

Swatantra Party

CENTRAL OFFICE

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May 6, 1966

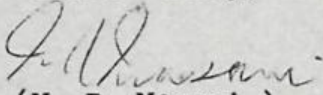
NATIONAL EXECUTIVE CIRCULAR NO.9

2/12/66
9/5

Dear friend,

In continuation of National Executive Circular No. 8 of April 20, giving notice of a meeting of the National Executive in Bombay on Thursday, May 26, at 3 pm, a Memorandum prepared by Mr. N. Dandeker regarding disciplinary action against certain members of the Party in U.P. referred to in Item No. 2 of the Agenda is forwarded herewith. It is hoped you will kindly peruse these papers and bring them with you when you come for the meeting.

Yours truly,


(M. R. Masani)
General Secretary

Mr. Dandekar's Memorandum re: DISCIPLINARY ACTION AGAINST
CERTAIN MEMBERS OF THE PARTY IN UTTAR PRADESH.

Introductory.

1. Soon after the General Elections in 1962, an understanding was reached between the Swatantra Party and the Jan Sangh in U.P. that, in alternate years, in the biennial elections from that State to the Rajya Sabha and to the Vidhan Parishad of U.P., the Swatantra Party M.L.As would support one Jan Sangh candidate and the Jan Sangh M.L.As would support one Swatantra Party candidate as follows:-

In 1962, a Jan Sangh candidate would be supported for Rajya Sabha and a Swatantra Party candidate would be supported for Vidhan Parishad.

In 1964, a Jan Sangh candidate would be supported for Vidhan Parishad and a Swatantra Party candidate would be supported for Rajya Sabha.

In 1966, a Jan Sangh candidate would be supported for Rajya Sabha and a Swatantra Party candidate would be supported for Vidhan Parishad.

2. This arrangement worked satisfactorily in the bi-ennial elections of 1962 and 1964. In regard to the bi-ennial elections in 1966, however, the Jan Sangh indicated that they would like to reverse the arrangement, so that a Jan Sangh candidate might be elected to the Vidhan Parishad (instead of to the Rajya Sabha) and a Swatantra Party candidate might be elected to the Rajya Sabha (instead of to the Vidhan Parishad).

3. In this situation, there were only two alternatives open to the Swatantra Party, viz. either to accept the Jan Sangh's suggestion or to abrogate the understanding altogether in view of the unilateral change sought to be made in it by the Jan Sangh.

4. As the second alternative would in practice have meant that no candidate sponsored by the Party would have been elected at all either to the Rajya Sabha or to the Vidhan Parishad, the President of the U.P. unit of the Swatantra Party (who was also the Leader of the Party in the U.P. Legislature) was advised to prefer the first alternative, i.e. to accept the change suggested by the Jan Sangh and to sponsor a candidate for the Rajya Sabha.

5. The next question was the choice of a candidate for the Rajya Sabha. As to this also there were two alternatives to choose from: either to re-nominate Shri Ram Gopal Gupta, the sitting member of the Party in the Rajya Sabha due to retire in 1966, or to sponsor some other candidate.

6. On the advice of Rajaji, it was felt that if a person of established all-India repute and enjoying an all-India stature was available, it would be in the highest interests of the Party (both in U.P. as well as throughout India) to sponsor such a person, even if he were a non-party man, in preference to re-nominating Shri Ram Gopal Gupta whose record with the Party and whose work in the Rajya Sabha were not particularly noteworthy. This advice was conveyed to the President of the U.P. Swatantra Party; and the name of Acharya Kripalani, M.P., was suggested as a candidate who

might be sponsored by the Party for election to the Rajya Sabha.

The Main Developments.

7. At a meeting of State Parliamentary Board held on 23rd February, 1966, the advice tendered by Rajaji was rejected. The State Parliamentary Board:

- (i) preferred to have no understanding at all with the Jan Sangh and to nominate candidates in the 1966 bi-ennial elections both for the Rajya Sabha and the Vidhan Parishad;
- (ii) rejected the suggestion that Acharya Kripalani be nominated for the Rajya Sabha; and
- (iii) recommended to the Central Parliamentary Board the nomination of Shri Ram Gopal Gupta (the sitting member) for the Rajya Sabha and Shri G.D. Paliwal (the sitting member) for the Vidhan Parishad.

It is important (in view of subsequent developments) to mention here that, while the above decisions were technically unanimous, the President of the State Party (Shri Bhanu Pratap Singh) was not in agreement but felt compelled to concur with the otherwise unanimous view of the State Parliamentary Board.

8. This matter came up for consideration by the Central Parliamentary Board on 26th February, 1966, at its meeting held that day at Madras. After the fullest consideration of the whole matter, the Central Parliamentary Board found itself unable to accept the recommendations of the U.P. Parliamentary Board. Instead, it decided unanimously that Acharya J.B. Kripalani, M.P., should be sponsored for election to the Rajya Sabha and no one should be nominated for election to the Vidhan Parishad. It was also thought proper to explain these decisions by sending personal letters from the General Secretary to the members of the U.P. State Executive Committee and from Rajaji to the Swatantra Party M.L.As. Copies of the letters so sent are attached (marked Annexure "A" and "B").

9. Thereafter, events moved at a somewhat rapid pace.

- (1) A meeting of the State Executive of the Party was requisitioned (but not held) to remove the President (Shri Bhanu Pratap Singh).
- (2) It was reported that the Swatantra Party M.L.As had decided to ignore the decisions of the Central Parliamentary Board and the appeal by Rajaji and to nominate Shri Ram Gopal Gupta for election to the Rajya Sabha and Shri G.D. Paliwal for election to the Vidhan Parishad.
- (3) A majority of the Swatantra M.L.As and M.L.Cs purported to elect Shri Ramadhar Kanaujia, M.L.A., (in place of Shri B.P. Singh, M.L.A) as the Leader of the Party in the State Legislature at an alleged meeting which was wholly irregular; and an application was made by them to the Speaker of the U.P. Legislative Assembly officially to recognise the change of Leader and other office bearers. This application was signed by the M.L.As and M.L.Cs marked thus (*) in the list at Annexure "C".

Cause for Disciplinary Action.

10. These were grave developments justifying the initiation of disciplinary action forthwith against the gentlemen concerned.

11. With a view, however, to exploring the possibilities of avoiding such action by bringing about an understanding on the matters in issue, the General Secretary (Mr. M. R. Masani) visited Lucknow on 13th March and discussed the situation personally with the members of the U.P. Parliamentary Board and the Party M.L.As and M.L.Cs. Unfortunately, he was unsuccessful in shifting the M.L.As and M.L.Cs from their defiant attitude. After this meeting, Mr. Masani felt obliged to inform Acharya Kripalani, with apologies, that it would not be possible for the Party effectively to sponsor his candidature for election to the Rajya Sabha from U.P.

12. Thereafter, with the prior approval of the Central Parliamentary Board and with a view to making the issues crystal clear (so as to leave no room for any misunderstanding in the mind of anyone concerned), the General Secretary issued three separate letters (all of them dated 17th March 1966) as follows:-

First, a letter addressed individually to all the M.L.As and M.L.Cs of the Party:

- (i) directing that no member of the Party should be nominated for election to the Rajya Sabha and that, if anyone had been already nominated, he should withdraw; and
- (ii) advising them to abstain from voting in the election to the Rajya Sabha.

Second, a letter addressed individually to all M.L.As and M.L.Cs of the Party:

- (i) directing that no member of the Party should be nominated for election to the Vidhan Parishad and that, if anyone had been already nominated, he should withdraw; and
- (ii) advising them to vote for the candidates put up by the Jan Sangh for election to the Vidhan Parishad.

Third, a letter addressed individually to those M.L.As and M.L.Cs who notified to the Speaker of the U.P. Legislative Assembly of the alleged change of Leader of the Party in the U.P. Legislative Assembly /i.e. to those indicated thus (*) in Annexure "C" herewith:-

- (i) informing them that they were guilty of serious misbehaviour in purporting to elect in an improper and invalid manner a new Leader of the Party in the U.P. Legislature and in communicating the same to the Speaker of the U.P. Legislative Assembly; and
- (ii) directing them either to write to the Speaker forthwith withdrawing from the above position or to submit an explanation of their action and to show cause why disciplinary action (including expulsion from membership of the Party) should not be taken against them.

13. (a) However, before actually sending out the above letters, the Joint Secretary (Mr. N. Dandekar) felt, and the General Secretary (Mr. M.R. Masani) agreed, that even at this late stage it would be desirable and proper to make yet one more attempt to smoothen out matters. To this end, Mr. Dandekar had in fact already made a preparatory personal visit to Lucknow on 16th March 1966.

Accordingly, Mr. Dandeker visited Lucknow again on 20th March 1966, taking with him the above three letters of the General Secretary for delivery (or despatch) to the persons concerned. He had prolonged discussions that day with most of the persons concerned at a meeting which lasted from 11 A.M. to 1 P.M.

(b) What transpired at this meeting will be best understood by a perusal of Mr. Dandeker's report to the General Secretary, dated 21st March 1966 (copy, without enclosures, attached herewith marked Annexure "D"). It will be noted that this last attempt to bring about an understanding on the basis of some common ground, consistent with the over-riding necessity to maintain Party discipline, was also wholly unsuccessful. In these circumstances, the three letters from the General Secretary were delivered (or despatched) by Mr. Dandeker to the persons concerned.

14. It will be convenient to mention here some developments which occurred during the month of March 1966:-

- (i) Shri Ram Gopal Gupta announced his resignation from the Party on 13.3.1966, but did not submit any resignation in writing nor has any written resignation been yet received.
- (ii) The Speaker of the U.P. Legislative Assembly accepted the change in the leadership of the Swatantra Party in U.P. Legislature and recognised Shri Ram Adhar Kanaujia, M.L.A. as the new Leader, in place of Shri Bhanu Pratap Singh, M.L.A.
- (iii) In defiance of the Central Parliamentary Board's directive, Shri Ram Gopal Gupta allowed himself to be nominated for election to the Rajya Sabha.
- (iv) The General Secretary (Mr. M.R. Masani) issued a letter dated 23.3.1966 to all members of the U.P. Swatantra Party's Executive Committee, informing them that in view of the Central Parliamentary Board's directive/advice concerning elections to the Rajya Sabha, members of the State Executive and of the State Parliamentary Board were "equally under obligation to abide by the directive and advice given by the Central Parliamentary Board. If any such member were to canvass votes in support of any candidate for election to the Rajya Sabha this month, he would obviously be flouting this directive and be guilty of a violation of the discipline of the Party".
- (v) In defiance of the General Secretary's letter dated 23.3.1966. the following persons, among others, are known to have actively canvassed for support for Shri Ram Gopal Gupta's election to the Rajya Sabha:-
 - Mr. Chaitanya Raj Singh, M.L.A.
 - " Munnoo Singh, "
 - " Vijay Singh, "
 - " Virendra Shah, "
 - " Ganesh Dutt Paliwal, M.L.C.
 - " Hari Krishna Srivastava.
- (vi) In defiance of the Central Parliamentary Board's advice, the following Swatantra Party M.L.As are known to have participated in the voting for election to the Rajya Sabha:-

Shri Ram Adhar Kanaujia, M.L.A.,	
" Chaitanya Raj Singh,	"
" Munno Singh,	"
" Vijay Singh,	"
" Mangal Prasad,	"
" Chiranji Lal,	"
" Ram Singh	"
" Balbir Singh,	"
" Prem Singh,	"

It can be reasonably presumed that with the exception, perhaps, of Shri Prem Singh, the above gentlemen voted in support of Shri Ram Gopal Gupta.

- (vii) In defiance of the Central Parliamentary Board's directive, Shri G.D. Paliwal, M.L.A. filed his nomination for election to the Vidhan Parishad, proposed by Shri Chaitanya Raj Singh, M.L.A.
- (viii) In defiance of the Central Parliamentary Board's directive, the M.L.A.s and M.L.Cs marked (*) in Annexure "C" failed to withdraw their letter to the Speaker of the U.P. Legislative Assembly concerning their alleged election of a new Leader of the Party in the U.P. Legislature.
- (ix) On 26th March, 1966, Mr. G.D. Paliwal tendered his resignation from membership of the Party.
- (x) On 31.3.1966, the President (Prof. Ranga) suspended the following nine members of the Party in the U.P. Legislature "from membership of the Party and from any elective office or offices that may be held by them in the Party, pending a decision of the National Executive of the Party in the matter" (concerning the alleged election of a new Leader of the Party in the U.P. Legislature):-

Shri Ram Adhar Kanaujia, M.L.A.	
" Chaitanya Raj Singh,	"
" Munno Singh,	"
" Vijay Singh,	"
" Mangal Prasad,	"
" Chiranji Lal,	"
" Ram Singh,	"
" Balbir Singh,	"
" Virendra Shah,	"

A copy of the President's Order which was sent to each of the persons suspended, is attached as Annexure "E".

- (xi) A copy of the above Order was also sent to the Speaker of the U.P. Legislative Assembly with a covering letter from the President (Prof. Ranga) requesting that the M.L.As concerned should also be regarded as suspended members of the Swatantra Party in the U.P. Legislative Assembly.

NOTE:

Later, on 14.4.66, the Speaker accepted Prof. Ranga's request and reversed his previous ruling pending final disposal of the matter by the National Executive of the Party. Shri Bhanu Pratap Singh, therefore, continues as the Leader of the Party in the U.P. Legislature.

Explanations Considered.

15. The nine M.L.As concerned have offered a joint explanation dated 28th March, 1966, which is attached hereto as Annexure "F". The two M.L.Cs have offered no explanation at all. What follows is, therefore, a consideration of the explanations offered by the nine M.L.As concerned.

16. Regarding the first letter of the General Secretary dated 17.3.1966 (vide paragraph 13 above):-

- (1) The explanation that none of the M.L.As proposed any name for election to the Rajya Sabha is correct.
- (2) The explanation regarding flouting the advice of the Central Parliamentary Board to abstain from voting in the election to the Rajya Sabha is in three parts:-

(a) Explanation:

"....that to abstain from voting was against all concepts of Democracy..."

Comment:

This is plainly disingenuous in the extreme. It is not uncommon in the working of democratic institutions for parties to abstain from voting.

(b) Explanation:

"...and if we did not vote in that election we would neither have the moral right to ask others to vote in any election nor we would be promoting the cause of our party in the propagation of Democracy".

Comment:

This is mere casuistry, if not indeed plain nonsense.

(c) Explanation:

"Moreover, having taken it to be mere advice, we thought we had the right to act according to our inner voice".

Comment:

When the Central Parliamentary Board thought fit, as it did, to give advice on a matter of such importance, it cannot be equated with "mere advice", implying thereby that it could be contemptuously brushed aside. And as for the "inner voice", it is public knowledge that its name was "Shri Ram Gopal Gupta".

17. Regarding the second letter of the General Secretary dated 17.3.1966 (vide paragraph 13 above), the nine M.L.As concerned have explained:

"We have done nothing to the contrary nor have any intention to do so".

Comment:

This must be accepted in the absence of any evidence to the contrary, except as regards Shri Chaitanya Raj Singh who himself proposed Shri G.D. Paliwal for election to the Vidhan Parishad.

18. As regards the third letter of the General Secretary (vide paragraph 13 above) concerning the improper and invalid election of a new Leader of the Party in the U.P. Legislature, the explanation offered is as follows:-

"We have firm belief that the election of office-bearers of the legislature group was validly held, the practice since 1962 and from which we have not departed in this year's election also, after giving proper notice which was placed on the office table in our party room. In our past elections of legislature group we were neither directed in any way to adopt a certain procedure nor we were corrected either by the State or by the Centre. However, we assure you that if you send us clear instructions or rules regarding the holding of a meeting or conducting the annual election we shall certainly act in that manner".

COMMENT:

The informality of the election of the Lader in previous years, - when the election was undisputed and unanimous and, therefore, a mere formality for purposes of the record, - can be no justification for an improperly conducted "election" where there was plainly not the remotest possibility of a unanimous choice of the Leader. In the present case, in choosing a new Leader there was involved the ousting of the existing Leader (who had led the Party with great distinction since the demise of his predecessor, the late Shri Raghavenara Pratap Singh); and there were plainly some members (including the existing Leader himself) who might not view the proposed change with favour. In such circumstances, it was plainly necessary to give adequate, instead of hasty, notice of the meeting; to serve it on all M.L.As and M.L.Cs, instead of merely placing it "on the office table in (the) Party room"; and to conduct the meeting and to record its proceedings in an orderly manner.

These elementary constitutional procedures in regard to a meeting concerned with such a serious matter, - dictated by considerations of propriety even if not laid down in any formal "rules" on the subject, - were not observed. There can be little doubt, therefore, that the alleged "election" of the new Leader was improper and unconstitutional, and therefore altogether invalid.

Findings and Recommendations.

20. The conclusions regarding each of the persons concerned which emerge from the facts and circumstances set out in the foregoing paragraphs are embodied in the paragraphs which follow.

21. Regarding
- | | |
|---------------------------------|---|
| Shri Ram Adhar Kanaujia, M.L.A. | |
| " Mangal Prasad, | " |
| " Chiranji Lal, | " |
| " Ram Singh, | " |
| " Balbir Singh | " |
| " Prem Singh, | " |

- (1) (a) They wilfully and knowingly participated in an alleged "election" which was unconstitutional, improper and invalid, and at which they (along with certain other M.L.As and M.L.Cs) purported to "elect" Shri Ram Adhar Kanaujia, M.L.A. as the Leader of the Swatantra Party

group in the U.P. Legislature, in place of the existing Leader Shri Bhanu Pratap Singh, M.L.A.

- (b) They wilfully disobeyed the subsequent directive of the Central Parliamentary Board (conveyed to them, individually, in a letter from the General Secretary dated 17.3.1966) requiring them to write to the Speaker of the U.P. Legislative Assembly withdrawing the communication which they (along with certain other M.L.As and M.L.Cs concerned) had sent to him, notifying Shri Ram Adhar Kanaujia's alleged "election" as the Leader.

- (2) They wilfully flouted the advice of the Central Parliamentary Board (conveyed to them individually in a letter from the General Secretary dated 17.3.1966) to abstain from voting in the election to the Rajya Sabha.

22. Regarding:

Shri Munnoo Singh, M.L.A.
" Vijay Singh, "

- (a) They wilfully and knowingly participated in an alleged "election" which was wholly unconstitutional, improper and invalid, and at which they (along with certain other M.L.As and M.L.Cs) purported to "elect" Shri Ram Adhar Kanaujia, M.L.A. as the Leader of the Swatantra Party group in the U.P. Legislature, in place of the existing Leader Shri Bhanu Pratap Singh, M.L.A.
- (b) They wilfully disobeyed the subsequent directive of the Central Parliamentary Board (conveyed to them, individually, in a letter from the General Secretary dated 17.3.1966) requiring them to write to the Speaker of the U.P. Legislative Assembly withdrawing the communication which they (along with certain other M.L.As and M.L.Cs concerned) had sent to him, notifying Shri Ram Adhar Kanaujia's alleged "election" as the Leader.
- (2) (a) They wilfully flouted the advice of the Central Parliamentary Board (conveyed to them individually in a letter from the General Secretary dated 17.3.1966) to abstain from voting in the election to the Rajya Sabha.
- (b) They wilfully disobeyed the directive conveyed in the General Secretary's letter dated 23.3.1966 by canvassing support for Shri Ram Gopal Gupta for election to the Rajya Sabha.

23. Regarding Shri Chaitanya Raj Singh, M.L.A.:

- (1) (a) He wilfully and knowingly participated in an alleged "election" which was wholly unconstitutional, improper and invalid, and at which he (along with certain other M.L.As and M.L.Cs) purported to "elect" Shri Adhar Kanaujia, M.L.A. as the Leader of the Swatantra Party group in the U.P. Legislature, in place of the existing Leader Shri Bhanu Pratap Singh, M.L.A.
- (b) He wilfully disobeyed the subsequent directive of the Central Parliamentary Board (conveyed to him in a letter from the General Secretary dated 17.3.1966) requiring him

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to write to the Speaker of the U.P. Legislative Assembly withdrawing the communication which he (along with certain other M.L.As and M.L.Cs concerned) had sent to him, notifying Shri Ram Adhar Kanaujia's alleged "election" as the Leader.

- (2) (a) He wilfully flouted the advice of the Central Parliamentary Board (conveyed to him in a letter dated 17.3.1966) to abstain from voting in the election to the Rajya Sabha.

(b) He wilfully disobeyed the directive conveyed in the General Secretary's letter dated 23.3.1966 by canvassing support for Shri Ram Gopal Gupta for election to the Rajya Sabha.

- (3) He wilfully disobeyed the directive of the Central Parliamentary Board (conveyed to him in a letter from the General Secretary dated 17.3.1966) by himself proposing Shri G.D. Paliwal as a candidate for election to the Vidhan Parishad.

24. Regarding Shri Virendra Shah, M.L.C., it should be noted that he has submitted no explanation of any sort at all.

- (1) (a) He wilfully and knowingly participated in an alleged "election" which was wholly unconstitutional, improper and invalid, and at which he (along with certain other M.L.As and the other M.L.C.) purported to "elect" Shri Ram Adhar Kanaujia, M.L.A. as the Leader of the Swatantra Party group in the U.P. Legislature, in place of the existing Leader Shri Bhanu Pratap Singh, M.L.A.

(b) He wilfully disobeyed the subsequent directive of the Central Parliamentary Board (conveyed to him in a letter from the General Secretary dated 17.3.1966) requiring him to write to the Speaker of the U.P. Legislative Assembly withdrawing the communication which he (along with certain other M.L.As and the other M.L.C. concerned) had sent to him, notifying Shri Ram Adhar Kanaujia's alleged "election" as the Leader.

- (2) He wilfully disobeyed the directive conveyed in the General Secretary's letter dated 23.3.1966 by canvassing support for Shri Ram Gopal Gupta for election to the Rajya Sabha.

25. Regarding Shri G.D. Paliwal (Ex.M.L.C.), it should be noted that he has submitted no explanation of any sort at all but has tendered his resignation from the Party.

- (1) (a) He wilfully and knowingly participated in an alleged "election" which was wholly unconstitutional, improper and invalid, and at which he (along with certain other M.L.As and the other M.L.C.) purported to "elect" Shri Ram Adhar Kanaujia, M.L.A. as the Leader of the Swatantra Party group in the U.P. Legislature, in place of the existing Leader Shri Bhanu Pratap Singh, M.L.A.

(b) He wilfully disobeyed to subsequent directive of the Central Parliamentary Board (conveyed to him in a letter from the General Secretary dated 17.3.1966) requiring him to write to the Speaker of the U.P. Legislative Assembly withdrawing the communication which he (along with certain other M.L.As and the other M.L.Cs concerned) had sent to him, notifying Shri Ram Adhar Kanaujia's alleged "election" as the Leader.

- (2) He wilfully disobeyed the directive conveyed in the General Secretary's letter dated 23.3.1966 by canvassing support for Shri Ram Gopal Gupta for election to the Rajya Sabha.
- (3) He wilfully disobeyed the directive of the Central Parliamentary Board (conveyed to him in a letter from the General Secretary dated 17.3.1966) by himself standing as a candidate for election to the Vidhan Parishad.

26. Regarding Shri Ram Gopal Gupta, (ex. M.P.): After announcing his resignation from the Party (but not yet submitted in writing) he wilfully flouted the decision of the Central Parliamentary Board by himself standing as a candidate for election to the Rajya Sabha. He has submitted no explanation of any sort at all, nor was he called upon to do so, as he had announced his resignation prior to standing as a candidate for election to the Rajya Sabha.

27. Regarding Shri Hari Krishna Srivastava: He wilfully disobeyed the directive conveyed to him in the General Secretary's letter dated 23.3.1966 by actively canvassing support from M.L.As of all parties for Shri Ram Gopal Gupta, who stood for election to the Rajya Sabha as a non-party candidate. He was specifically called upon by the General Secretary's letter dated 31.3.1966, "to show cause why disciplinary action, including expulsion from the Party, should not be taken against you for this flagrant breach of discipline". On 14th April 1966 Mr. Srivastava replied to the show cause notice sent to him. He did not deny having canvassed for Mr. Gupta but sought to justify his conduct.

28. Recommendations :-

Having due regard to the nature and gravity of the misdemeanors and breaches of discipline involved, the following disciplinary action is recommended, namely:-

- (1) Shri Hari Krishna Srivastava has been consistently and actively working as virtually the accredited agent of Shri Ram Gopal Gupta in all respects. He should be expelled from the Party and permanently debarred from being readmitted.
- (2) Shri Ram Gopal Gupta's resignation, if it has been submitted in writing, should be accepted. Otherwise, he should be expelled from the Party. In either case, he should be permanently debarred from being re-admitted to the Party.
- (3) Shri G.D. Paliwal (ex. M.L.C) is reported to have resigned. His resignation should be accepted and he should be permanently debarred from re-admission to the Party.
- (4) Shri Virendra Shah, M.L.C.
" Chaitanya Raj Singh, M.L.A.
" Munnoo Singh, "
" Vijay Singh, "
They should be expelled from the Party.
- (5) Shri Ram Adhar Kanaujia, M.L.A.
" Mangal Prasad, "
" Chiranjee Lal, "
" Ram Singh, "
" Balbir Singh, "
They should be suspended from membership of the Party for two years and debarred during that period holding any elective office at any level in the Party Organisation (from Primary Unit upwards), including in the State Legislature Group.

- (6) Shri Prem Singh, M.L.A. should be reprimanded. There is reason to believe that the defaults committed by him were not wilful, in the sense that he was never clear in his mind about the nature and consequences of his actions.

(Sd) N.Dandekar
Joint Secretary.

27th April, 1966.

CENTRAL OFFICE

As From

57 Lodi Estate,
New Delhi 3.

February 27, 1966

Dear

This morning when the Central Parliamentary Board was in session, our President, Prof. Ranga, placed before it a telegram received from Mr. Wahidur Rahman, your State Vice-President, saying that as a result of a requisition received from some members of the State Executive an emergent meeting had been fixed for 12th March to consider a no-confidence motion against your State President, Mr. B. P. Singh. As a result of the views expressed by the Central Parliamentary Board, Prof. Ranga has today sent a telegram, copy attached, to Mr. Wahidur Rahman.

2. In your capacity as a member of the State Executive, I thought you should know a little of the reasons that have prompted the Central Parliamentary Board to take their decision in regard to the biennial elections to the Rajya Sabha and Vidan Parishad. I would also like to explain the constitutional position in regard to motions of no-confidence in office-bearers.

3. The Parliamentary Board unanimously decided to nominate Acharya J. B. Kripalani as the Party's candidate to the Rajya Sabha, notwithstanding his not being a member of the Party, because of his long record of service to the country, the place he occupies in our national life, his position as an independent Opposition figure and the desirability of ensuring his continued presence in Parliament beyond the life of the present Lok Sabha. The Board feels that, in sponsoring his candidature, the Party will be honouring itself as much as it honours Acharya J. B. Kripalani.

4. In view of the serious effort that the Party is now making to explore the possibilities of maximum cooperation between democratic opposition parties with a view to ousting the Congress Government at the Centre and in the States next year, the Board also felt that nothing should be done to disturb the existing understandings between the Party and other Parties such as the Jan Sangh. Because of this, it was decided that the Party should desist from putting up candidates for the Rajya Sabha from Rajasthan and for the Vidhan Parishad in U.P. While it may be true that, technically speaking, the Jan Sangh in U.P. sought to vary the arrangement unilaterally the Board felt that even so the basic understanding to help each others candidates in rotation should be maintained in the larger interests of the Party and the country.

5. In so far as the requisition for a meeting of the State Executive for the purpose of a no-confidence motion against your State President is concerned, you will no doubt recall that there are several precedents already in existence to show that this is not permissible. In the case of both the Bihar and Delhi State Units, the National Executive had refused to accept the validity of such motions being entertained or adopted by the State Executive Committees against the General Secretary in one case and the President in the other, and when members of

Executive Committees in these two cases persisted in flouting the Central directive, their action was considered to be a breach of the Party's discipline. This view was endorsed by the General Council of the Party, which is our highest domestic tribunal. It is in view of this that our President Prof. Ranga has sent the enclosed telegram to your State Vice-President.

6. I am writing to explain all this to you so that you may understand the basis of these decisions and not be misled into any precipitate action. The Central Parliamentary Board has asked us to request you to be good enough to desist from attending any meeting of this nature that may be sought to be held. I shall be glad to have confirmation from you of the receipt of this letter and of your abiding by this request.

Yours truly,

(M. R. Masani)
General Secretary

Copy of Telegram Addressed to Mr. Wahidur Rahman,
Swatantra, Lucknow, on 27.2.1966

" YOUR TELEGRAM RECEIVED STOP STATE EXECUTIVE IS NOT
REPEAT NOT COMPETENT TO ENTERTAIN OR ADOPT MOTION
OF NO CONFIDENCE AGAINST PRESIDENT OR OTHER OFFICE
BEARERS STOP THIS PRECEDENT HAS BEEN WELL ESTABLISHED
FOR SEVERAL YEARS IN CASE OF BIHAR AND DELHI UNITS
STOP ANY MEETING REQUISITIONED FOR THIS PURPOSE WILL
BE UNCONSTITUTIONAL AND WILL HAVE NO VALIDITY STOP
WOULD REQUEST YOU THEREFORE CALL ON REQUISITIONISTS
TO CANCEL MEETING PROPOSED FOR TWELFTH STOP IN VIEW
OF MEETING BEING ULTRAVIRES NO OBSERVER CAN BE SENT
STOP PARLIAMENTARY BOARD HAS UNANIMOUSLY NOMINATED
ACHARYA KRIPALANI AS PARTY'S CANDIDATE FOR RAJYA
SABHA STOP BOARD HAS ALSO DECIDED THAT NO CANDIDATE
SHOULD BE PUT UP FOR VIDHAN PARISHAD - RANGA

ANNEXURE B

TRUE COPY

27th February, 1966

My dear Sir,

This is to inform you that I have undertaken the task of promoting Acharya J. B. Kripalani's election to the Rajya Sabha as he is not able any more to go through a Lok Sabha election. I have been able to secure the unanimous consent of the Parliamentary Board of our Party to this step. I am sure you will approve what has been done, in order to secure the services of an independent and experienced old fighter for freedom to advise the ruling party and in particular help the opposition. I hope you will kindly cooperate in this effort.

Yours sincerely,

Sd/-

(C. Rajagopalachari)

ANNEXURE C

SWATANTRA M.L.A.s & M.L.Cs of U.P.

(Those marked * were signatories to the Letter addressed to the Speaker, Legislative Assembly U.P. notifying change of Leader)

Shri Bhanu Pratap Singh,	MLA
" Kashinath Bahadur Pal,	"
Ch. Abdul Haseeb Khan,	"
* Shri Ramadhar Kanaujia,	"
* " Mannu Singh,	"
* " Mangal Prasad,	"
* " Balbir Singh,	"
* " Ram Singh,	"
* " Chaitanya Raj Singh,	"
* " Vijay Singh,	"
* " Chiranjil Lal,	"
* " Prem Singh,	"
* " G. D. Paliwal,	MLC
* * Virendra Shah	"

[Note :- Shri Naurang Singh, MLA, virtually left the Party in 1965]

SWATANTRA PARTY
Central Office

Sassoon Building,
143, Mahatma Gandhi Road,
BOMBAY 1.

Camp: 148, South Avenue,
NEW DELHI.

Ref: SP-UP/485

21st March, 1966.

MR. M. R. MASANI.

1. Following my visit to Lucknow on the 16th March and our discussion on the 17th, I visited Lucknow again, as arranged, on Sunday, 20th March 1966.

2. There I met on that day the following gentlemen at a meeting specially arranged for the purpose through Shri Ram Adhar Kanaujia, MIA:

(a)	Shri B.P. Singh,	M.L.A.	By invitation
	" Ram Adhar Kanaujia,	"	"
	" Chiranjilal,	"	"
	" Prem Singh,	"	"
	" Vijay Singh,	"	"
	" Chaitanya Raj Singh,	"	"
	" Mannu Singh,	"	"
	Ch. Abdul Haseeb Khan,	"	"
	Shri Virendra Shah,	M.L.C.	"
	" G.D. Paliwal,	"	"
(b)	Shri Brajeshwar Bali	)	Members or Office
	" Layak Singh	)	Bearers of the
	" Wahidur Rehman	)	State Executive
	" Jai Govind Singh	)	Committee, who
	" Baldeo Singh	)	"happened" to be
	" K.K. Srivastava	)	present and were
	" Om Prakash Pathik	)	invited to partici-
	" (Illegible)	)	pate in the meeting

3. The following gentlemen, though invited, were absent as they were said to be out of town for personal reasons:-

Shri Ram Singh, M.L.A.
" Balbir Singh, M.L.A.
" Kashinath Bahadur Pal, M.L.A.
" Mangal Prasad, M.L.A.
" Naurang Singh, M.L.A.

4. The meeting must be regarded as very well attended, as ten out of the fourteen M.L.As and M.L.Cs (omitting Shri Naurang Singh) were present. The meeting was held at the Swatantra Party Office, Kaiserbagh, Lucknow, under my Chairmanship. It lasted from 11 A.M. up to 1 P.M.

5. I explained to the meeting very fully the decisions referred to below which I pointed out had already been taken by the Central Parliamentary Board, namely:-

(1) That as regards the impending elections to the Rajya Sabha from U.P. -

(a) No Member of the Party should be nominated for election and, if anyone had put in his nomination, he should withdraw it in time;

- (b) Members of the Party were advised to abstain from voting at the election.

NOTE: I made it quite clear that this decision was final and could not be changed.

- (2) That as regard the impending elections to the Vidhan Parishad in U.P. -

- (a) No member of the Party should be nominated for election and, if anyone had put in his nomination, he should withdraw it in time;
- (b) Members of the Party were advised to vote for the candidate or candidates put up by the Jan Sangh.

NOTE: I added that if our Party M.L.As while accepting the decision and the advice given under (1) above, felt that (2) above should be modified so as to permit them to nominate Shri G.D. Paliwal for the Vidhan Parishad, I was prepared to recommend to the Central Parliamentary Board to modify its decision accordingly.

- (3) That those M.L.As and M.L.Cs of the Party in the U.P. Legislature who had joined in purporting to remove, in an unconstitutional manner, Shri B.P. Singh from his position as Leader of the Swatantra Party in the U.P. Legislature and who still persist in that stand will be guilty of a breach of Party's discipline. They should therefore either write to the Speaker resigning from the position so taken up by them or show cause on or before 31st March 1966 why disciplinary action (including expulsion) should not be taken against them.

NOTE: I explained that it was not the intention of the Central Parliamentary Board to impose any particular person as the leader of the Party in the U.P. Legislature; nor did the Central Parliamentary Board object to Shri Ram Adhar Kanaujia as such being elected as Leader. What the Central Parliamentary Board insisted upon, however, was that any change in leadership should be properly done in a constitutional way. I therefore, added that it would be entirely open to our M.L.As and M.L.Cs, after resigning from their present position, to hold a proper meeting in March itself or in April and elect a new leader who may well be Mr. Kanaujia.

6. There was a good deal of discussion about these three matters in the course of which I explained that they were interlinked in the sense that I could recommend no change in either (2) or (3) above, unless the decision and advice in (1) above was fully accepted. I emphasised that the whole thing was a matter of Party discipline which must begin with their acceptance of (1) above. What most of them wanted, however, was

- (a) that as regards (1) above, the matter should be left to the "free vote" of our M.L.As "according to their conscience";
- (b) that as regards (2) above, while they liked my suggestion they could not accept it unless their view as in (a) above was accepted;
- (c) that as regards (3) above, there was no need for any change nor any fresh election of Leader as no procedure for this had been laid down any way (which they could be said to have contravened).

7. It became apparent after nearly two hours of fruitless discussion that most of the M.L.As and the two M.L.Cs present were adamant. Whereupon, I made it clear that I had no alternative but to hand over individually to the persons concerned the three letters which I had with me from the General Secretary of the Swatantra Party (Central Office).

8. Thereupon, I distributed the letters from Mr. Masani conveying the Central Parliamentary Board's decisions, as follows:-

- (1) The first set of letters from Mr. Masani dated 17.3.1966 concerning the Rajya Sabha Election has been delivered by me personally to eight of the thirteen M.L.As who were present. Their acknowledgment, made in my presence, is attached (Marked I). This letter has also been despatched today from Delhi by Registered Post (Acknowledgment Due) to the five M.L.As who were absent at the meeting.
- (2) The second set of letters from Mr. Masani dated 17.3.1966 concerning the Vidhan Parishad Election has been delivered by me personally to eight of thirteen M.L.As concerned who were present. Their acknowledgment, made in my presence, is attached (Marked II). This letter has also been despatched today from Delhi by Registered Post (Acknowledgment Due) to the five M.L.As who were absent at the meeting.
- (3) The third set of letters from Mr. Masani, also dated 17.3.1966, requiring certain M.L.As and M.L.Cs to show cause in regard to the unconstitutional election by them of a new leader in the U.P. Legislature was also delivered to the two M.L.Cs and to the M.L.As concerned except the following:-

Shri Bhanu Pratap Singh,	M.L.A.	- Not concerned.
" Kashi Nath Bahadur Pal,	"	" "
Ch. Abdul Hasoeb Khan,	"	" "
Shri Naurang Singh,	"	" "
" Balbir Singh,	"	Q - Concerned,
" Mangal Prasad,	"	Q - but
" Ram Singh,	"	Q - absent.
" Prem Singh,	"	- Already Resiled.

The acknowledgment of those to whom the letter was delivered by me personally is attached (Marked III). Mr. Prem Singh's letter, undelivered, is also attached herewith (Marked IIIA) with a note thereon in his own handwriting: "I have already withdrawn about the election of Shri Kanaujia as Leader." To the remaining three M.L.As concerned who were absent, the letter is being sent today from Delhi by Regd. Post (Ack. due)

9. As regards further action to be taken against those:

- (1) who do not follow the directive/advice concerning the Rajya Sabha election; and/or
- (2) who do not follow the directive/advice concerning the Vidhan Parishad Election; and/or
- (3) who do not follow the directive concerning the election of the Leader,

we must await developments.

New Delhi,
21.3.1966.

Sd/-
(N. DANDEKER)

ANNEXURE "E"

On 17th March, the General Secretary of the Party wrote on behalf of the Central Parliamentary Board to certain members of the Party in the Uttar Pradesh Legislature conveying to them the Central Parliamentary Board's distress at their action in purporting, in an unconstitutional manner, to remove their leader from his position and to elect new office-bearers and communicating this to the Speaker of the U.P. Legislative Assembly. Since no properly convened meeting of the Legislature Party was held to proceed with the election of new office-bearers and notice of such meeting was not given to certain members, including the leader of the Party, the Central Parliamentary Board came to the conclusion that this move was improper and had no validity.

2. The Board was further of the view that any member who persisted in the stand improperly taken in the communication made by the members in question to the Speaker of the Legislative Assembly and did not immediately resile from it, in accordance with the directive of the Board conveyed to them by the General Secretary by his letter, would be guilty of a breach of the Party's discipline. Such members were further called upon to show cause why disciplinary action, including expulsion from the Party, should not be taken against them.

3. It is a matter for regret that the following members of the Party have defied the directive of the Central Parliamentary Board and refused to put themselves right, as directed, despite the lapse of over ten days. A meeting of the National Executive is being convened on May 15, to take note of this matter and to consider the explanation, if any, that may be received from the members in question. In the meanwhile, in view of their defiance of the directive of the Central Parliamentary Board and their persistence in their improper behaviour, violating the decision of the Party, I hereby suspend the following members of the Party in the U.P. Legislature from membership of the Party and from any elective office or offices that may be held by them in the Party, pending a decision of the National Executive of the Party in the matter:

Mr. Chaitanya Raj Singh,
Mr. Vijay Singh,
Mr. Chiranjilal,
Mr. Balbir Singh
Mr. Virendra Shah.

Mr. Munnoo Singh
Mr. Mangal Prasad
Mr. Ram Singh
Mr. Ram Adhar Kanaujia and

(N. G. RANGA)
PRESIDENT

Delhi, March 31, 1966.

ANNEXURE "F"

Lucknow
28.3.1966.

The General Secretary,
Swatantra Party of India,
57, Lodi Estate,
New Delhi 3.

Dear Sir,

With reference to your letter dated March 17th, 1966, delivered to us by Shri Narayan Dandekar, M.P., Joint Secretary, All-India Swatantra Party, we have to submit the following:

1. Regarding the first letter we have only to say that so far as item No.1 is concerned, we have fully obeyed the party directive.
2. Regarding item No. 2 wherein we were advised to abstain from voting, we have to say that after a careful consideration we came to the conclusion that to abstain from voting was against all the concepts of Democracy and if we did not vote in that Election we would neither have the normal right to ask others to vote in any election nor we would be promoting the cause of our party in the propagation of Democracy. Moreover, having taken it to be a mere advice, we thought we had the right to act according to our inner voice.

In reply to the letter regarding the election to Vidhan Parishad we have to state that we have done nothing to the contrary nor have any intention to do so.

As regards the third letter have to state that we have firm belief that the election of office-bearers of the legislature group was validly held, the practice since 1962 and from which we have not departed in this year's election also, after giving proper notice which was placed on the office table in our party room. In our past elections of legislature group we were neither directed in any way to adopt a certain procedure nor we were corrected either by the State or by the Centre. However, we assure you that if you send us clear instructions or rules regarding the holding of a meeting or conducting the annual election we shall certainly act in that manner.

Yours faithfully,

1. Chaitanya Raj Singh
2. Munnu Singh
3. Vijay Singh
4. Balbir Singh
5. R. A. Kanaujia
6. Mangal Prasad
7. Chiranji Lal
8. Ram Singh
9. Prem Singh