

Swatantra Party

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When replying, please quote our Reference No. _____

Express Delivery

May 22, 1968

Under Certificate of Posting

National Executive Circular No. 35

Dear Friend,

Re: Item No. 2 on the Agenda of the next meeting of the National Executive in Madras on 31st May - "Consideration of explanations if any received in reply to the Show Cause Notices served on Mr. U.N. Mahida and 5 others in connection with the biennial elections to the Rajya Sabha from the Gujarat State Assembly".

* With reference to the above item on the agenda of the next meeting of the National Executive, I enclose herewith three sets of the papers as set out below:-

Set I.

(a) Charges framed against:-

- (i) Mr. Natvarsingh Solanki, M.L.A.
- (ii) Mr. Jamubhai Bhatt, M.L.A.
- (iii) Mr. Chunilal Vasave, M.L.A.

(b) Their explanations, and

(c) The comments thereon of the President, Gujarat State Unit of the Swatantra Party.

Set II.

(a) Charges framed against:-

- (i) Mr. Chandrakant Parikh, M.L.A.

(b) His explanation, and

(c) The comments thereon of the President, Gujarat State Unit of the Swatantra Party.

Set III.

(a) Charges framed against:-

- (i) Thakore Saheb Chandrasinhji Jadeja of Dhrol, M.L.A.

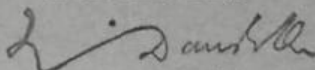
(b) His explanation, and

(c) The comments thereon of the President, Gujarat State
Unit of the Swatantra Party.

Mr. U.N. Mahida's explanation had not yet been received by the office as of today. He asked for and was granted time to submit his explanation not later than May 24.

We trust you will study these papers carefully and bring them with you to Madras.

Yours sincerely,



(N. Dandekar)
General Secretary

Enclosures: *

S E T I

(a) Charges framed against :

- (i) Mr. Natwarsinh Solanki, M.L.A.
- (ii) Mr. Jamubhai Bhatt, M.L.A.
- (iii) Mr. Chunilal Vasave, M.L.A.

The charges against the above three gentlemen are similar, viz:

- "(a) That you proposed Shri U.N. Mahida for election to the Rajya Sabha by the Vidhan Sabha of Gujarat in March 1968 despite your knowing that his candidature did not have the approval of the Central Parliamentary Board of the Party.
- (b) That you failed to withdraw the proposal and continued to extend active support to the candidature of Shri U.N. Mahida -

contrary to the specific request made to you in that behalf by the President of the Gujarat State Swatantra Party in his letter dated 18.3.1968

- and -

in defiance of the decision of the Central Parliamentary Board approving the candidature of Shri Babubhai Vaidya as the only candidate of the Party for the said election."

- (b) Their Explanations, and
- (c) The comments thereon of the President, Gujarat State Unit of the Swatantra Party :

(b) (i) Mr. Natwarsinh Solanki's explanation:

" I am in receipt of your letter asking me to show cause why the Executive should not consider taking action against me in regard to my actions in the recent Rajya Sabha election from Gujarat State. In reply I will have to state that although my actions may have ultimately resulted in an adverse result for the Swatantra Party, my loyalty to the party remains firm and my motives, I hope, will be beyond question.

2. As for my actions, I sincerely feel that I have been the victim of circumstances and a peculiar sequence of events. At this delicate juncture I feel that I should offer my explanation in a manner that will not cast any aspersions on my colleagues and leaders.

3. With these sentiments in mind, I offer to you, by way of explanation, a chronological description of events as they occurred before me, and leave you to judge my actions and take whatever action you deem fit, which I hasten to add, I am prepared to accept.

- i) Upto about the 15th of February I was under the impression that there were four seats vacant in Rajya Sabha for which we will have to put up two candidates;
- ii) even after I found out that there were only three seats, I was busy with my district panchayat elections in Balasinor upto the 10th of March;
- iii) On the 10th of March when I came to attend the Council and Executive meeting, I found that there were over thirty members who had signed stating that they did not wish Babubhai Vaidya as the Party candidate. I was persuaded to sign the list. I was informed that there was no objection to my signing this list - the list was given to me by Nathalal Patel MLA, whose relationship with the Leader I do not wish to go into;
- iv) the list was shown to you. The proceedings of the meeting are also known to you;
- v) Shri Mahida wanted to file his nomination before Holi - the 15th March. So on 12th March Shri Udesinh Vadodia - the Chief Whip conveyed the message of the leader to me and gave me to understand that as Thakore Saheb Dhrol being absent, I should propose Shri Mahida.
- vi) thereafter a series of promises were made and taken, so that by the meeting of the 18th, firm commitments were made. Thereafter it was expected by all of us that the Centre would heed the sentiments of the State members and that Mahida would be the official candidate;
- vii) As the meeting of the 18th was ending, H.H. Baria came in for the first time and informed us that there was no chance of Mahida's candidature being endorsed, as Babubhai Vaidya was given a firm promise by the Gujarat Swatantra Party and it was not possible going back from it under any circumstances. Before Baria's entry, the leader said a few things to the members which you may ascertain from others;
- viii) a second meeting was held on the 18th evening by which time the Central decision was available through a phone call, at which meeting I was not present;
- ix) On the 19th H. H. Baria met me at the Roopali Hotel and explained to me the seriousness of the stand. At this point I informed him of my difficulty in view of the promises made, and that I alone could not rectify the position, and that it required the concurrence of all the signatories for which a meeting should be called. Such a meeting was not called, Baria having decided to meet people individually, and matters did not improve;

- x) On the 20th I wrote a letter to H.M. Patel in reply to HM's letter withdrawing support to Mahida but gave the letter to H. H. Baria asking him to keep it a secret because I did not wish to break faith with Mahida;
- xi) on the 23rd, Bhaikaka took a certain stand and a sudden turn, and started calling his friends converting them to supporting Babubhai Vaidya. In this fashion about ten members switched;
- xii) thereafter matters crystallised and deteriorated, it having become an useless tug-of-war with the result which you already know.

I hope the above statements will convince you that I have been a victim of circumstances, and decide accordingly."

(c) (i) The State President's Comments:

"In one sense what is relevant is what Shri Natwarsingh Solanki did after he became aware of the Central Parliamentary Board's decision which was conveyed to him in writing on 18th March, the very day on which that decision was communicated to me by you.

The letter of withdrawal of support to Shri U.N. Mahida signed jointly by Shri Natwarsingh Solanki, Shri Chandrasinhji Jadeja and Shri Chunilal Vasave was of no significance since H.H. Baria, to whom it was handed over, and I were precluded from bringing that withdrawal to the notice of the members of the Legislative Assembly Party. That when they handed over this letter indicating that they had imposed this condition is admitted by them all.

Although Shri Natwarsingh Solanki does not say so in terms, it is admitted that he continued to support Shri Mahida actively even after handing over the letter of withdrawal and after he had received the letter of 25th from the leader of the Party, advising him that it was his duty to support the candidate sponsored by the Central Parliamentary Board.

Shri Natwarsingh Solanki's main defence would appear to be that whatever he did in regard to the Rajyasabha election, he did because of what took place before the Central Parliamentary Board took its decision. While it is a fact that a number of M.L.As had signed a letter requesting the Party not to put up Shri Babubhai Vaidya, it is also a fact that that letter was considered at the meeting of the Executive Committee on the 10th as also later at the Council meeting, and that it was after full consideration of that letter and the arguments that were orally advanced at the meeting by various members of the Executive Committee and of the Council that the decision was taken unanimously that I should, when forwarding the recommendations of the Party, draw the attention of the Central Parliamentary Board to the strong feeling of the members both of the Party and of the Legislature to Shri Babubhai Vaidya's candidature. Their agreement to my placing Shri Babubhai's name first on list of recommendees implied that while they recognised the fact that the Party had given an undertaking which had to be honoured, they hoped that the Central Parliamentary

Board would take into consideration the strong feeling of the Party members, and would not approve his candidature. Shri Natwarsingh Solanki, who was present at the meeting of the Executive Committee, should have, therefore, awaited the decision of the Central Parliamentary Board before making any other commitment under any circumstances whatsoever."

(b) (ii) Mr. Jamubhai Bhatt's explanation:

"It is quite correct that I sponsored the candidature of Shri U.N. Mahida. However, I signed the form doing so on the 12th of March, 1968, that is, before the Central Parliamentary Board issued its directive. When I was asked by the President of the Gujarat Swatantra Party in his letter of 18th March that I should withdraw my support in view of the decision of the Party to support Shri Babubhai Vaidya, I immediately submitted a letter withdrawing my support. As I was not in Ahmedabad when the President's letter was first delivered to me, I gave my letter on my return to Ahmedabad from my constituency to Shri Raval personally on the 21st of March as Shri H.M. Patel was not in station at the time.

In the course of discussion in the Executive Committee meeting of the Gujarat Swatantra Party on the 21st of April, the President Shri H.M. Patel stated that the letters of withdrawal of the Thakore Saheb of Dhrol, Natwarsinhji, Chunilal Vasave and myself were handed over to H.H. the Maharaja of Baria on condition that the letters should not be made public until after the election. This statement, I would like to make clear, is not correct in regard to myself. I did not make any condition when I gave my letter of the 21st March.

I regret very much that I should have sponsored the candidature of someone whom the Central Parliamentary Board had decided should not be supported. As you will see, my sponsorship was made before the Central Parliamentary Board took its decision and I also readily complied with the request of the President of the Gujarat Swatantra Party to withdraw my sponsorship when I was asked to do so. Nevertheless, I express my regret if my action has caused any harm to the Party, for that was not my intention at all."

(c) (ii) The State President's Comments:

"Shri Raval (Mr. H.M. Patel's Secretary) states that he handed over the letter to H.H. Baria; the latter's view was that Jamubhai's letter was also not to be divulged. Shri Raval accepted this statement because it was repeated also by the Whip of the Party, Shri Vadodia, in H.H. Baria's presence. H.H. Baria appears also to have accepted the view that Shri Jamubhai wanted his reply to be withheld as did the others. He certainly informed me accordingly."

In the circumstance, it would not be proper for us to assume that Shri Jamubhai intended that his letter of withdrawal should be kept back until after the election result was announced. He himself did not personally say so to H. H. Baria, as did the others."

(b)(iii) Mr. Chunilal Vasave's explanation:

(Translated from Gujarati)

"I am in receipt of your letter dated 17th April 1968, asking me to show cause why the National Executive should not consider taking action against me in regard to my action in the recent Rajya Sabha election. In this connection I have to state that my actions have had an adverse effect on the election results so far as Swatantra Party was concerned, but my loyalty to the Party remains firm and there is no reason to doubt the motives of my action.

As for my action I sincerely feel that I have been the victim of circumstances and of peculiar sequence of events. At this delicate juncture I have to put forth my explanation without casting any aspersions on my colleagues, leaders, and others.

With these sentiments in mind, I offer to you by way of explanation a chronological description of events as they occurred and leave it to you to judge my actions properly. If, inspite of this, you consider it appropriate taking action against me, I shall accept it as a loyal soldier of the Party.

1. Upto 15th of February it was a general impression that there will be election for four seats and Swatantra Party will put up two candidates.
2. When I came to know that election will be only for three seats and not for four, I was busy with Taluka Panchayat elections in my constituency.
3. I was not able to attend the meeting of the State Council and State Executive held on 10th, but later on I gathered that about 30 MLAs had signed a letter stating that Shri Babubhai Vaidya should not be put up as a Party candidate. I was also subsequently asked to sign this letter. The list was brought to me by Shri Kamalashankar, MLA, whose relations with the Leader I do not wish to go into at this stage.
4. The list was shown to the General Secretary Shri Dandekar. You are aware as to what transpired at the meeting.
5. Shri Mahida came to me on 10th March to take my signature on the nomination form. In three of his nomination forms, front rank leaders, viz. Shri Thakore Saheb of Dhrol, Shri Natwarsingh Solanki and Shri Jamubhai Bhatt had put their signatures, I therefore put my signature on the fourth form.
6. Thereafter, there were many discussions among the MLAs. Being unaware of the promise * decision taken in the meeting of the members on 18th, but all had expected that taking into consideration the sentiments

* Gujarati
handwriting
partially
illegible

of the MLAs, the Centre will nominate Shri Mahida as Party's official candidate.

7. But, H.H. Baria came for the first time to Ahmedabad to attend the meeting on 18th and held separate discussions with Members, and clarified that under no circumstances was the Centre likely to accept Shri Mahida as the candidate, and if the Members supported him, disciplinary action would have to be taken against them. Before his arrival neither the leader nor any other member had clarified this point. On the contrary, they talked about many other things which you have been able to know from other members and will be able to know also.
8. A second meeting was also held on the 18th when all present were informed of Centre's decision received through phone. I was not present at this meeting.
9. H.H. Baria met me in his room in the Cama Hotel on the 22nd, and explained me the whole position. By that time, many issues had already cropped up and if I alone took any decision, it would not have changed the position then existing, because there was no possibility of taking any step without consulting other MLAs who all had signed the application. H.H. Baria had also spoken to MLAs individually and had not called a general meeting. On the 20th I had sent the letter withdrawing the support to Shri Mahida through Shri Vadodia.
10. I had written a letter on the 20th to Shri H.M. Patel in reply to his, informing him that I had withdrawn my support to Shri Mahida. This letter I had forwarded to H.H. Baria through Shri Vadodia and had requested to keep it a secret.
11. On the 23rd Shri Bhaikaka all of a sudden changed his stand, called some Members individually and pressed them to vote for Shri Vaidya. Consequently about ten MLAs agreed to support him.
12. Thereafter matters deteriorated and the confusion in the mind of MLAs increased. The result of this is known to you.

My above explanation will convince you that I was a victim of circumstances in all that has taken place and I request you to view my explanation in that light."

(c)(iii) The State President's Comments:

"Shri Vasave's reply takes broadly the same line as that of Shri Natwarsingh Solanki and the Thakoresahab of Dhrol.

I would also enclose a letter which Shri Vasave wrote to Bhaikaka before he received the show cause notice. From this letter it would appear that Shri Vasave had acted as he had because he had been given misleading information.

Shri Vasave is an Adivasi and comes from the Adivasi portion of the Broach district. His case appears to me to be deserving of special consideration."

(English translation of Shri Chunilal B. Vasave's letter
dated the 17th April, 1968 addressed to Shri Bhaikaka)

Chunilal B. Vasave, M.L.A.
at Jargan,
Taluka Dediapada
District Broach,
Dt. 17th April, 1968.

EXPLANATION

Revered and honourable Shri Bhaikaka, Vallabh Vidyanagar.

I have to inform you with respectful Salams that I wanted to meet you but in the present circumstances, when I am not keeping good health, it is not possible for me to come there to see you.

Elections to Taluka Panchayat in my Dediapada area were going on at the time of Rajyasabha Election and I was then in my constituency. Thereafter I came to Ahmedabad on 18th March, 1968, at 11.00 A.M. I was not knowing anything about the Rajyasabha election. Just when I arrived in Ahmedabad Shri U.N. Mahida met me and told me that I was required to fill in the form on behalf of the Party for the Rajyasabha Election and that other MLAs had also sponsored nominations. As this was the information that was given to me, I took him to be the official candidate and sponsored the nomination.

Later on, as per the Party's directive, I was asked to withdraw the nomination. Consequently, I have put my signature on the letter withdrawing the nomination. I have, therefore, to inform you that the nomination was sponsored by me out of ignorance and I had informed H.M. Baria about it.

The facts about me are as above. I shall always be loyal to the Party and shall act as per the principles of the Party.

Yours faithfully,
Sd/-Chunilal B. Vasave

P.S. I have read the announcement in the Press regarding explanations having been called for and, therefore, I am submitting this explanation. I have not received any notice etc.

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S E T II

- (a) Charges framed against Mr. Chandrakant Parikh, M.L.A.
- (b) His explanation, and
- (c) The Comments thereon of the President, Gujarat State Unit of the Swatantra Party.
- (a) The Charges:

"That in March 1968, in defiance of the decision of the Central Parliamentary Board of the Party approving the candidature of Shri Babubhai Vaidya as the only candidate of the Party for election to the Rajya Sabha by the Vidhan Sabha of Gujarat, you acted as the Election/Polling Agent of Shri U. N. Mahida who contested as a candidate in the said election without the approval of the Central Parliamentary Board".

- (b) His explanation:

"It is correct that I acted as the Election Agent of Shri U.N. Mahida. I was carried away by the atmosphere that prevailed at the time.

I am extremely sorry for whatever has happened".

- (c) The State President's Comments:

"The explanation is straightforward and does not call for any comments".

- (a) Charges framed against ~~Thakore~~ Saheb Chandrasinhji of Dhrol, M.A.
- (b) His explanation, and
- (c) The Comments thereon of the President, Gujarat State Unit of the Swatantra Party.

(a) The Charges:

- "(a) That you proposed Shri U.N. Mahida for election to the Rajya Sabha by the Vidhan Sabha of Gujarat in March 1968 despite your knowing that his candidature did not have the approval of the Central Parliamentary Board of the Party.
- (b) That you failed to withdraw the proposal and continued to extend active support to the candidature of Shri U.N. Mahida -

contrary to the specific request made to you in that behalf by the President of the Gujarat State Swatantra Party in his letter dated 18.3.1968

- and -

in defiance of the decision of the Central Parliamentary Board approving the candidature of Shri Babubhai Vaidya as the only candidate of the Party for the said election.

- (c) That according to your own statement (made after voting) you voted for Shri U.N. Mahida".

(b) His explanation:

- "1) At the outset, I may point out with all the emphasis at my commands that inspite of my actions which may have ultimately resulted adversely for the Party candidate, my loyalty to the Party remains firm and my motives will be beyond question. My services to the Party to the general and yourself in particular is a well established fact; and I am proud to say that Jamnagar District is the only District in Gujarat which has not got a Congress District President and this is entirely due to the efforts of the Swatantra Party in this District.
- 2) If I were to go into the details what happened before filing the nominations for the Rajya Sabha and thereafter, it is going to be a very lengthy story, as well as it may amount to washing dirty linen after the situation has calmed down in the Gujarat Swatantra Party. If a regular inquiry were instituted several things might have come to light, but in my humble opinion it would not be worthwhile going in for this as it may hit at the root of the Party.

It is my sincere belief that the peculiar sequence of events and circumstances in which I was placed

were - mainly responsible for making me the Victim. I don't wish to cast aspersation on my colleagues and leaders; while on my part I have always been a loyal soldier of the Party and shall always try to remain as such.

- 3) It is a fact I proposed Mr. U.N. Mahida, but things only came to light when H.H. Baria came in for the first time on the 19th of March when it was too late for all those who had committed themselves. If our leader had been frank from the beginning, the question of my proposing Mr. Mahida would not have arisen.
- 4) I had withdrawn my support to Mr. Mahida by my letter of the 20th March to Mr. H.M. Patel which was in reply to his letter asking me to withdraw my support to - Mahida, and requested H.H. Baria to keep it.
- 5) You will therefore see that I have been a victim of circumstances which were beyond my control; and I therefore request the Party to take a liberal view of our - actions. Since a much needed and long awaited change in the leadership of the Legislature Party has taken place now, I shall work with full cooperation and enthusiasm to help our new leader to restore the Party's prestige.
- 6) However I leave the decision in the matter to Party who is the best Judge; and decide accordingly".

(c) The State President's Comments:

"Thakoresahab of Dhrol's explanation is on the same lines as that of Shri Natvarsingh Solanki. My comments, therefore, are the same as on Shri Natvarsingh's explanation. The fact that Shri Natvarsingh was present at the meeting of the State Executive on the 10th, whereas Thakoresahab of Dhrol was not, does not make any material difference, for after the Council meeting on the 10th, there is no reason to think that any leading member of the Party had remained unaware of the decision taken at the State Executive or the Council, whether he was present at those meetings or not".
