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July 21, 1989

Dear Navroz,

You will recall that when we met at the Leela Penta in April during the seminar on 'Perestroika in India', I had mentioned to you that the Maharashtra Swatantra Party continues to exist and that it would like to challenge the recent amendments to the Representation of the People's Act asking political parties to register themselves and while doing so to swear by socialism, secularism and democracy. While we have no problem in regard to swearing by secularism and democracy, we cannot swear by socialism because the very basis of the Swatantra Party is opposition to socialism! A copy of the Party's Statement of Policy and our Constitution are attached.

(enclosed)
In response to a press report calling on parties to register themselves and to get their Constitution amended by including socialism, secularism and democracy we are now writing to the Election Commission asking for registration but under protest. We are also not swearing by socialism. There are two drafts (attached) of the letter we wish to send marked 'A' and 'B'. I personally prefer draft 'B' because it states things frankly and keeps the threat to go to Court open.

I wonder if you could help us to file a Writ in the High Court as soon as the Election Commission rejects our application which it will. In the light of what we would like to do, could you look at the two drafts, advise us which of the two you would prefer, and make any changes that you might like to make.

It is a pity that even a party like the BJP has caved in to what is patently an unfair law.

The letter has to reach the Election Commission before August 14. I mentioned this to Minoo Masani and he would very much like us to challenge this amendment to the Constitution. I shall be happy to call on you at your convenience.

With kind regards,

Yours sincerely,

(S. V RAJU)

Mr. Navroz Seervai
Bombay.

I prefer draft 'B'

at the rate that you should
send it at once.

Regards
Nelson

DRAFT

"B"

The Secretary
Election Commission of India
Nirvachan Sadan
Ashok Road
New Delhi 110 001.

Dear Sir,

This refers to the reports in the press that political parties should register with the Election Commission of India. We, the Maharashtra Swatantra Party, in existence since August 1959, though not quite sure about the validity of the law calling for registration of political parties, hereby ~~seek~~ ask you to register us. We do ~~not~~ so without prejudice to our right to question the Constitutional ^{validity} ~~validity~~ of the amendment to the Representation of the Peoples' Act making registration mandatory.

While seeking registration under the existing law of the land the Maharashtra Swatantra Party reaffirms its loyalty to the Constitution of India a fact affirmed in our Statement of Policy "To Prosperity Through Freedom" as far back as ^{March} August 1960 ~~1959~~ (copy attached).

We also reiterate our loyalty to the principles of secularism and democracy.

Though we were part of the national Swatantra Party we decided not to merge with the Lok Dal in August 1974, and again in the Janata Party in 1977. ^{A copy of the Resolution adopted} ~~Copies of our State Council~~ proceedings are enclosed for ready reference.

We therefore seek registration as a State party confined to Maharashtra until such time as we revert to you for a change of status.

Thanking you,

As desired by you we are enclosing a copy of our Constitution & Statement of Principles.

Yours very truly,

(J. Venkateswara)

President

by The State Council of the Mah. Swa Party at its meeting held on — is enclosed