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PADMAKAR D. KAMERKAR
ADVOCATE

New Shingne Building,
100, Girgaum Road,
Bombay-400 004.

Arguments.

- Petitioner's d is a political party. in existence since 1958
 - In 1988 The Rep. of People Act was amended and each political party is required to register itself with Election Commission.
 - Since 1988 the Petr sought clarification from E.C. that whether it is necessary for Party to affirm affidavit to show allegiance to principles of socialism as the party does not believe in socialism but believe in Free Enterprise.
- The party has full faith in Constitution of India, Sovereignty of India and wishes to work

(2)

as political party within the
framework of Constitution.
However whether party being a
political party has right to
criticise Socialism by registering
itself as recognised political
party.

Representation of People Act
compels the party to affirm
incorrect affidavit to which
fact the party doesn't believe.

The Constitution has granted
fundamental right to citizen to
form association and to freedom
of expression ~~subject to~~ unless it
threatens the sovereignty and security
of the nation.

(3)

The term socialism is too vague and neither defined in the Constitution nor in Rep. of People Act.

Today existing parties have their different ideologies including Communal one and they have their own socialistic ideas.

However the Petition for reasons stated in the Petition submit that if the Constitution guarantees fundamental rights, Rep of People Act cannot compel a citizen to accept socialism. Socialism is an ideology which has proved its utility in the world and being a citizen of India Party has right to advocate its own ideology which is within the framework of Constitution.