

Swatantra Party files writ against 'socialism' clause

By A Staff Reporter

A writ petition against 'socialism' filed by the Swatantra Party (Maharashtra) has been admitted in the Bombay High Court challenging section 29 (A) of the Representation of the People Act (1951) with regard to political parties.

The writ came up for hearing in the court of Justice Majithia and Justice (Ms) Ram yesterday. However, a petition requesting interim relief that the Election Commission of India be directed to grant a common symbol to all candidates of

the Swatantra Party (Maharashtra) was not granted by the court as it observed that it would amount to agreeing that the word 'socialism' in the constitution is wrong.

On the plea of the Party's counsels, Mr. Rajiv Patil and Mr. Sharad Bobde, who pointed out that the matter was of great consequence in view of the forthcoming elections to the Lok Sabha in 1996, the court has ordered an expeditious hearing of the writ.

The lawyers argued that the petitioner No.1 is the Swatantra Party which came into existence in 1959 when the word 'socialism' was not a part of the Constitution. When the preamble to the Constitution of India was enacted in 1949 the people of India had resolved 'to constitute India into a Sovereign Democratic Republic' and it was the 42nd amendment to the Constitution of India which imposed in 1976 upon the ideals of an earlier generation two new tenets, secular and socialist. This was reflected in the Representation of the People Act by the introduction of a new section 29 (A) in 1988 whereby the Election Commission issued a notification the following year that all existing parties must register within 60 days and in their memorandum of rules and regulations they must have a specific provision that they would bear true faith and allegiance not just to the Constitution of India but also to the

tenets of socialism, secularism and democracy.

This created a conflict for the Party in question as although it had no problems in bearing true allegiance to the principles of secularism, democracy and maintaining the territorial integrity of India, it had serious reservations in swearing by 'socialism' as the party advocates a free market economy. They argued that section 29 (A) prevents committed non-socialists from agitating as an organised force in favour of getting the Constitution modified by entering the legislature and parliament through constitutional means. In effect, today in India only socialists and leftists can organise themselves as political parties, which is highly discriminatory and amounts to a breach of the fundamental right of association.

Transocean clarifies

By A Staff Reporter

Transocean Shipping Agency Pvt. Ltd. has clarified that it does not own the *Mecca 1*, the vessel in which the 1,940 Indians were deported by the Saudi government. The company had only been contacted a couple of days back and was acting as agents for the ship, a spokesman said. This was the first time that the vessel had come to the Bombay port.

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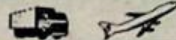
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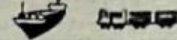
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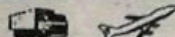
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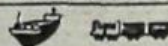
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