल्ली-1
NIRVACHAN SADAN,
ASHOKA ROAD, NEW DELHI-1
तारीख 4 January, 1975
Dated 4 January, 1975

To

The General Secretary,
Swatantra Party,,
National Head Quarters,
143, Mahatma Gandhi Road,
Bombay.

subject:- Bharatiya Lok Dal - Formation of - Decision of the
Election Commission under paragraph 16 of the
Election Symbols (Reservation and Allotment)
Order, 1968.

.....

Sir,

I am directed to forward herewith for your information
an attested true copy of the Order dated 3 January, 1975
passed by the Election Commission in the above matter.

Necessary notification under paragraph 17 of the said
Symbols Order to give effect to the decisions of the
Commission in the above Order is being issued separately.

Yours faithfully,

K. Ganesan

(K. GANESAN)
UNDER SECRETARY (LEGAL).

Before the Election Commission of India

In re: Dispute in Bhartiya Kranti Dal, under paragraph 15 of the Election Symbols (Reservation and Allotment) order, 1968.

In re: Amalgamation of Swantantra Party, B.K.D. and Utkal Congress to form Bharatiya Lok Dal under paragraph 16 of the Symbols order.

ORDER

There are two cases which are dealt with in this composite order as they are closely inter-related. One relates to a dispute between three rival groups in the Bhartiya Kranti Dal, a recognised State Party in the State of Uttar Pradesh. This falls for determination under paragraph 15 of the Election Symbols (Reservation and Allotment) Order, 1968 (hereinafter called the 'Symbols Order'). The other relates to the question of amalgamation of the Swantantra Party, a recognised National Party, the B.K.D., a recognised State Party in the State of Uttar Pradesh, the Utkal Congress, a recognised State Party in the State of Orissa, and some other unrecognised political parties to form a new party under the name and style of the "Bharatiya Lok Dal". This falls for determination under paragraph 16 of the Symbols Order.

2. Briefly, the relevant facts are as follows:-

(i) The B.K.D. was originally one of the "registered" political parties under the Symbols Order. By its poll performance at the general election held in 1969 to the legislative assembly of Uttar Pradesh, this party satisfied the conditions for recognition as a State Party in that State in terms of the Symbols Order and was accordingly "recognised" as such by the Election Commission. It has retained its "recognition" as a State party in that State, as a result of its poll performance at the general election held in 1974 to the Legislative Assembly of that State.

(ii) The symbol reserved for that party is 'Haldhar' (A cultivator carrying a plough). As in the case of other political parties "recognised" by, or "registered" with, the Election Commission, the B.K.D. is a voluntary organisation; it is neither a statutory body nor a body registered under the Societies' Registration Act. It has framed its own constitution. According to the latest intimation received from the party in August 1973, Shri Charan Singh, M.L.A. was the Chairman of the party, Shri Sham Lal Yadav, M.P. was the General Secretary, and Shri M.S. Oberoi, M.P. was the Treasurer.

3. Shri Shyam Lal Yadav, General Secretary of the B.K.D. wrote three letters dated 24 July 1974, 16 August, 1974 and 3 September, 1974 to the Commission. Copies of certain resolutions purporting to be resolutions adopted at meetings of the National Executive of the B.K.D. held on 23 July 1974 and 13 August 1974 and at the Convention of the Uttar Pradesh State Unit of the party held at Lucknow on 1 September, 1974 were enclosed with these letters. These letters were obviously meant as a counter to the reported decision of the party led by Shri Charan Singh taken earlier to merge with other parties to form a new party under the name and style of "Bharatiya Lok Dal." The purport of these letters and resolutions is as follows:

(i) Shri Charan Singh had chosen to leave the party and join hands with some other political parties and formed the new party. The so-called National Convention of the B.K.D. held in Delhi on 28 August, 1974 under the Chairmanship of Shri Charan Singh was a total farce and the decisions and resolutions adopted in the said Convention are void, illegal and unauthorised. The action of Shri Charan Singh in breaking away from the B.K.D. and flouting the constitution of the party had resulted in complete loss of confidence in him. Therefore, he ceased to be a member of the party and its office bearer at any level of the organisation. He had been removed from all levels of the party including primary membership. Shri M.S. Oberoi was elected as National Chairman of the B.K.D. The Uttar Pradesh State Executive of the party was dissolved and Shri Jairam Verma had been nominated as President of that State Unit, with authority to nominate the State Executive. The B.K.D. continued to exist with its existing emblem and flag. The election symbol of the party should therefore not be given to any other political party.

(ii) Shri Shyam Lal Yadav has also furnished a list purporting to be the list of members of the National Executive of the Party.

4. As Shri Charan Singh is shown as Chairman of the B.K.D. in the records of the Commission, copies of these letters and their enclosures were sent to him for his comments.

5. By letters dated 31 August, 1974 and 15 September, 1974 to the Commission, Shri Charan Singh refuted the submissions, statements and contentions of Shri Shyam Lal Yadav. The purport of these two letters is as follows:

(i) No meeting of the National Executive of the

BKD was held on 23 July and 13 August, 1974 at New Delhi as claimed by Shri Shyam Lal Yadav and no notices for such meetings were either issued or received by the members of the National Executive Committee. The National Executive as it existed in 1970 had become defunct inasmuch as no election to the National Executive had been held on the expiry of the term of the members. Shri Shyam Lal Yadav and his colleagues had no right to terminate Shri Charan Singh's membership. Shri Yadav himself, as a representative of the B.K.D., took part at the meeting of the representatives of the Swantantra Party, Utkal Congress, BKD and other parties held on 14 April 1974 and signed a statement along with others "agreeing to dissolve their respective parties in order to form a new party with a view to polarisation of the existing opposition parties in the interest of democracy and the country." Shri Jairam Verma himself had moved a resolution at the BKD convention held on 5 May, 1974 in order to ratify the agreement of 14 April, 1974. Shri Zain-ul-Bashar who was being claimed to be a supporter of the Yadav group had issued notices for the meeting of the State Executive and meeting of State Committees, Legislators etc. which considered the question of merger to form a new party. A political party has an inherent right to change its name, form, aims etc. The constitution itself provides for this right. In exercise of this right, a national convention of the party had been held on 28 August, 1974 and had decided to assume the name and style of the "Bharatiya Lok Dal." Disciplinary action had been taken against Shri Shyam Lal Yadav and two others for propaganda against the party and its decision.

(ii) Shri Charan Singh has also furnished information on the relative strength in the two groups of the members who had been elected on the ticket of BKD to the legislative assembly and legislative council of Uttar Pradesh and to both Houses of Parliament. He has also enclosed a copy of the resolutions passed by the National Convention of the BKD held on 28 and 29 August, 1974 at New Delhi.

6. Having regard to the contentions, submissions and statements made by both the groups in the communications received by the Commission referred to above, the Commission was satisfied that there were two rival groups in the BKD, each of whom claims to be that party and that the dispute would have to be decided in terms of paragraph 15 of the Symbols Order. Accordingly, the Commission issued notices to both the groups on 28 October, 1974, directing them to file statements of case and other relevant documents

supported by properly sworn affidavits.

7. Shri Charan Singh filed his statement of case in the form of an affidavit on 19 November, 1974. He has stated therein that the statement of case of his group is contained in his letters dated 31 August, 1974 and 15 September, 1974. Along with his affidavit and subsequently, he has furnished a large number of individual declarations of the members who had been elected on the ticket of the BKD to the legislative assembly and legislative council of the State of Uttar Pradesh and to both Houses of Parliament who accept his leadership and concur in the merger of the party with other parties to form the Bharatiya Lok Dal. He has also enclosed attested copies of the resolutions reported to have been passed at the Convention of the Uttar Pradesh State Unit of the Party held in Lucknow on 4 and 5 May, 1974 and at the National Convention of the party held at New Delhi on 28 and 29 August, 1974. Enclosed with his affidavit are also two official communications issued by the Secretaries of the Legislative Assembly and the Legislative Council showing that the Hon'ble Speaker of the Legislative Assembly and the Hon'ble Chairman of the Legislative Council of U.P. have accepted the change of name of the party led by Shri Charan Singh from the B.K.D. to the Bharatiya Lok Dal.

8. Shri R.P. Kaushik, the authorised representative of the group led by Shri M.S. Oberoi and Shri Sham Lal Yadav, filed their statement of case on 27 December, 1974. The contentions therein in brief are as follows:-

Paragraph 15 of the Symbols Order has no application to the present dispute. On 28 October, 1974, i.e., the date of issue of the notice by the Commission under paragraph 15, there were no rival factions or groups in the B.K.D. There was only one B.K.D. led by Shri M.S. Oberoi. Shri Charan Singh, its former Chairman, had ceased to be a member of the party. The action of Shri Charan Singh to form a new party called the Bharatiya Lok Dal without the authority and express consent of the National Executive had resulted in the forfeiture of his membership. Shri Charan Singh had no authority to convene the so-called National Conference of the B.K.D. held on 28 August, 1974. Shri Charan Singh was expelled from the party by the highest executive, namely, the National Executive. The National Executive of the party was not defunct at any time as claimed by Shri Charan Singh. Most of the members of the National Executive of the BKD even after the formation of the Bharatiya Lok Dal had been with the group led by Shri M.S. Oberoi and Shri Shyam Lal Yadav. Shri Charan Singh could have no claim to the

symbol 'Haldhar' since it is a legally recognised symbol of the B.K.D.

9. A development mentioned in this statement of case is the statement regarding a resolution said to have been passed by the National Executive of the B.K.D. led by Shri M.S. Oberoi and Shri Shyam Lal Yadav at its meeting on 18 December, 1974 deciding to merge the party with the Indian National Congress. In view of this resolution, Shri Kaushik has prayed that the symbol 'Haldhar' should be frozen. Shri Kaushik has also given a list of three members of the Legislative Assembly of Uttar Pradesh and three members of the Rajya Sabha elected on the ticket of the B.K.D. who owe allegiance to his group. He has also furnished a copy of the constitution of the B.K.D.

10. By a letter dated 20 December, 1974, Shri Jairam Verma styling himself as Chairman of the B.K.D. of the State Unit of Uttar Pradesh, has stated that the State Executive of the party had been called to meet at Lucknow on 29 December, 1974 to decide its future course of action following the reported news item that Shri Shyam Lal Yadav and Shri M.S. Oberoi had decided to join the Indian National Congress and had requested the Election Commission to freeze the election symbol 'Haldhar'. He urges in this letter that the State Unit of the B.K.D. has neither been dissolved by the National Executive nor has ceased to exist but continues to function as before and that therefore the dispute should not be decided until that unit has stated its view point. In pursuance of the Commission's inability to grant further time and its directions to Shri Jairam Verma to file the statement of his case not later than 1 January, 1975, that is, the date fixed for the hearing of the case, he filed a statement of case on 1 January, 1975 just before the hearing started. His contentions are as follows:-

The Bharatiya Lok Dal is a new party and not a splinter group or rival group of the B.K.D. The new party has nothing in common with the B.K.D. in any respect. Therefore, a dispute does not arise under paragraph 15 of the Symbols Order. At the meeting of the State Executive, District and Cities Presidents, Secretaries and important workers of the party held at Lucknow on the 29 December, 1974, a resolution had been passed to continue the organisation and fight elections on the election symbol 'Haldhar'. The resolution of merger with the Indian National Congress passed by the group headed by Shri M.S. Oberoi and Shri Shyam Lal Yadav on 18 December, 1974 was unconstitutional. The symbol 'Haldhar' should not be frozen as desired by Shri M.S. Oberoi and the claim of the Bharatiya Lok Dal for the allotment to it of the symbol should be rejected. In other respects, he has supported the stand taken by Shri M.S. Oberoi and Shri Shyam Lal Yadav.

11. As scheduled, a hearing was held on 1 January, 1975 in connection with the enquiry in these cases under paragraphs 15 and 16 of the Symbols Order. The following representatives of the different parties were present :-

1. Shri Piloo Mody, M.P., President, Swatantra Party.
2. Shri Biju Patnaik, President, Utkal Congress.
3. Shri Lok Nath Joshi, Secretary, Bharatiya Lok Dal.
4. Shri Pran Nath Lekhi, Advocate on behalf of
Shri Charan Singh, Bhartiya
Kranti Dal.
5. Shri R.P. Kaushik } on behalf of Shri M.S.
6. Shri C.V. Francis, } Oberoi, M.P. and
Advocate } Shri Shyam Lal Yadav,
M.P., Bhartiya Kranti Dal.
7. Shri Sita Ram Dwivedi on behalf of
Shri Jairam Verma, Bhartiya Kranti Dal.

Shri P.N. Lekhi urged that in all cases of disputes of the present nature decided in the past by the Commission and the Courts, the only accepted test applied for the determination of the dispute was the test of majority. In the Congress symbol case the Supreme Court had clearly laid down that the test of majority is a very valuable and relevant test. He urged that the test of majority should be applied to the present case also. He has also questioned the locus standi of both Shri M.S. Oberoi and Shri Shyam Lal Yadav and Shri Sita Ram Dwivedi on behalf of Shri Jairam Verma. According to him, after the decision of the group led by Shri M.S. Oberoi and Shri Shyam Lal Yadav to merge with the Indian National Congress, they can no longer claim to belong to a rival section of the BKD and have nothing to do with the symbol of the BKD. Shri Lekhi also pointed out that even on their own admission, only three members of the Legislative Assembly and three members of the Rajya Sabha elected on the party ticket owe allegiance to the group led by Shri M.S. Oberoi and Shri Shyam Lal Yadav and that an overwhelming majority of the members elected to these legislative bodies on the party ticket owe allegiance to the group led by Shri Charan Singh.

12. Shri C.V. Francis, Advocate, on behalf of the group led by Shri M.S. Oberoi and Shri Shyam Lal Yadav argued that the question of applying

the test of majority would arise only in cases of split. There was no split in the party. It was only a case of certain members leaving the party and forming a new party. On the question of locus standi he said that on the date of issue of the Commission's notice, the BKD led by Shri M.S. Oberoi and Shri Shyam Lal Yadav was very much in existence. The locus standi is not affected by any subsequent events especially the merger of the group with the Indian National Congress. According to him, no decision had been validly taken by the BKD to join the Bharatiya Lok Dal as there is no record of any such decision in the official minutes books which are in possession of his group. He also stated that the minutes book of the Party contained the signature of its Chairman, Shri Charan Singh till 1972 and that as the minutes of the so-called National Convention held on 28 August 1974 had not been recorded in the official minutes book, the resolutions reported to have been passed are not valid. He also questioned the statements made by Shri Charan Singh that he, as the Chairman of the party, had the inherent right to change the name of the party.

13. Shri Sitaram Diwedi adopted the arguments of Shri Francis and further claimed that the BKD still existed and that a resolution had been passed by the U.P. State Unit of the BKD that the party would continue. He has admitted that, as of date, there is no elected member in any legislative bodies, acknowledging allegiance to the U.P. State Unit of the BKD led by Shri Jairam Verma.

14. In reply to these arguments, Shri P. N. Lekhi urged that the Commission is not entitled to interpret the various provisions of the constitution of the party and decide whether the meeting of the National Convention etc. had been held in accordance with the provisions of the constitution. The Commission had to apply strictly the test of majority with reference to any meetings of the organs of the party whether it was held constitutionally or otherwise. The question of legality of any proceedings of any group or constituent part of the BKD was one for the ordinary judicial forums e.g. Civil courts to decide.

15. In the Commission's view, the contentions regarding locus standi and the non-applicability of the provisions of paragraph 15 of the Symbols Order are not valid. The fact remains that there are two rival sections of the same party each purporting to claim to be that party and acting on that basis. This position is not altered by fact that one group has merged with other recognised parties to form a new party or by the fact that the other group has decided to obliterate its identity by merging with the Indian National Congress. Each group claims that in deciding to merge itself with another party or other parties it acted as the B.K.D. It is therefore obvious that there are two groups of the original B.K.D. each of which claims to have been and to have acted in a certain manner by virtue of its being the true B.K.D. Therefore, the question falls for determination under paragraph 15 of the Symbols Order whether any one of the rival groups or none of them was the B.K.D.

16. In arriving at a decision on this question, the Commission is to be guided by the well accepted test applicable to disputes of this kind. A specific test has already been laid down by the Commission itself in the Congress Symbol Case decided in 1971. This test has been upheld by the Supreme Court in its decision on the appeal filed against the order of the Commission in that Case. The same test has again been applied by the Commission in regard to the dispute in the Republican Party of India decided in 1971. In laying down that the test of majority and the numerical strength is a very valuable and relevant test in a democratic organisation in deciding disputes of the above kind, the Supreme Court has observed thus:-

"As Congress is a democratic organisation, the test of majority and numerical strength, in our opinion, was a very valuable and relevant test. Whatever might be the position in another system of government or organisation, numbers have a relevance and importance in a democratic system of government or political set up and it is neither possible nor permissible to lose sight of them. Indeed, it is the view of the majority which in the final analysis proves decisive in a democratic set up.

It may be mentioned that according to paragraph 6 of the Symbols Order, one of the factors which may be taken into account in treating a political party as a recognised political party is the number of seats secured by that party in the House of People or the State Legislative Assembly or the number of votes polled by the contesting candidates set up by such party.

If the number of seats secured by a political party or the number of votes cast in favour of the candidates of a political party can be a relevant consideration for the recognition of a political party, one is at a loss to understand as to how the number of seats in the Parliament and State Legislatures held by the supporters of a group of the political party can be considered to be irrelevant. We can consequently discover no error in the approach of the Commission in applying the rule of majority and numerical strength for determining as to which of the two groups, Congress 'J' and Congress 'O' was the Congress party for the purpose of paragraph 15 of Symbols Order."

17. It should be emphasised that the B.K.D. is a recognised state Party only in the State of Uttar Pradesh. As such, for applying the test of majority in the Legislatures, the relative strength of the two groups in the existing Legislative Assembly and Legislative Council of Uttar Pradesh and the Houses of Parliament, among the members elected thereto on the B.K.D. ticket from that State is alone relevant.

RELATIVE STRENGTH IN THE LEGISLATIVE BODIES.

18. Applying the test of majority in regard to the members elected to various legislative bodies on the ticket of B.K.D. who owe allegiance to either of these groups, the position is very clear. No difficulty whatsoever exists in deciding the question of majority in this regard. Shri Kaushik in his statement of case himself has admitted that only three members elected to the legislative assembly of Uttar Pradesh and three members elected to the Rajya Sabha on the party ticket are with his group. It has been admitted on behalf of Shri Jairam Verma that his group has no elected members in any legislative bodies. As against this position, Shri Charan Singh has furnished a list of 97 members elected to the Legislative Assembly of Uttar Pradesh on the ticket of B.K.D. who owe allegiance to his group and support the merger. The detailed position in regard to the total number of 106 members elected to the Legislative Assembly of Uttar Pradesh at the general election held in 1974 on the ticket of the B.K.D. is indicated in Statement No. IV of Annexure 'A' to this Order. The position in regard to the elected members of the Lok Sabha, the Rajya Sabha and the Legislative Council of Uttar Pradesh is contained in Statement No. I, Statement No. V and Statement No. VI respectively of Annexure 'A'. These would clearly show that the overwhelming majority of the members elected on the ticket of the B.K.D. owe allegiance to the group led by Shri Charan Singh.

19. Apart from these considerations, the Secretary of the Legislative Assembly of Uttar Pradesh and the Secretary of the Legislative Council of Uttar Pradesh by their letters

dated 21st October and 18th November, 1974 respectively have declared that the Speaker and Chairman have recognized that the B.K.D., led by the opposition leader, that is, Shri Charan Singh had converted itself into the Bharatiya Lok Dal and would henceforward be known by the new name and style. This declaration implies that the group in the B.K.D. led by Shri Charan Singh has been recognised as the true B.K.D. also by the Speaker and Chairman of the Uttar Pradesh Legislative Assembly and Legislative Council respectively.

RELATIVE STRENGTH IN THE ORGANISATIONAL WING.

20. (i) According to the constitution of the B.K.D., the organisational set up is as follows:-

- (a) (1) Constituency Council
(2) Constituency Executive
- (b) (1) District Council
(2) District Executive
- (c) (1) State Council
(2) State Executive
- (d) (1) National Conference
(2) National Council
(3) National Executive

It may be stated here that both the groups profess to act under the same copy of the constitution. Neither of the two groups has furnished any authenticated lists of the members of the different organs listed above on the basis of which the Commission can examine the rival claims.

(ii) In the absence of any such lists, it is not possible for the Commission to decide as to which of these three groups has the majority in its various organs. It is impossible for the Commission to hold an inquiry under paragraph 15 of the Symbols Orders to set in motion any machinery of its own for the purpose of ascertaining the relative strength of these groups in the various organs of the party mentioned above. In deciding a dispute under paragraph 15 of Symbols Order, the Commission has to act with certain measure of promptitude and has to see that the enquiry does not get bogged down in a quagmire. It is not legally competent for the Commission either to interpret the provisions of the Constitution of the party or go into the rightness or wrongness of the various actions and steps taken by rival groups with reference to those provisions.

The group led by Shri M.S. Oberoi, M.P. and Shri Shyam Lal Yadav, M.P. has furnished a list purporting to be the list of members of the National Executive. But the Chairman of the party Shri Charan Singh himself is said to have been removed by the National Executive. On the other hand, Shri Charan Singh claims that disciplinary action had been taken against Shri Shyam Lal Yadav and others. The Commission is unable to place any reliance or attach importance to any lists furnished or to be furnished by any of the groups in view of a number of removals and expulsions, resorted to by both the groups. Further, no election to the National Executive had been held for a long time. According to Shri Charan Singh the Executive had become defunct. However, he has functioned as the National President of the Party and appears to have been accepted as such. Shri Francis, for instance, argued that Shri Charan Singh had signed the minutes of the Executive as President up to 1972 but that there have been no meetings since. In these circumstances, in the absence of agreed lists of members of the party in its various organs showing their allegiance to one or the other group, it is not possible for the Commission to apply the test of majority and ascertain the relative strength of both the groups in the various organs of the party.

(iii) At the same time, in passing, mention may be made of two significant factors. It is claimed by Shri Charan Singh that the party headed by him had formally initiated action at a meeting of the National Convention for the formation of a new party by the merger of the B.K.D. and other parties. According to him, Shri Shyam Lal Yadav, M.P., the General Secretary of the party, as a representative of the party was present at the meeting of the B.K.D., Swatantra Party, Utkal Congress and other parties where a decision to form a new party by the merger was formally taken and signed the statement containing the decision. According to Shri Charan Singh, Shri Jai Ram Verma, who now claims to be the Chairman of the Uttar Pradesh State Unit of the party, actually moved the resolution at the State Convention of the party on 5 May, 1974 to ratify the agreement arrived at by the representatives of the various parties at their meeting on 14 April, 1974. These assertions have not been specifically denied by Shri Shyam Lal Yadav and Shri Jai Ram Verma. The group led by Shri M.S. Oberoi and Shri Shyam Lal Yadav has since decided to merge itself with the Indian National Congress and thus completely lose its separate identity. This position has been admitted in the statement of case submitted by Shri R.P. Kaushik. A resolution to this effect passed by the so-designated "National Executive" of the group has also been furnished. In any case, as on

the date of hearing, following the decision to merge with the Indian National Congress, the group led by Shri M.S. Oberoi and Shri Shyam Lal Yadav cannot sustain its claim to continue as the B.K.D. and make any submission in regard to the election symbol of the B.K.D. The position of the new party formed by the group led by Shri Charan Singh by its merger with other political parties has to be considered under paragraph 16 of the Symbols Order and this action of merger to form a new party is not the same as unilateral merger of one party with another party already in existence and losing its identity altogether.

21. For the reasons mentioned in the earlier paragraphs and especially on the conclusive proof of majority in the Legislatures of Uttar Pradesh and in the Houses of Parliament, the Commission hereby holds under paragraph 15 of the Symbols Order that the group led by Shri Charan Singh is the Bhartiya Kranti Dal for the purposes of the Symbols Order.

QUESTION OF AMALGAMATION OF PARTIES UNDER PARAGRAPH 16 OF THE SYMBOLS ORDER.

22. Having decided the dispute between the ~~three~~ rival groups in the B.K.D. in terms of paragraph 15 in favour of the group led by Shri Charan Singh, the question of amalgamation of that party with the Swatantra Party and the Utkal Congress and other groups to form a new party by the name and style of the Bharatiya Lok Dal has now to be dealt with under paragraph 16 of the Symbols Order.

23. From the records made available to the Commission, it appears that the representatives of the Swatantra Party, a recognised National Party, the B.K.D., a recognised State Party in the State of Uttar Pradesh, the Utkal Congress, a recognised State Party in the State of Orissa, and some other political parties met in New Delhi on 14 April, 1974 under the Chairmanship of Shri Charan Singh, Chairman of the B.K.D., with the idea of exploring the possibility of forming a national alternative to the ruling party in power. It was decided at that meeting that the above parties should merge themselves to constitute a new broad-based party. The representatives of the above parties further agreed at that meeting to secure the ratification of the above decision of merger by 5 August, 1974 by the general bodies of the respective parties. In some subsequent meetings of the representatives of the above parties, the new party to be formed by the amalgamation of the above parties was given the name and style of "Bharatiya Lok Dal". A policy statement and the aims and objects of the new party were also drawn up. The Commission, however, is not concerned with these latter matters in the present case.

24. By a letter dated 27 September, 1974, Shri Piloo Mody, M.P. and General Secretary of the Bharatiya Lok Dal officially informed the Commission that the Swatantra Party, the Bhartiya Kranti Dal and the Utkal Congress had all merged their identity into the Bharatiya Lok Dal, and requested "recognition" of that party as a National Party and the allotment of a symbol thereto in terms of paragraph 16 of the Symbols Order. With that letter he also furnished a list of office-bearers of the new Party at National level.

25. On receipt of this letter from Shri Piloo Mody, the Commission issued on 19 October, 1974, notices in terms of paragraph 16 of the Symbols Order to (1) the President and General Secretary of the Bharatiya Lok Dal, (2) the President and General Secretary of the Swatantra Party and (3) the President and the General Secretary of the Utkal Congress asking them to file their statements of case and other supporting documents within 20 days of the receipt of the said notice. A similar notice to Shri Charan Singh, in his capacity as Chairman of the Bhartiya Kranti Dal was issued on 28 October, 1974.

26. In response to these notices, Shri Charan Singh filed his statement of case and other supporting documents on behalf of the B.K.D. on 19 November, 1974 which were supplemented by further production of documents on 26 November, 1974 and 4, 5 and 6 December, 1974. He has adopted a common statement of case and supporting documents in respect of both the proceedings before the Commission, (i.e. one relating to the dispute in terms of paragraph 15 between the two groups of the B.K.D. and the other relating to the determination of the matter regarding the formation of Bharatiya Lok Dal) as both the matters are inter-related. The position in regard to the B.K.D. with reference to the documents and other information furnished has already been fully examined above. The statements of case and supporting documents on behalf of the Bharatiya Lok Dal, the Swatantra Party and the Utkal Congress were filed on 10 December, 1974. All the above said parties namely, the Swatantra Party, the B.K.D. and the Utkal Congress have filed true copies of the resolutions passed at the highest deliberative bodies of those parties approving their merger to form the Bharatiya Lok Dal. They have also filed the lists of members elected to the House of the People, the Council of States, the Legislative Assemblies and the Legislative Councils of States on their party tickets who now sit with members of the Bharatiya Lok Dal in their respective Houses. These lists have been closely scrutinised by the Commission on the basis of the records available with it. Wherever the Commission

was not either satisfied with the correctness of the position of elected members as stated in these lists or has felt that the claim in regard to certain members is irrelevant, the names of those members have not been taken into account by the Commission. After such scrutiny, the Commission itself has prepared a list of such elected members.

27. A copy each of the resolutions passed by the Swatantra Party, the B.K.D. and the Utkal Congress at their National Conventions are annexed to this Order as Annexure C-I to C-III. The lists of members elected to the various Legislative bodies about whose support to the merger of these parties to form the new party, Bharatiya Lok Dal, the Commission is satisfied are also annexed as Annexure 'A' - Statements Nos. I-VI.

28. In this connection, it may also be stated that one Shri Girish K. Munshi claiming to be the General Secretary of the Maharashtra Unit of the Swatantra Party by his letter dated 23 August, 1974 urged the Commission that the Party in Maharashtra, by a decision of its State Council, decided to continue to function even in the event of the dissolution of the Party at the Centre and that the symbol 'star' belongs as much to the Maharashtra State unit of the Party as it does to other State units and to the Party at the National level. The Commission refused to accept this claim from the State Unit of the Swatantra Party as the party is a recognised National Party under the Symbols Order and only the National Party can approach the Commission in the matter.

29. Shri Piloo Mody, Shri Biju Patnaik and Shri P.N. Lekhi, appearing on behalf of Shri Charan Singh at the hearing on 1 January, 1975 urged the Commission that the new party should be recognised as a National Party, that the symbol of the erstwhile parties i.e. the Swatantra Party, B.K.D. and Utkal Congress should be frozen and that no organisation or association should be allowed by the Commission, to appropriate or use the name of any of these erstwhile parties.

30. Taking into account all the facts and circumstances of the case under paragraph 16 of the Symbols Order, the Commission hereby decides that the newly formed party viz. the Bharatiya Lok Dal as a result of the amalgamation of the Swatantra Party, the Bhartiya Kranti Dal and Utkal Congress should be a National Party for the purposes of the Symbols Order.

31. Shri Piloo Mody, General Secretary of Bharatiya Lok Dal requested for some time to be given to suggest a suitable symbol to be reserved for the party. The Commission has decided to make a separate Order in regard to the reservation of a particular symbol for the party, after receipt of particulars as to the description of the symbol and the format of the symbol from Shri Mody.

32. subject to the orders in pursuance of paragraph 31 above reserving a symbol for the Bharatiya Lok Dal, the Commission also hereby decides that the Symbols (i) "star" reserved for the Swatantra Party, (ii) "Maldhar" reserved for the Bhartiya Kranti Dal in Uttar Pradesh and (iii) "water wheel and Plough (Halchaka)" reserved for the Utkal Congress in Orissa, be frozen and that in order to avoid any possible confusion in the minds of the electorate, no political organisation or association seeking registration with the Commission as a political party under the Symbols Order should be registered with the same name or a name similar to that of the Swatantra Party, the Bhartiya Kranti Dal or the Utkal Congress./

33. Necessary action to carry out the decisions of the Commission in this Order by suitable amendments to its notifications under paragraph 17 of the Symbols Order, should be taken forthwith.

(T. SWAMINATHAN)
CHIEF ELECTION COMMISSIONER
OF INDIA.

Dated 3 January, 1975.

Attested

K. Ganesan
4.1.75

(K. GANESAN)
Under Secretary (Legal)
Election Commission of India
New Delhi

ANNEXURE-A
Statement No. I

Statement showing the names of members : elected to the Lok Sabha at the General Election, 1971, on the tickets of Swatantra Party, Bharatiya Kranti Dal and Utkal Congress who support the decision of merger to form the Bharatiya Lok Dal.

S.No.	No. and name of Constituency from which elected.	Names of the elected members	Whether the member supports the merger or not.	Remarks.	
1.	2.	3.	4.	5.	
<u>A-Swatantra Party</u>					
<u>I. GUJARAT</u>					
1. 8-Dhandhuka		Shri H.M. Patel	}	Individual declarations from these members except Smt. Gayatri Devi furnished.	
2. 16-Godhra		Shri Piloo Homi Modi			
<u>II ORISSA</u>					
3. 13-Kalahandi		Shri Pratap Keshari Deo	}		
4. 14-Phulbani (SC)		Shri Boksi Nayak			
5. 15-Bolangir		Shri Raj Raj Singh Deo			
<u>III-RAJASTHAN</u>					
6. 5-Jaipur		Smt. Gyatri Devi	}		
7. 12-Tonk (SC)		Shri Ram Karwar			
<u>B- UTKAL CONGRESS</u>					
<u>I-ORISSA</u>					
1. 5-Kendrapara		Shri Surendera Mohanty	}	Individual declaration furnished	
2. 1-Mayurbhanj (SC)		Shri Chandra Mohan Sinha			
<u>C-BHARTIYA KRANTI DAL</u>					
<u>I-UTTAR PRADESH</u>					
1. 74-Aligarh		Shri Shiv Kumar Shastri	}	Individual declaration furnished.	
2. 56-Allahabad (Bye-election)		Shri Janeswar Mishra			

Statement No. II

Statement showing the names of members elected on the ticket of Swatantry Party to the various Legislative Assemblies and of those among them who support the decision of merger to form the Bharatiya Lok Dal- General Elections 1972, 1974, 1970 and 1971.

Name of State/ Union Territory	Sl. No.	Sl.No. and Name of Consti- tuency.	Name of elected member	Whether the member supports the merger or not.	Re- mar- ks.
1.	2.	3.	4.	5.	6.
<u>General Elections, 1972.</u>					
1. Andhra Pradesh	1. 94-Vemur		Sh. Yadlapati Venkatrao	Yes	
	2. 151-Rajampet		Sh. Rathna Sabhapathy, Bhandaru.	Yes	
2. Assam	3. 115-Dhomaji (ST)		Sh. Komesh Mohan Kuli	Yes	
3. Bihar	4. 87-Bahori		Sh. Tej Narayan Yadava	Yes	
4. Gujarat	-		-		
5. Haryana.	-		-		
6. Himachal Pradesh	-		-		
7. Jammu & Kashmir	-		-		
8. Madhya Pradesh	-		-		
9. Maharashtra	-		-		
10. Manipur	-		-		
11. Meghalaya	-		-		
12. Karnataka	-		-		
13. Punjab	-		-		
14. Rajasthan.	5. 8-Raisingh- nagar (SC)		Sh. Bega Ram	Yes	
	6. 22-Khetri		Sh. Ramji Lal	Yes	
	7. 28-Lachhmangarh (SC)		Sh. Keshar Deo	Yes	
	8. 29-Sikar		Sh. Gordhan Singh	Yes	
	9. 43-Lalsoot (ST)		Sh. Meetha Lal	No information	
	10. 46-Dausa (SC)		Sh. Mool Chand Samaria	-do-	
	11. 50-Kotputli		Sh. Sureshchandra	-do-	
	12. 58-Thanagazi		Sh. Laxmi Narain	Yes	
	13. 85-Kishangarh		Sh. Pratap Singh	No information	
	14. 124-Dungarpur		Sh. Laxman Singh	-do-	
	15. 179-Deedwana		Sh. Bhoma Ram	Yes	
15. Tripura	-		-		
16. West Bengal	-		-		
17. Delhi (Metro. C)	-		-		
18. Goa, Daman & Diu	-		-		
19. Mizoram.	-		-		

-2-

1	2	3	4	5	6
<u>General Elections, 1974</u>					
20. Orissa	16. 30-Aul	Sh. Sarat Kumar Deb		Yes	
	17. 48-Baramba	Sh. Rajasahet Trilochan Singh Deo		Yes.	
	18. 90-Nowrang	Sh. Habibulla Khan		Yes	
	19. 92-Dadugam (ST)	Sh. Syamoghono Majhi		Yes	
	20. 96-Dharamgarh (SC)	Sh. Dayanidhi Naik		Yes	
	21. 97-Koksara	Sh. Chandrabhanu Singh Deo		Yes	
	22. 98-Junagarh	Sh. Udit Pratap Deo		Yes	
	23. 99-Bhawanipatna (SC)	Sh. Jagamohan Nayak		Yes	
	24. 100-Narla (ST)	Sh. Dhaneswa Majhi		Yes	
	25. 101-Kesinga	Sh. Sarat Chandra Singh Deo		Yes	
	26. 105-Boudh	Sh. Natabar Pradhan		Yes	
	27. 106-Titilagarh (SC)	Sh. Tapi Jal		Yes	
	28. 107-Kantabanji	Sh. Ramprasad Misra		Yes	
	29. 108-Patnagarh	Sh. Ainthu Sabhoo		Yes	
	30. 109-Saintala	Sh. Krushna Chandra Panda		Yes	
	31. 110-Loisingha	Sh. Ananga Udaya Singh Deo		Yes	
	32. 111-Balangir	Sh. Rajendra Narain Singh Deo		Yes	
	33. 112-Sonepur (SC)	Sh. Daulat Bagh		Yes	
	34. 113-Binka	Sh. Radha Mohan Mishra		Yes	
	35. 134-Deogarh	Sh. Raja Bhanuganga Tribhuwan Deb.		Yes	
	36. 144-Keonjhar (ST)	Sh. Govind Munda		Yes	
21. Nagaland	-	-			
22. Pondichery	-	-			
23. Uttar Pradesh	37. 352-Bah	Sh. Raja Mahendra Ripduman Singh.		Yes	

GENERAL ELECTIONS 1970-71.

24. Kerala	-	-			
25. Tamil Nadu	38. 4-Park Town	Sh. Hande Dr. H.V.		No intimation	
	39. 71-Hosur	Sh. Venkateswamy. B		Yes - do -	
	40. 97-Cuddalur (SC)	Sh. Bomman K.H.		Yes - do -	
	41. 131-Andipatti	Sh. Guruswami Naidu N.V.		Yes - do -	
	42. 218-Cherannaha	Sh. Sivaprakasam D.S.A. devi		Yes - do -	
	43. 229-Nagercoil (Bye election)	Dr. M. Moses.		Yes - do -	

Statement No. III

- 19 -

Statement showing the names of members elected to the Legislative Assembly of Orissa on the ticket of Utkal Congress at the General Election, 1974 and of those among them who support the decision of merger to form the Bhartiya Lok Dal.

Sl. No. and name of No. Constituency from which elected.	Name of elected member	Whether the member supports the merger or not	Remarks.
1.	2.	3.	4.
1. 4-Rairangpur (ST)	Sh. Arjun Majhi		Joint declaration endorsing the decision of merger of the party with other parties to form the Bharatiya Lok Dal.
2. 18-Bhandari Pokhari (SC)	Sh. Bairagi Jena	-do-	
3. 20-Dhamanagar	Sh. Hrudananda Mallick	-do-	
4. 24-Korai	Sh. Ashok Kumar Das	-do-	
5. 25-Jajpur (SC)	Sh. Jagannath Malik	-do-	
6. 28-Bari Derabisi	Sh. Prahlad Malik	-do-	
7. 32-Rajnagar	Sh. Bijayananda Patnaik	-do-	
8. 33-Kandrapara	Sh. Bedprakash Agarwalla	-do-	
9. 34-Patkura	Sh. Raj Kishore Nayak	-do-	
10. 35-Tirto	Sh. Pratapa Chandra Mohanty	-do-	
11. 36-Kissannagar	Sh. Batakrushna Jena	-do-	
12. 44-Cuttack City	Sh. Srikanta Panda	-do-	
13. 49-Balipatna (SC)	Sh. Gopinath Bhoi	-do-	
14. 50-Bhubaneswar	Sh. Harekrushna Mahtab	-do-	
15. 51-Jatni	Sh. Satyapriya Mohanty	-do-	
16. 60-Begunia	Sh. Satyanand Champatiray	-do-	
17. 71-Khallikote	Smt. V. Sugnana Kumari Deo	-do-	(Not signed the declaration).
18. 72-Chatrapur	Sh. Daitari Behera	-do-	
19. 73-Hinjili	Sh. Brundaban Nayak	-do-	
20. 77-Mohana	Sh. Udayanarayan Deb	-do-	
21. 78-Ramgiri (ST)	Sh. Chakradhar Paik	-do-	
22. 84-Pottangi (ST)	Sh. Dissari Sannu	-do-	
23. 85-Koraput	Sh. Harish Chandra Baripatra	-do-	
24. 86-Malkangiri (SC)	Sh. Naka Kannaya	-do-	
25. 91-Kodinga (ST)	Sh. Sombaru Majhi	-do-	
26. 93-Umarkote (ST)	Sh. Rabisingh Majhi	-do-	
27. 97-Khariar	Sh. Anupa Singh Deo	-do-	
28. 116-Angul	Sh. Adwait Prasad Singh	-do-	
29. 125-Bijepur	Sh. Gananath Padhan	-do-	
30. 127-Bargarh	Sh. Nabin Kumar Padhan	-do-	
31. 133-Rairakhol (SC)	Sh. Basanta Kumar Mohananda	-do-	
32. 143-Patna (ST)	Sh. Maheswar Majhi	-do-	
33. 145-Telkoi (ST)	Sh. Niladri Naik	-do-	
34. 146-Ramchandrapur	Sh. Muralidhar Kuanr	-do-	
35. 7-Bariloda	Sh. Promod Ch. Bhajdeo.	-do-	This member contested the election as independent and not on the ticket of Utkal Congress (Party however claims that it supported him at the election).

Statement No. IV

Statment showing the names of members elected to the Legislative Assembly of Uttar Pradesh on the ticket of Bharatiya Kranti Dal at the General Election, 1974 and of those among them who support the decision of merger to form the Bharatiya Lok Dal.

Sl. No. and name of Constituency from which elected.	Name of the elected member.	Whether the member supports the merger or not	Remarks
1.	2.	3.	4.
1. 17-Seohara	Sh. Abdul Waheed	Furnished individual declaration owing allegiance to the group led by Sh. Charan Singh which has merged with Bharatiya Lok Dal.	
2. 23-Chandpur	Sh. Dharam Vir Singh	-do-	
3. 24-Kanth	Sh. Chandrapal Singh	-do-	
4. 26-Hasanpur	Sh. Mahendra Singh	-do-	
5. 27-Gangeshwari (SC)	Sh. Mani Ram	-do-	
6. 28-Sambhal	Sh. Shafiqul Rehman Barg	-do-	
7. 29-Bahjoi	Sh. Sultan Singh	-do-	
8. 30-Chandausi (SC)	Sh. Devi Singh	-do-	
9. 38-Bilaspur	Sh. Manzoor Ali Khan	-do-	
10. 40-Bisauli	Sh. Krishan Vir Singh	-do-	
11. 41-Gunnaur	Sh. Jugal Kishore	-do-	
12. 42-Sahaswan	Shanti Devi- W.	-do-	
13. 50-Faridpur (SC)	Sh. Hem Raj	(No declaration furnished).	
14. 46-Binawar	Sh. Muhammed Asrar Ahmad	-do-	
15. 55-Kabar	Sh. Misar Yar Khan	(No declaration furnished).	
16. 57-Pilibhit	Sh. Dharendra Sahai	-do-	
17. 62-Nigohi	Sh. Om Prakash	-do-	
18. 92-Bangarmau	Sh. Raghvendra Singh	-do-	
19. 93-Safipur (SC)	Sh. Sunder Lal	-do-	
20. 94-Unnao	Sh. Sheo Pal Singh	-do-	
21. 113-Salon (SC)	Sh. Dina Nath	-do-	
22. 115-Bihar (SC)	Sh. Ram Swaroop Bhartiya	-do-	
23. 135-Bikapur	Sh. Sita Ram Nishad	(No declaration furnished).	
24. 138-Rudauli	Sh. Ram Sewak Yadav	(Dead).	
25. 139-Dariyabad	Sh. Beni Prasad	-do-	
26. 140-Sidhaur (SC)	Sh. Sheo Kailash	-do-	
27. 141-Haidergarh	Sh. Jang Bahadur	-do-	
28. 144-Fatehpur (SC)	Sh. Nanhey Lal	-do-	
29. 178-Hainsarbazsar (SC)	Sh. Bhisham	-do-	
30. 183-Mundera Bazar (SC)	Sh. Phirangi Prasad.	-do-	
31. 184-Pipraich	Sh. Madhukar Dighe	-do-	
32. 187-Sahjanwa	Sh. Sharda	-do-	
33. 190-Lakshmipur	Sh. Abdul Rauf Lari	-do-	
34. 195-Ramkola	Sh. Bankey Lal	-do-	
35. 197-Padrauna	Sh. Purushottam	-do-	

1.	2.	3.	4.	5.
81.	355-Etmadpur (SC)	Sh. Shiv Charan Lal.	-do-	
82.	356-Dayalbagh	Sh. Multan Singh	-do-	
83.	362-Goverdhan (SC)	Sh. Gynendra Swaroop	-do-	
84.	364-Chhata	Sh. Radhasharan	-do-	
85.	365-Mat	Sh. Chandan Singh	-do-	
86.	366-Gokul	Gayatri Devi - W.	-do-	
87.	367-Sadabad	Sh. Ram Prakash	-do-	
88.	370-Sikandra Rao	Sh. Farzand Ali	-do-	
89.	371-Gangiri	Sh. Babu Singh	-do-	
90.	375-Iglas	Sh. Rajendra Singh	-do-	
91.	378-Jewar (SC)	Sh. Aidal Singh	-do-	
92.	381-Anupshahr	Sh. Khacheru Singh Mohariya	-do-	
93.	383-Agota	Sh. Bikram Singh	-do-	
94.	393-Kithore	Sh. Ram Dayal Singh	-do-	(No declaration furnished).
95.	395-Sardhana	Sh. Nazir Ahmad	-do-	
96.	400-Khekra	Sh. Chhajju Singh	-do-	
97.	401-Baghat	Sh. Satya Pal Malik	-do-	
98.	402-Barnawa	Sh. Dharam Vir Singh	-do-	
99.	403-Chaprauli	Sh. Chaudhari Charan Singh	-do-	
100.	404-Kandhla	Sh. Mool Chand	-do-	
101.	405-Khatauli	Sh. Laxman Singh	-do-	
102.	406-Jansath (SC)	Sh. Qabool Singh	-do-	
103.	409-Charthawal (SC)	Sh. Nand Ram	-do-	
104.	299-Bilhaur (SC)	Sh. Moti Lal Dehalavi	-do-	
105.	420-Roorkee	Sh. Rao Mushtaq	-do-	
106.	421-Lhaksar	Qazi M. Mohiuddin.	-do-	

- Note:-
1. Out of 106 M.L.As, 97 M.L.As. have given their individual declarations owing allegiance to the group led by Sh. Charan Singh which has merged into Bharatiya Lok Dal.
 2. Of the remaining 9 M.L.As, the M.L.A. mentioned at Sl.No. 24 is dead.
 3. Out of the remaining 8, three M.L.As. namely those mentioned at Sl.Nos. 47, 71 and 78 are claimed to be owing allegiance with the group led by Shri M.S. Oberoi and 5 M.L.As. namely those mentioned at Sl.Nos. 13, 15, 23, 40 and 94 have not furnished any declaration either way.

Statement No. V.

statement showing the names of members of Rajya Sabha elected on the tickets of Swatantra Party, Utkal Congress and Bharatiya Kranti Dal who support the merger of those parties to form Bharatiya Lok Dal.

Sl. No.	Name of member	Party on whose ticket elected	State from which elected.
1.	Shri Loknath Mishra	Swatantra	Orissa
2.	Shri K.P. Singh Deo	Swatantra	Orissa
3.	Shri Bira Kesari Deo	Swatantra	Orissa
4.	Shri Rabi Ray	Utkal Congress	Orissa
5.	Shri Raj Narain	BKD	Uttar Pradesh
6.	Shri Jagbir Singh	BKD	Uttar Pradesh
7.	Shri M.P. Verma	BKD	Uttar Pradesh

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Statement No. VI

Statement showing the names of members of Legislative Councils elected on the tickets of Bharatiya Kranti Dal, Swatantra Party and Utkal Congress who support the merger of these parties to form Bharatiya Lok Dal.

Sl. No.	Name of member	Party on whose ticket elected	State from which elected.
1.	2.	3.	4.
1.	Shrimati Chandrawati	B.K.D.	Uttar Pradesh
2.	Shri Ram Chander Azad	B.K.D.	Uttar Pradesh
3.	Shri Harmohan Singh	B.K.D.	Uttar Pradesh
4.	Shri Uma Shankar Misra	B.K.D.	Uttar Pradesh
5.	Shri Om Prakash Tyagi	B.K.D.	Uttar Pradesh
6.	Shri Mahender Singh	B.K.D.	Uttar Pradesh
7.	Shri Braham Dutt	B.K.D.	Uttar Pradesh
8.	Shri Ram Gopal	B.K.D.	Uttar Pradesh
9.	Shri Ramswarup Yadav	B.K.D.	Uttar Pradesh
10.	Sh. Hari Krishan Srivastava	Swatantra	Uttar Pradesh
11.	Sh. P. Rajagopala Naidu	Swatantra	Andhra Pradesh
12.	Sh. Channabyre Gowda	Swatantra	Karnataka
13.	Shri Sa Ganesan	Swatantra	Tamil Nadu
14.	Sh. S. Narayanaswamy	Swatantra	Tamil Nadu
15.	Sh. G. Swaminathan	Swatantra	Tamil Nadu

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/ COPY /

Shri N.Rath, B.L.,
SECRETARY

ORISSA LEGISLATIVE ASSEMBLY

BLD/672/75/40

No.12463 L.A.
Bhubaneswar the 12th December, 1974.

To

Shri Bijayananda Patnaik, M.L.A.,
Leader of the Bharatiya Lok Dal
Legislature Party, Orissa.

Sir,

With reference to your letter dated 11.12.1974, I am directed to enclose herewith a list of 56 names of members belonging to the Bharatiya Lok Dal Legislature Party, Orissa as per the position on date.

The party ticket on which they were elected has been indicated against their names.

Yours faithfully,

Sd/- (N.RATH)
SECRETARY

Forwarded to the Election Commission of India,
New Delhi.

Sd/- Biju Patnaik
13.12.74.

BHARATIYA LOK DAL LEGISLATURE PARTY (56)

<u>Name of Members</u>	<u>Party ticket on which elected.</u>
1. Shri Arjun Majhi	Utkal Congress
2. " Bairagi Jena	-do-
3. " Hrudananda Mallick . . .	-do-
4. " Ashok Kumar Das	-do-
5. " Jagannath Malik	-do-
6. " Prahallad Mallik	-do-
7. " Bijayananda Patnaik	-do-
8. " Bed Prakash Agarwalla ..	-do-
9. " Rajakishore Nayak	-do-
10. " Pratap Chandra Mohanty ..	-do-
11. " Batakrushna Jena	-do-
12. " Srikantha Panda	-do-
13. " Gopinath Bhoi	-do-
14. Dr. Harekrushna Mahatab ..	-do-
15. Shri Satyapriya Mohanty ..	-do-
16. " Satyananda Champatiray ..	-do-
17. Shrimati V. Sugana Kumari Deo	-do-
18. Shri Daitari Behera	-do-
19. Shri Brundaban Nayak	-do-
20. " Udayanarayana Dev	-do-
21. " Chakradhar Paik	-do-
22. " Dissari Sareru	-do-
23. " Haris Chandra Baxipatra ..	-do-
24. " Naka Kannaya	-do-
25. " Sombaru Majhi	-do-
26. " Rabi Singh Majhi	-do-
27. " Anupa Singh Deo	-do-
28. " Gananath Padhan	-do-
29. " Nabin Kumar Padhan	-do-
30. " Basanta Kumar Mohananda ..	-do-
31. " Maheswar Majhi	-do-
32. " Niladri Naik	-do-
33. " Muralidhar Kuanr	-do-
34. " Adwait Prasad Singh	-do-
35. " Sarat Kumar Dev	-do-
36. Raja Saheb Trilochan Singh Deo	-do-
37. Shri Habibulla Khan	-do-
38. " Shyamoghono Majhi	-do-
39. " Dayanidhi Naik	-do-
40. " Chandrabhanu Singh Deo ..	-do-
41. " Udit Pratap Deo	-do-
42. " Jagmohan Nayak	-do-
43. " Dheneswar Majhi	-do-
44. " Sarat Chandra Singh Deo ..	-do-
45. " Natabar Pradhan	-do-
46. " Tapi Jal	-do-

Swatantra

Sd/- N.Rath

12.12.74

Secretary,

Orissa Legislative Assembly

47.	Shri Ramprasad Misra	..	-do-
48.	" Ainthu Sahoo	..	-do-
49.	" Krushna Chandra Panda	..	-do-
50.	" Ananga Udaya Singh Deo	..	-do-
51.	" Rajendra Narayan Singh Deo	..	-do-
52.	" Daulat Begh	..	-do-
53.	" Radhamohan Mishra	..	-do-
54.	Kaja Bhanuganga Tribhuban Deb	..	-do-
55.	Shri Govinda Murda	..	-do-
56.	" Promod Chandra Bhanj Deo		Independent

विधान सभा सचिवालय

उत्तर प्रदेश
(संसदीय अनुभाग)
संख्या 2922/29(सं)-74

प्रेम

श्री सत्य प्रिय सिंह,
सचिव ।

सेवा में

सदस्यगण,
विधान सभा,
उत्तर प्रदेश ।

लखनऊ, दिनांक 21 अक्टूबर, 1974

महोदय/महोदया,

मुझे आपकी यह सूचित करने का आदेश हुआ है कि उत्तर प्रदेश विधान सभा में नेता, विरोधी दल ने माननीय अध्यक्ष, उत्तर प्रदेश विधान सभा को यह सूचना देते हुए कि "भारतीय जनता दल" अब "भारतीय लोक दल" में परिवर्तित हो गया है और अधिकतर में यह दल "भारतीय लोक दल" के नाम से जाना जायगा, यह निवेदन किया है कि विधान सभा सचिवालय ने अधिलेखों में तदनुसार परिवर्तन कर दिया जाय । माननीय अध्यक्ष ने भारतीय जनता दल का नाम "भारतीय लोक दल" के नाम में परिवर्तित किए जाने की प्रार्थना स्वीकार कर ली है ।

आपका विश्वासपात्र,
सत्य प्रिय सिंह,
सचिव ।

संख्या 2922(1)/29(सं)-74

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्रवाई के लिए भिजाने के लिए —

- 1- नेता, कांग्रेस शासन दल, विधान भवन, लखनऊ ।
- 2- नेता, भारतीय जनता दल (जो अब भारतीय लोक दल हो गया है), विधान भवन, लखनऊ ।
- 3- नेता, भारतीय जनसंघ दल, विधान भवन, लखनऊ ।

- 4- नेता, भारतीय कम्युनिस्ट दल, विधान भवन, लखनऊ ।
- 5- नेता, कमिस्त (संगठन) दल, विधान भवन, लखनऊ ।
- 6- अधिक, विधान परिषद्, उत्तर प्रदेश, लखनऊ ।
- 7- अधिकालय के प्रमुख विभाग ।
- 8- जिलाधिकारी, लखनऊ ।
- 9- जेम्स एडवर्ड डेविस, लखनऊ ।
- 10- जेम्स, राजकीय पुस्तकालय एवं लेखन-सागरी, उत्तर प्रदेश, इलाहाबाद ।
- 11- एम.ए. जनरल, उत्तर प्रदेश, इलाहाबाद ।
- 12- विधान तथा अधिकालय के प्रमुख अनुभाग तथा अधिकारीगण ।
- 13- गुप्तना विदेश, उत्तर प्रदेश, लखनऊ ।

सत्य प्रिय सिंह
अधिक ।

प्रेषक

श्री हरिनन्दन शरण घटनागर, बी०एल०, एम०ए०, एल०एल०बी०,
डी०पी०आई०पी०,

अनु सचिव, विधान परिषद,
उत्तर प्रदेश ।

सेवा में

समस्त सदस्य,
विधान परिषद, उत्तर प्रदेश ।

विधान परिषद् सचिवालय

लखनऊ, दिनांक 18 नवम्बर, 1974

विषय :- उत्तर प्रदेश विधान परिषद् में 'भारतीय लोक दल' को मान्यता प्रदान करना ।

प्रतीक/सहोदय,

मुझे आपसे यह सूचित करने का निदेश हुआ है कि माननीय सभापति विधान परिषद्, उत्तर प्रदेश ने सदन के निम्नलिखित सदस्यों के एक दल को, 'भारतीय लोक दल' के रूप में मान्यता प्रदान कर दी है, जो कि पहले 'भारतीय जनता दल' के सदस्य कहलाते थे :-

- 1- श्रीमती चन्नावती, सदस्या, विधान परिषद्, उत्तर प्रदेश,
- 2- श्री राम चन्द्र आजाद, सदस्य, विधान परिषद्, उत्तर प्रदेश,
- 3- श्री हरमोहन सिंह, सदस्य, विधान परिषद्, उत्तर प्रदेश,
- 4- श्री हरिद्वंश श्रीवास्तव, सदस्य, विधान परिषद्, उत्तर प्रदेश,
- 5- श्री उमा शंकर मिश्र, सदस्य, विधान परिषद्, उत्तर प्रदेश,
- 6- श्री अंगद प्रताप त्यागी, सदस्य, विधान परिषद्, उत्तर प्रदेश,
- 7- श्री प्रहल्लभ सिंह, सदस्य, विधान परिषद्, उत्तर प्रदेश,
- 8- श्री बृज दत्त, सदस्य, विधान परिषद्, उत्तर प्रदेश,
- 9- श्री राम गोपाल, सदस्य, विधान परिषद्, उत्तर प्रदेश,
- 10- श्री राम लाल यादव, सदस्य, विधान परिषद्, उत्तर प्रदेश ।

आपका विश्वासपात्र,

हस्ता

(हरिनन्दन शरण घटनागर)
अनु सचिव ।

..... 2/-

संख्या 6588(1)/वि०प०-68/1967

प्रतिलिपि निम्नलिखित लो सूचनाय प्रेषित : —

- 1- मुख्य सचिव, उत्तर प्रदेश शासन, प्रोपन अनुभाग,
- 2- सचिव, उत्तर प्रदेश शासन, संसदीय/विधायिका अनुभाग,
- 3- अन्य सचिव, अनुभाग, उत्तर प्रदेश सचिवालय,
- 4- सचिव, राज्य पाल, उत्तर प्रदेश,
- 5- सचिव, विधान सभा, उत्तर प्रदेश,
- 6- मुख्य एवं अन्य सचिव मंत्री, उत्तर प्रदेश शासन,
- 7- मुख्य निर्वाचन अधिकारी, उत्तर प्रदेश,
- 8- गृह विभाग, उत्तर प्रदेश,
- 9- उद्घोषण, उत्तर प्रदेश, इलाहाबाद,
- 10- महासचिव, उत्तर प्रदेश, इलाहाबाद,
- 11- सचिव, महिला शर्टी आफिस, उत्तर प्रदेश विधान मण्डल, विधान भवन, लखनऊ ।

हस्त०

(हरिनन्दन शरण भटनागर)
अनु सचिव ।

In pursuance of this Resolution, the National Convention of the Swatantra Party has been called to decide on the future of the Swatantra Party.

The General Council has approved of the idea of the formation of a National Alternative by the coming together of all political parties other than the Ruling Congress and the Communists. It has welcomed the efforts made in this direction by various parties to come together on a common platform.

In view of this, the Seventh National Convention resolves:

That this National Convention of the Swatantra Party welcomes the idea of forming a National Alternative by the amalgamation of all political forces, other than the Ruling Congress and the Communist Parties and approves the impending formation of the New Party namely Bharatiya Lok Dal (The People's Party of India) and notes with gratification the fact that it has evolved a common programme, acceptable to the Swatantra Party.

RESOLVED that the final declaration will be announced by the President Mr. Piloo Mody, after the National Executive has reviewed developments if any that the Swatantra Party will cease to exist and will merge itself with the New Party, The Bharatiya Lok Dal (The People's Party of India), or whatever name the New Party may give itself, as and when it comes into being, to further the objectives of the Swatantra Party. Such of the existing members who do not wish to join the New Party, would be free to carry on such non-partisan activities, which eschew all elections as they may choose, in any name other than the " Swatantra".

RESOLVES FURTHER that the President of the Party Mr. Piloo Mody is authorised to intimate to the Chief Election Commissioner about the dissolution of the Party from the date as mentioned above and request the Chief Election Commissioner to freeze the symbol of the Party to avoid its unfair exploitation.

RESOLVES FURTHER that the National Convention authorises the President of the Party Mr. Piloo Mody, to take all necessary steps and decisions to implement the aforesaid resolutions.

Moved by : Mr.R.N.Singh Dec

Seconded by :Mr.M.Santosham

Certified true copy

Sd/-

Piloo Mody
MEMBER PARLIAMENT
LOK SABHA

EKD's National Convention approves of the idea of the formation of a National Alternative based by and large, on Gandhian approach by the coming together of various political parties.

EKD has been making efforts in this direction since 1968 and notes with satisfaction that at least its efforts have borne fruit. In view of this EKD's National Convention resolves that EKD take on the form of the proposed Bharatiya Lok Dal from such date as its Chairman Shaudhary Charan Singh may declare.

Henceforward, therefore, EKD's rights, titles & interests including the flag and the symbol will belong to the Bharatiya Lok Dal.

Dated August 28, 1974.

S E A L

Kashi Prasad
Saksena

LUCKNOW DISTT.

Attested True copy

Sd/- 19-11-74

PRESIDENT
BHARATIYA LOK DAL

Sd/-
NOTARY
LUCKNOW

19-11-74

U T K A L C O N G R E S S

BHUBANESWAR- 9, PURI

RESOLUTION PASSED BY THE GENERAL BODY MEETING OF THE
UTKAL CONGRESS DATED AUGUST 17TH, 1974 HELD AT
K. L. MANDAP, BHUBANESWAR

RESOLVED that the General Body of the Utkal Congress do hereby approve the formation of a National Party by amalgamation of the political parties other than the Ruling Congress and the Communist Party of India, under the name and style of the Peoples' Party of India (Bharatiya Lok Dal) and it decides to join the same.

IT ALSO RESOLVES further that if the Peoples' Party of India chooses to adopt the symbol of " Water Wheel and Plough" as its symbol the Utkal Congress will have no objection to its use by that Party and the President of the Utkal Congress Shri Biju Patnaik is authorised to take all necessary steps in the matter and for the implementation of this resolution including the transfer of the property and all assets of the Utkal Congress to the Bharatiya Lok Dal.

Proposed by :- P.C. Mohanty, M.L.A. Sd/- P.C. Mohanty

Seconded by :- H.C. Baxipatra, M.L.A. Sd/- H.C. Baxipatra

Unanimously adopted.

Sd/- Biju Patnaik
President

Attested

K. Ganesan
4.1.75
(K. GANESAN)

Under Secretary (Legal)
Election Commission of India
New Delhi

1.	2.	3.	4.	5.
36.	198-Seorahi	Sh. Kripa Shankar	-do-	
37.	203-Deoria	Sh. Krishna Rai	-do-	
38.	210-Gopalpur	Sh. Ram Adhar	-do-	
39.	211-Azamgarh	Sh. Vishram	-do-	
40.	212-Nizamabad.	Sh. M. Masud	-do-	(No declaration furnished).
41.	214-Phulpur	Sh. Ram Bachan	-do-	
42.	215-Saraimir (SC)	Sh. Daya Ram Bhasker	-do-	
43.	216-Mehnagar (SC)	Sh. Jang Bahadur.	-do-	
44.	218-Mubarkapur	Sh. Bhabhi	-do-	
45.	219-Mohammadabad	Sh. Sheo Prasad.	-do-	
46.	228-Kopachit	Sh. Kailash Singh	-do-	
47.	229-Zahoorabad.	Sh. Raghubir Ram	-do-	(Not supporting the merger with the group led by Sh. M.S. Oberoi.
48.	230-Mohammadbad.	Sh. Ram Janam Rai	-do-	
49.	231-Dillarnagar	Sh. Ramji	-do-	
50.	232-Zamania	Sh. Dharam Ram	-do-	
51.	233-Ghazipur	Sh. Shah Abdul Faiz	-do-	
52.	234-Jakhania (SC)	Sh. Jhilmit	-do-	
53.	235-Salat	Sh. Kalicharan	-do-	
54.	237-Dhanapur	Sh. Baij Nath	-do-	
55.	238-Chandauli	Sh. Ram Pyare.	-do-	
56.	240-Mughalsarai	Sh. Ganji Prasad.	-do-	
57.	241-Varanasi Cantt.	Sh. Shatrudh Prakash	-do-	
58.	244-Chiraigaon	Sh. Udinath	-do-	
59.	246-Gangapur	Sh. Baldeo	-do-	
60.	247-Aurai	Sh. Girja Shankar Pathak	-do-	
61.	248-Gyanpur	Sh. Ramrati	-do-	
62.	249-Bhadohi (SC)	Sh. Ramnihar.	-do-	
63.	250-Bersathi	Sh. Naju Ram	-do-	
64.	255-Rari	Sh. Raj Bahadur	-do-	
65.	271-Handia	Sh. Athai Ram	-do-	
66.	272-Pratap	Sh. Har Pratap Singh	-do-	
67.	273-Soraon	Sh. Jang Bahadur Singh Patel	-do-	
68.	276-Allahabad South	Sh. Satya Prakash Malviya.	-do-	
69.	280-Sirathu	Sh. Baijnath Prasad Kushwana	-do-	
70.	295-Bhognipur (SC)	Sh. Keshri Lal	-do-	
71.	297-Sarvankhera	Sh. Balwan Singh	-do-	(Not supporting the merger with the group led by Sh. M.S. Oberoi)
72.	300-Auraiya	Sh. Bharat Singh Chauhan	-do-	
73.	305-Jaswantnagar	Sh. Mulayam Singh	-do-	
74.	324-Charkhari (SC)	Sh. Kashi Prasad.	-do-	
75.	338-Karhal	Sh. Nathu Singh	-do-	
76.	339-Shikohabad	Sh. Virendra Swarup	-do-	
77.	340-Jasrana	Sh. Balbir Singh	-do-	
78.	341-Ghiror	Sh. Raghubir Singh	-do-	
79.	346-Soron.	Sh. Khuv Chand	-do-	
80.	349-Nidhauri Kalan	Sh. Ganga Singh	-do-	

Resolution for National Convention

Swatantra Party at Delhi

August 4 & 5, 1974

The National Executive meeting in Delhi on April 7 and 8 reviewed the state of the Nation on the basis of which it arrived at certain conclusions and recommended a programme of action, which inter alia stated,

"The Party will continue to explore all possibilities to bring about a two-party system in India with a view to remove the chaos prevailing in our political life and the confusion created in the minds of the electorate. In this connection, the Swatantra Party urges all political parties and politicians to cooperate in this endeavour and to work for the common good."

In furtherance of this, the National Executive authorised the President to pursue this objective, consulting any two senior members of the Party that happen to be present in Delhi at the time. Various negotiations were held from time to time, in which the President, Mr. Madhu Mehta, Mr. R.N. Singh Deo, Mr. Dandekar, Mr. H.M. Patel, Mr. Loknath Mishra and Mr. D.N. Patodia participated. A proposal was framed and submitted to the General Council on June 9 and 10. The General Council debated the pros and cons of the issue, and in its wisdom unanimously passed the following resolutions.

"The General Council of the Swatantra Party met in Delhi and discussed the proposal of getting together with various parties with a view to creating a National Alternative. It also discussed the draft programme prepared by the leaders of the new group.

The members of the General Council generally agreed that the present political situation in the country demands that an all out effort should be made for the formation of a National Alternative with a well-defined and clearcut alternative capable of fulfilling the urges and aspirations of the people.

In this context, while it welcomes the attempts made by various parties to come together with a view to ultimately provide a National Alternative it feels that in so far as the Swatantra Party is concerned, the final decision can only be taken at the National convention. This could give a fair opportunity to as many members as possible to study the proposed programme and carefully examine all the pros and cons of the proposal. The General Council therefore has decided that a copy of the draft programme should be circulated to all the members of all the State Councils.

The General Council also authorises the President to fix the date and venue of the National Convention at the earliest, after giving due notice."