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COPY OF THE REPORT OF THE COMMITTEE

The Swatantra Party Executive Committee met on 5.11.67 and in that meeting the National Executive Committee asked the General Secretary Mr. N. Dandekar to investigate the charges made against Mr. Bhagwanjibhai Patel of Dhoraji. Accordingly the Committee was formed consisting of Mr. Narendrasingh Jhala, Mr. Poonambhai Patel and Mr. H.G. Sukhla. This Committee was asked to collect information and to make preliminary investigations into the charges. According to this decision this Committee decided to visit Dhoraji on 18.1.67. Due to ill health Mr. Narendrasingh Jhala could not join the Committee. The remaining members of the Committee namely Mr. Poonambhai Patel and Mr. H.G. Shukla went to Rajkot, Jaipur, Dhoraji, etc., for on the spot investigation.

2. In the meeting of the National Executive which met in Madras on 30th September 1967 two charges were made against Mr. Bhagwanjibhai Patel:

- (a) Bhagwanjibhai Patel's anti-Party activities;
- (b) The Reported irregularities committed by Mr. Bhagwanjibhai Patel in making use of the cancelled membership forms of the members enrolled, during the elections to the various Committees in Dhoraji Taluka and Rajkot district Committee S.

Two issues raised out of the above questions namely that Mr. Bhagwanjibhai Patel carried on activities against the interests of the Party and committed irregularities during the elections of the Dhoraji Taluka Swatantra Party.

3. Out of the above two matters the first matter that was investigated was regarding the Swatantra Party elections in Dhoraji Taluka Party Office about the forms filled by our members and which were used for the elections in the Dhoraji Taluka Committee. On going through these forms it is evident that the number of such forms is about 100 and which were submitted from Dhoraji Taluka. Out of these, 28 forms were filled in August 1966 and the remaining 72 were filled in April, May and June 1967. The Committee does not see any irregularities

regarding these forms after investigation of the membership register. All these forms were not ^{submitted} signed by Mr. Bhagwanjibhai Patel alone but there were many forms which were ^{submitted} signed by Mr. Dharamsinh Patel and other members of the Party. This is an important matter. Regarding the 28 forms filled in 1966 they became effective only after membership fees were received and the membership begins from that date. All these forms were collected during the proposed Khedut Sammelan which was later cancelled and which was to have been ^{held} in Dhoraji. Because the Khedut Sammelan could not be held, all these 100 forms were sent to the then President of the Swatantra Party Mr. Bhailalbhair Patel when he visited Dhoraji and Mr. Bhailalbhair Patel sent all these forms directly to the Ahmedabad Office. In the normal course all these forms should have been sent to the Rajkot District Office through the Ahmedabad Office and after getting the sanction from the Rajkot Office the cards should have been issued to the members. But it was not done. This is neither an irregularity nor could it be said that these forms were bogus. The membership fees of all these forms were received on 24.6.67. Therefore, it could not be said that there were irregularities in filling these forms or sending the fees. The 28 membership forms filled in 1966 were not sent to the office in 1966 and nor was the fee sent in 1966. In fact, the fees regarding the membership forms were sent to this office on 24.6.1967 and these forms were accepted and membership cards were issued. Looking at all these facts it could not be said that any irregularity was committed during the elections for the Dhoraji Taluka Swatantra Party Committee. One thing that should be kept in mind is that if for a certain reason the Taluka office or any other members has failed to send these forms directly to the Zilla Committee then it is the duty of the Central Office to work in consultation with the district office so that the cause of dispute does not arise.

4. Regarding the anti-Party activities of Mr. Bhagwanjibhai Patel it has been said that during the General Elections in 1967 he is reported to have made propaganda against the Lok Sabha candidate Mr. M.R. Masani. Apart from that, the Committee has not come across any other incident in which Mr. Bhagwanjibhai Patel

has acted against the interests of the Party. The committee decided to first visit Rajkot on 18.11.67 and find out where and when such anti-Party propaganda was made by Mr. Bhagwanjibhai Patel. On that day the committee recorded the evidence of Mr. ^{Bhupat} Upadhbhai Rathod at Rajkot. Then on 19.11.67 the committee visited Jetput and recorded the evidence of Mr. ^{Bhupat} Kantilal, Mr. Upadhbhai, Mr. ^{Shamji} S. Patel and others and from this evidence it could be seen that one month before the General Elections of 1967 Mr. Bhagwanjibhai Patel had met them and is reported to have said that if elections are to be won then they could not be won by money alone but by doing something for the villages and for which the Party should collect money if it wants to win the elections, because Mr. Masani was still not ~~xxxx~~ known and it could not be said that he would win.

5. Then on 19.11.67 the Committee went to Dhoraji in the afternoon and there recorded evidence of Mr. Maganbhai Dolakia, Mr. Ladubhai Jorsingh, Mr. Champaklal Hirji Vyas and Mr. Bhagwanjibhai Patel. The gist of that evidence is that Mr. Bhagwanjibhai Patel felt that Mr. Masani does not do anything to solve the problems of the villages and that he is not interested in the villages and that he was only interested in the cities. During the 1967 General Elections Mr. Champaklal Hirji Vyas who was the Swatantra Party's candidate from Dhoraji said that during the elections Mr. Bhagwanjibhai Patel was not at all helpful to him. Mr. Champaklal also said that he had no information about any irregularities committed during the election of Dhoraji Taluka. Mr. Champaklal said that he had heard that Mr. Bhagwanjibhai was against Mr. Masani and was reported to have said that Mr. Masani could not win.

6. From the evidence that could be seen, most of the things that were said were mere hearsay but it could be seen that Mr. Bhagwanjibhai Patel was against Mr. Masani. On 20.11.67 the Committee visited Rajkot and recorded the evidence of Mr. Mithalibhai Pargana who was of the opinion that just before the General Elections a meeting was held at Mr. Ratilal Tanna's house and at that meeting he had learnt that Mr. Bhagwanjibhai Patel was clearly against Mr. Masani. This fact is recorded in the minutes of the meeting of the Rajkot Zilla Committee held on 6.-9.67 and during the Rajkot (d. C. Chh. m. d.)

6. It could be seen that the majority of facts, which have been placed before us, are not from personal knowledge of anybody but mere heresay. Even then, it would be seen that it is clear that there was opposition to Mr. Masani from Mr. Bhagwanjibhai Patel. In a statement made by Mr. Mithabhai Parsana on 20.11.67, in Rajkot, Mr. Parsana says before The General Elections, at the residence of Mr. Ratilal Tanna, when many things were discussed, it was clear that Mr. Bhagwanjibhai Patel's behaviour was absolutely against Mr. Masani. This fact is clearly recorded in the resolution and other resolutions passed by the Rajkot Zilla Swatantra party Committee's meeting on 6.9.67. Also during the Rajkot Zilla Swatantra Party's Committee meeting held on 27.9.67, Mr. Bhagwanjibhai Patel walked out of the meeting saying that this was not a Rajkot Zilla Swatantra Party Committee but a "Masani Committee"; and it is a matter of regret that later on Mr. Bhagwanjibhai Patel had repeated the same at a Press Conference. This fact is corroborated by a Resolution passed at the Rajkot Zilla Swatantra Party Committee meeting held on 11.10.67.

and during the Rajkot Zilla Committee meeting held on 27.9.67 it was a fact that Mr. Bhagwanjibhai Patel walked out of the meeting saying that this Committee was not the Rajkot Zilla Swatantra Party Committee but "A Masani Committee". Later on the statement made by Mr. Bhagwanjibhai Patel to the members is a matter of regret. This fact is collaborated by the resolutions passed in Rajkot district Committee meeting held on 11.10.67.

7. The Committee recorded Mr. Bhagwanjibhai Patel's evidence of Dhoraji on 19.11.67 in which Mr. Bhagwanjibhai Patel has denied all the allegations and on the Committee's request Mr. Bhagwanjibhai Patel agreed to make a written statement. This statement of Mr. Bhagwanjibhai Patel was dated 12.12.67 a copy of which is attached herewith.

8. Thus it is evident from all these evidence and statements and from the resolutions passed by the Rajkot district Committee that for some reason or the other there were differences of opinion between Mr. Bhagwanjibhai Patel and Mr. Masani. But when the Party decided to put up Mr. Masani as its Parliamentary candidate, after that it was improper for Mr. Bhagwanjibhai Patel to have made propaganda directly or indirectly against Mr. Masani. Mr. Bhagwanjibhai Patel was not an ordinary members of the Party but he was responsible member of the Gujarat Parliamentary Board and which had approved Mr. Masani's ticket, ^{he} this is a responsible member of the Parliamentary ~~xxxx~~ Board. No members should make propaganda against the candidate approved by it. Not only that the committee is of the opinion that even the allegations that such propaganda has been made is also bad. The Swatantra Party is based on democratic principles and if ~~an~~ any individual had anything to say against a particular individual then it should have been done within the frame work of the Party's constitution, Even though the reasons for such opposition may be personal or otherwise. This committee is of the opinion ^{for} that the organisational ^{elections any individual} force should be welcomed by all and no individual should act in such a manner so as to bring harm to the Party, its interest, and its future.

The Committee is of the opinion that if any disciplinary action has to be taken for such a ^{grave} charge then before doing so according to natural justice a notice should be issued to Mr. Bhagwanjibhai Patel to clarify his statements and only after that any action should be taken. The other point about which the Committee wishes to draw the attention is that at the state or the central level if any action is to be taken against any individual then the national executive before taking such action should take into confidence state ^{unit} and that the national executive should inform the state unit to find out whether any cause of action arises. If any allegations are made against an individual without giving him a chance to explain and without informing the state unit it would ~~be~~ only result that the relations between the state and the central unit will be disrupted and not only that it will give cause to many complaints afterwards. It is not proper that any enquiry should be made after disciplinary action has already been taken. The only proper way for the national executive is to inform the state unit about any irregularity committed by a person and the matter should be handed over to the state unit for investigation and if ^{any} ~~anybody~~ wants to appeal against the decision of the state unit then only the centre should try to investigate or solve the problem. The Swatantra Party is a new Party and it ~~is~~ has yet to become stable at the centre and state levels and it ~~works~~ works ~~in~~ under difficult conditions, and taking all ^{consideration} into view the committee is of the opinion that no action should be taken that would result in a constitutional ^{deadlock} ~~develop~~ between the centre and the state units. If the Gujarat Swatantra Party has to work as a unified force then if any individual indulges in an improper manner or acts against the interest of the Party, then we should be vigilant and when there is a cause and differences of opinion then the leaders should mediate and try to solve such problems, and when they feel that there is no other remedy then only disciplinary action should be taken. In relation to the above matter the committee feels that even if Mr. Bhagwanjibhai Patel had made propaganda against Mr. Masani ^{even} ~~the~~ efforts should be made to bring them together and try to iron out differences in the interests of the unity of the Party and its efficiency. The committee thanks those individuals who have cooperated with us in this difficult task.