

5068

NOTE.

*Submitted to the
National Executive
on 14.4.1968 at
Selling
L.S.*

Defeat of the Party's candidate in the Biennial Election to
Rajya Sabha (March 1968) in Gujarat.

1. Background:

The Central Parliamentary Board at its meeting held in Madras on February 26 and 27, 1966 nominated Dr. Biharilal Anantani as the Party's candidate in the biennial election to the Rajya Sabha from Gujarat due in March 1966. In doing so, the Board overruled the State Parliamentary Board's recommendation in favour of Mr. C.C. Desai. The following is the relevant extract from the Minutes of that meeting:

"The recommendation of the State Unit's Parliamentary Board was placed before the meeting. Communications received from the Kutch District Committee, Mr. Maganlal R. Joshi and Mr. H.N. Kothari, the Party's M.L.A. from Kutch and others were also placed before the meeting. A communication from Dr. Anantani to Prof. Ranga was placed before the Board. Certain correspondence between Mr. & Mrs. Dahyabhai Patel and the President and General Secretary of the Party was reported to the Board. After considerable discussion, it was decided that Dr. Biharilal Anantani should be nominated for this election because of his record of service to the Party and in particular in the development of the Party's work in Kutch. The meeting noted that the State Parliamentary Board had recommended Mrs. Bhanumathi D. Patel for nomination as one of the Party's prospective candidates to the Lok Sabha from Gujarat next year."

However, the Party's strength in the then Gujarat Assembly was only 26 members, whereas the number of first preference votes required to win was 31. This being the case the State leadership, and in particular Shri Jaideepsinghji of Baria, the then General Secretary of the State Unit, set out to secure support from other opposition groups, and specifically from the 6-member Independent Progressive Group, consisting of the following members:-

- (1) Mr. Babubhai Vaidya: Leader
- (2) Yuvraj Manoharsinhji of Rajkot: (now an M.L.A. elected with Star symbol but sitting as an independent in the present Assembly)
- (3) Yuvraj Digvijaysinhji of Wankaner: (now a Swatantra M.L.A.)
- (4) Maharajkumar Shivbhadrasinhji of Bhavnagar: (now a Swatantra M.L.A.)
- (5) Ratilal Ukabhai Patel: (now Joint Secretary of the Gujarat State Unit of the Party and District Secretary of Rajkot)
- (6) Mr. M. Palkhiwala: (now an SSP M.L.A.)

With the concurrence of the State President (Shri Bhailalbhai Patel) Shri Jaideepsinghji was able to reach an understanding with this Group to the effect that in return for their support (i.e. their second preference votes for Dr. Anantani), our Group in the State Assembly would secure the election of Mr. Babubhai Vaidya in the biennial election to the Rajya Sabha in March 1968. This had the concurrence of the then General Secretary Mr. M.R. Masani who was requested by Shri Jaideepsinghji for permission to give such an undertaking. In the result, our candidate (Dr. Beharilal Anantani) was successful in the 1966 election to the Rajya Sabha by securing 32 votes.

When the Central Parliamentary Board met in Bombay on May 26 and 29, 1966, the then General Secretary Mr. M. E. Masani reported to the Board the circumstances leading to our candidate's success in the election to the Rajya Sabha and sought the Board's confirmation of the undertaking given to Mr. Babubhai Vaidya. The Board confirmed the arrangement, which was embodied as follows in the Minutes of that meeting:-

"The Board's attention was drawn to the fact that Dr. Biharilal Anantani, the Party's successful candidate to the Rajya Sabha from Gujarat, was able to secure 31 votes and that this was achieved by arriving at an understanding with the Independent Progressive Group led by Mr. Babubhai Vaidya, as the Party's strength in the State Assembly was less than the quota required. The General Secretary of the Gujarat State Unit had, with the concurrence of the Party's General Secretary, Mr. Masani, given an assurance that in return for the second preference votes of the Independent Progressive Group, the Swatantra Party would ensure the election to the Rajya Sabha in 1968 of Mr. Babubhai Vaidya, the leader of that Group. In this connection Mr. Bhailalbhai Patel recalled the commitment made by him in 1962, with Dr. K. M. Munshi's approval, to Sumant Patel that, in return for certain assistance to the Party in the last General Elections, the Gujarat Unit would sponsor his candidature to the Rajya Sabha. He requested that this commitment should also be honoured by the Party. After discussing this matter, the Board decided that the commitment made on behalf of the Party to Mr. Babubhai Vaidya should be honoured and that he should be the Party's first preference candidate in the elections to the Rajya Sabha in 1968. In so far as Mr. Sumant Patel was concerned, the Board requested Dr. K. M. Munshi and Mr. Bhailalbhai Patel to get in touch with Mr. Sumant Patel and offer him the second candidature in 1970. The Board decided to take further decision in this matter on Sunday, May 29, 1966, after Dr. Munshi and Mr. Bhailalbhai Patel had an opportunity to talk to Mr. Suman Patel...."

2. Selection of candidate for the 1968 Election to Rajya Sabha:

(1) Mr. Babubhai Vaidya:

In the minutes of the Gujarat State Parliamentary Board held at Santrampur on June 25, and 26, 1967, there occurred the following reference to the biennial Elections to the Rajya Sabha in 1968:

"The Board considered Central Office letter dated 14th June addressed to Shri Bhaikaka with regard to the Rajya Sabha vacancy. The Board regretted that it would not be possible at this stage to give any assurance to the Republican Party. The Board also noted that some provisional decisions had been taken in the past in this regard. The Board decided that this matter should be considered further in the light of the prevailing situation at the appropriate time."

As the above Minute of the Gujarat State Parliamentary Board could be interpreted as keeping the issue open whereas it had already been settled (insofar as Mr. Babubhai Vaidya's candidature was concerned) Mr. Dandekar, the then Officiating General Secretary of the Party, wrote on July 18, 1967 to Mr. Bhailalbhai Patel drawing his attention to the earlier firm commitment and hoping that the commitment would be adhered to.

On August 23, the Treasurer of the Gujarat Swatantra Party Mr. Chimanbhai Desai wrote to Mr. Dandekar that at its meeting on August 21, 1967, the State Parliamentary Board agreed that the commitment given to Mr. Babubhai Vaidya should be honoured.

Thus the Gujarat State Unit of the Party was aware as far back as August 21, 1967 that irrespective of other developments, Mr. Babubhai Vaidya must be the Party's first preference candidate in the biennial elections of March 1968.

When the Central Parliamentary Board met in Cochin on January 27, 1968 Mr. Babubhai Vaidya's candidature for Raja Sabha was reaffirmed.

(2) Mr. U.N. Mahida:-

Mr. U.N. Mahida had lost the Lok Sabha election twice: the first time, in the General Election of 1967, he was the Party's candidate in the Broach Parliamentary constituency; and soon thereafter, he was the Party's candidate in the by-election to Parliament from the Bhavnagar Parliamentary constituency.

On 17th December 1967, Mr. Mahida wrote to the General Secretary Mr. Dandekar seeking the Party's nomination for election to the Rajya Sabha in 1968. He also forwarded a copy of his letter dated 17th December to Mr. H.M. Patel in which he wrote inter alia:

"This matter (Mr. Mahida's request for nomination) has been discussed with Bhailalbai and you in the past. In view of the past commitments I now request that my name may be placed immediately below the earlier two candidates viz. Shri Vaidya and Shri Suman Patel in the order of priority for 1968 election so that in the event of dropping out of one of these two candidates or his not competing I can be elected to one of the two Rajya Sabha seats our Party can secure in 1968...."

In his reply dated 24th December, Mr. Dandekar wrote:-

"As you are aware, this suggestion is primarily for the Gujarat State Unit to consider. And when their recommendations come to us, we have to consider all the names on merits, with due regard to previous commitments and all other relevant circumstances. Beyond that I cannot go to promise my personal support to anyone."

It is relevant to note here that as a result of seven defections and two election petitions, the effective voting strength of the Party in the Gujarat Assembly had been reduced from 66 to 57. The number of votes required to win a Rajya Sabha Seat being 34, it was clear that on its own strength the Party could ensure success of only one candidate.

(3) Final Decision:-

only When the Central Parliamentary Board met in Cochin on January 27, it considered the question whether two candidates or ~~any~~ one should be set up for the ensuing election to the Rajya Sabha and eventually left the decision to a sub-committee of the Parliamentary Board consisting of Prof. Ranga, Mr. Masani and Mr. Dandekar.

The Sub-Committee considered the matter carefully and eventually requested Mr. Dandekar to visit Ahmedabad to assess the situation personally. Mr. Dandekar did so on 10th March, 1968. Following his visit, the Sub-Committee again considered the matter in considerable detail and decided that there should be only one candidate of the Party viz. Mr. Babubhai Vaidya. Communicating this decision to the President of the Gujarat State Unit of the Party on 13th March 1968, Mr. Dandekar wrote inter alia:

"To summarise, the decision of the Central Parliamentary Board is that we should put up only one candidate Shri Babubhai Vaidya and he should receive all our first preference votes. Neither Shri U.N.Mahida nor Prof.B.R.Shenoy should be put up; and they should also not contest "independently" on their own. This, so far as Prof. Shenoy is concerned, would of course be only a request. I am to add that we feel confident these decisions will be faithfully implemented under your firm guidance" [Copy of letter attached].

3. Subsequent Developments:

Both Mr.Mahida and Prof. Shenoy filed their nominations. On 18th March after reports from Gujarat of a stormy meeting of the Party's M.L.As, Mr.Dandekar sent a telegram to Bhaikaka and Jaideepsinghji of Baria on the lines of the above decision.

Subsequently, while Prof.Shenoy withdrew, Mr.Mahida did not, despite being requested to do so in writing on 18th March by the President of the Gujarat Party Mr.H.M.Patel. Similarly, those members of the Party (named below) who had sponsored Mr.Mahida's candidature continued to extend active support to him, despite their being requested (in writing on 18th March) by Mr.H.M.Patel to withdraw their support. These gentlemen were:-

Thakoresaheb Chandrasinghji (Dhrol), M.L.A.
Mr.Natvarsinh Solanki, M.L.A.
Mr.Jamubhai Bhatt, M.L.A.
Mr.Chunilal Vasava, M.L.A.

On 25th March, Mr.Dandekar wired to Mr.Bhailalbhai Patel requesting him to issue a three-line whip to the Party's M.L.As to vote for Babubhai Vaidya. Actually, Mr.Bhailalbhai did better than that and issued a personal letter to all M.L.As of the Party to the effect that it was their duty to vote for Shri Babubhai Vaidya.

L that
It must be mentioned also, one or two days immediately preceding the Polling day, the following M.Ps visited Ahmedabad in connection with this election:

Mr. C.C. Desai
Mr. Piloo Mody
Mr.R.K. Amin
Mr.R.J.Amin
Mr.Dahyabhai Parmar
Mr.Pravinsinh Solanki (the General Secretary of the Gujarat Swatantra Party).

It is not possible, nor perhaps material, to say who pulled in which direction.

4. Result:

In the result, Mr.Mahida (who secured 47 votes) won the election; and Mr.Babubhai Vaidya (who secured only 27 votes) lost it.

Mr.Chandrakant Parekh, Swatantra M.L.A. acted as the Election/Polling Agent of Mr.Mahida.

5. Post Mortem:

(1) Mr.U.N.Mahida:

On 8th April 1968, the President (Prof.Ranga) suspended Mr.U.N.Mahida from membership of the Party pending the disposal of the following charges against him:

"(a) That you offered yourself as a candidate for election to the Rajya Sabha by the Vidhan Sabha of Gujarat in March 1968 without the prior approval of the Central Parliamentary Board of the Party.

(b) That you failed to withdraw your candidature -

despite your being specifically requested to do so 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."

His explanation is awaited.

(2) Others:-

Two questions arise for immediate consideration, inter alia:

(a) Whether appropriate charges should also be framed against the following gentlemen, namely:-

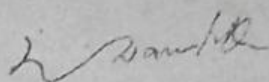
The sponsors of Mr. Mahida's candidature:-

- Thakursahab Chandrasinghji of Dhrol
- Mr. Natvarsinh Solanki
- Mr. Jamubhai Bhatt
- Mr. Chunilal Vasava

And the Election/Polling Agent of Mr. Mahida,

-- Mr. Chandrakant Parekh.

(b) Whether a further charge should also be framed against the only gentleman known (by his own avowal) to have voted for Mr. Mahida, namely, Thakoresahab Chandrasinghji of Dhrol.



(N. DANDEKAR)
General Secretary.

SWATANTRA PARTY
Central Office.

COPY

ENCLOSURE.

SASOON BUILDING,
143 MAHATMA GANDHI ROAD,
BOMBAY-1.

From: 18, Ferozshah Road,
NEW DELHI-1.

SPC-P(G)

13th March 1968.

My dear H.M.

Sub: Candidate for Election to Rajya Sabha

Ref: Your letter No. Nil, dated 11.3.1968.

The Sub-Committee of the Central Parliamentary Board has anxiously re-examined the above matter in the light of your letter and the report which I myself made of the discussion at the meetings of the Executive Committee and the Council of the Gujarat Swatantra Party held on 10th March which I attended.

2. On reviewing the matter carefully, our final decision is that we must put up only one candidate, namely, Shri Babubhai Vaidya. We feel we must stand by and honour the commitment we made to him as long ^{back} as in 1966. Our reasons for re-affirming the earlier decision in Shri Babubhai's favour are as follows:-

- (1) The commitment to put up Babubhai Vaidya as our first preference candidate for the Rajya Sabha at the earliest opportunity was made for the very good reason that he (and those influenced by him) supported our candidates for the Rajya Sabha in 1964 and 1966, that is to say, at a time when, without such support, our candidates could not have succeeded.
- (2) Moreover, he also worked in support of some of our candidates at the last General Election.
- (3) It was not a condition of the commitment that he should become a member of our Party or that he should at all times act and behave as if he were a loyal supporter of our Party.
- (4) To the new comers in our Party in Gujarat, in your Executive Committee or Council, and among our M.L.As in Gujarat, this may now seem an onerous commitment, particularly in the light of Shri Babubhai's (alleged) recent actions and speeches against our Party. But they will, we hope, appreciate on further reflection:-
 - (a) that a Party like ours does not exist or operate just from one year to the next, but on a continuing basis; and in operating in this way, the leaders have frequently to negotiate on various matters to the best advantage of the Party, - sometimes short-term, sometimes long term;
 - (b) that the essence of any arrangements and understandings so reached, whether with individuals or groups or other parties, is rarely "something for nothing"; there is always a quid pro quo which, apart from any questions of honour, must not be disowned save in the most exceptional circumstances;

2.

- (c) that our obligation to honour such commitments, however onerous they may seem to some of us later, is especially great when we have already reaped our side of the benefits whereas the other side has still to secure his, - namely, in the present case, our supporting him as our first preference candidate in the election to the Rajya Sabha this year; and
- (d) that if we once lose our reputation in such matters, no one is going to believe us again when, as may happen in Gujarat at any time over the next four years, we have opportunities to oust the Congress Government by alliances and agreements with other Opposition Groups.

3. My object in setting out in such detail our reasons for reaffirming the decision in favour of Shri Babubhai Vaidya is to make it abundantly clear to you and your colleagues:

- (i) that we have given full consideration to the objections expressed at the Meetings held on the 10th at Ahmedabad; and
- (ii) that in deciding as we have done, we have been persuaded more by considerations of what would be in the best interests of the Party in Gujarat (and therefore in India as a whole) than by the mere question of honouring our obligations and commitment per se.

4. To summarise, the decision of the Central Parliamentary Board is that we should put up only one candidate Shri Babubhai Vaidya; and he should receive all our first preference votes. Neither Shri U.N. Mahida nor Prof. B.R. Shenoy should be put up; and they should also not contest "independently" on their own. This, so far as Prof. Shenoy is concerned, would of course be only a request. I am to add that we feel confident these decisions will be faithfully implemented under your firm guidance.

Kind regards,

Yours sincerely,
Sd/-
(N. Dandekar)
General Secretary.

Shri H.M. Patel, M.L.A.,
President,
Swatantra Party of Gujarat,
AHMEDABAD.