

ELECTION PETITION

The 1st General Elections in India were declared in the year 1952. Dr. B. R. Ambedkar wanted alliance with like-minded political parties. In Maharashtra there was a talk for electoral alliance with the 'Peasants and Workers Party' and the Socialists. Mr. Jayaprakash Narayan and Mr. Ashok Mehta contacted Dr. Ambedkar through Acharya Donde, who met him at Delhi.

The alliance between Scheduled Castes Federation and Socialist Party took place and Dr. B. R. Ambedkar filed his candidature for the House of People from Bombay City North Constituency as a Reserved Candidate. The Election was held on 3rd January 1952.—Editors.

“BOMBAY RESULTS SHOCKING

Inquiry Urged

New Delhi, January, 5th, 1952.

Dr. Ambedkar, former Law Minister of the Government of India, who is contesting the reserved seat from Bombay north, to the House of the People, said today that the results of the elections in Bombay City, so far declared, came as a great surprise and shock to the citizens of Bombay.

In a statement issued today, Dr. Ambedkar said, the Congress show in the city was comparatively very poor. He claimed that the polling was heavily in favour of the Socialists and the Scheduled Castes Federation.

“How the overwhelming support of the public of Bombay could have been belied so grossly is really a matter for inquiry by the Elections Commissioner” he said.—P. T. I.”¹

“AMBEDKAR, MEHTA FILE ELECTION PETITION

New Delhi, April 24, 1952

Dr. B. R. Ambedkar, former Union Law Minister, and the Socialist leader, Mr. Ashok Mehta, have filed a joint election petition before the Chief Election Commissioner to set aside the election to the House of the People from the Bombay City North Parliamentary constituency, and declare it illegal.

¹: The Time of India, dated 6th January 1952.

This double-member constituency was the seen of a strong contest in which eight candidates, including Mr. S. A. Dange, Communist leader, took part.

The Congress nominees, Mr. V. B. Gandhi, and Mr. N. S. Kajrolkar (Scheduled Caste) were elected in the contest.

The election petition enumerates a number of grounds on which, it wants the election to be declared void.—P. T. I.”¹

“Dr. Ambedkar submitted his election petition on 21st April 1952 to the Election Commission.

IN THE MATTER OF THE REPRESENTATION OF THE
PEOPLE ACT, 1951

Election Petition under Section 81 to set aside the
Election to the House of the People from the
Bombay City North Constituency held on
the 3rd day of January 1952.
Before the Election Commission,

NEW DELHI

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| <p>(1) Bhimrao Ramji Ambedkar, aged 60 of Bombay Inhabitant residing at Rajgriha, Hindu Colony, Dadar, without the Fort of Bombay.</p> | } | Petitioners. |
| <p>(2) Ashoka Ranjitram Mehta, aged 39 of Bombay Inhabitant residing at 3, Dadystth Street, near Babulnath Temple without the Fort of Bombay.</p> | | |

Vs.

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| <p>(1) Shripad Amrit Dange aged 52 of Bombay Inhabitant residing at Shah Nivas, Muncipal House No. 3, Kohinoor Road, Dadar, without the Fort of Bombay.</p> | } |
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¹: The National Standard, dated 25th April 1952.

- (2) Gopal Vinayak Deshmukh, aged 56 of Bombay Inhabitant residing at 39, Peddar Road without the Fort of Bombay.
- (3) Vithal Balkrishna Gandhi, aged 55 of Bombay Inhabitant residing at 23, Dwarkadas street, Khatau Building, within the Fort of Bombay.
- (4) Keshav Balkrishna Joshi, aged 49 of Bombay Inhabitant residing at P. 165, Shivaji Park, Road No. 6. Mahim, without the Fort of Bombay.
- (5) Narayan Sadoba Kajrolkar, aged 56 of Bombay Inhabitant residing at 187 Suparibaug Road, Parel, without the Fort of Bombay.
- (6) Nilkanath Baburao Paruiekar, aged 57 of Bombay Inhabitant residing at 157, Princess Street, without the Fort of Bombay.
- (7) Dattatray Ramchandra Gharpure, aged 62 of Bombay Inhabitant residing at Topiwala Mansion, 386, Sandhurst Road, without the Fort of Bombay.
- (8) Ramchandra Sadoba Kajrolkar, aged 42 of Bombay Inhabitant residing at 185, Suparibaug Road, Parel, without the Fort of Bombay.
- (9) Shantaram Sawalram Mirajkar, aged 49 of Bombay Inhabitant residing at Abdul Kadar Chambers, Municipal House No. P.L, 180, St. Xavier's Street, Bhoiwada Police Station Area, without the Fort of Bombay.

Respondents.

To,
The Election Commission,
New Delhi.

THE HUMBLE PETITION OF THE PETITIONERS
ABOVE NAMED RESPECTFULLY SHEWETH :

1. That the Petitioners were candidates for election to the House of the People from Bombay City North constituency at the Elections to the House of the People held on the 3rd January, 1952.

2. That the Petitioners' names were duly enrolled in the electoral roll and the Petitioners thus became eligible to stand as candidates from the said Constituency to the House of the People.

3. That the Petitioners duly filed their nomination papers as candidates from the Bombay City North Constituency. The Petitioners' nominations were duly accepted on 27th November, 1951. The Respondents 1 to 9 were the other candidates to the House of the People from the same Constituency as that of the Petitioners. The Respondent Nos. 7, 8 and 9 withdrew their candidature within the time allowed for such withdrawal.

4. That the said Bombay City North Constituency, as a plural member Constituency, has a right to elect two members to the House of the People. Out of the two seats to be filled in by Election in the said Constituency, one seat is general and the second one is reserved for the Scheduled Castes. Every voter in this Constituency has subject to the restriction prescribed in Section 63 (1) of the Act, two votes as there are two members to be elected; Section 63 (1) of the Representation of the People Act, 1951 (Act No. XLIII of 1951) expressly lays down that no elector shall give more than one vote to any one candidate.

5. That the election at the polling stations in the Bombay City North Constituency was held on the 3 rd January, 1952.

6. That the counting of votes polled by the various candidates commenced on the 7th January 1952 and the same was completed on the 11th January 1952.

7. That the result of the election of the said Parliamentary Constituency was declared by the Returning Officer on 11th January to be as follows :—

- (i) That the Petitioners 1 and 2 polled respectively 1,23,576 and 1,39,741 votes;
- (ii) That the Respondent Nos. 1,2, 3, 4, 5, and 6 polled 96,755; 40,786; 1,49,138; 15,195; 1,38,137 and 12,560 votes respectively;
- (iii) That the Respondent No. 5 was elected to the reserved seat and the Respondent No. 3 was elected to the remaining seat from the said Constituency; and
- (iv) That it was further declared by the Returning Officer that the total number of valid votes polled in the said Constituency was 7,15,888 and that the total number of invalid votes was 74,333;

8. That the Petitioners rely on the declaration of the result made by the Returning Officer, a copy whereof is hereto annexed and marked A.

9. That the result of the said election was published in the Gazette of India (Extra ordinary) Part-I Section I, dated 26th January 1952, at page 130. The respective returns of election expenses have been duly lodged with the Returning Officer under Rule 112 of the Representation of the People (Conduct of Election and Election Petitions) Rules, 1951, by the Petitioner No. 1 on 10th March 1952 and by the Petitioner No. 2 on 7th March 1952.

10. The Petitioners say that the Returning Officer has declared at the counting of the votes that the candidates who contested the election had obtained several double votes which the Returning Officer had to cancel as being null and void. The Petitioners say that

as a result of the inspection it was found that such invalid votes found in the ballot boxes of the Petitioner Nos. 1 and 2 and of the Respondent Nos. 1, 2, 3, 4, 5 and 6 and cancelled as being double votes, are as shown below :—

Petitioner	No. 1	--	2,921
Petitioner	No. 2	--	5,597
Respondent	No. 1	--	39,165
Respondent	No. 2	--	6,634
Respondent	No. 3	--	10,881
Respondent	No. 4	--	1,168
Respondent	No. 5	--	6,892
Respondent	No. 6	--	1,025
Total		--	<u>74,333</u>

The Petitioners will rely on the records in proof of this statement.

The Petitioners submit that in the aggregate 74,333 ballot papers had been rejected and not counted at all as being void by the Returning Officer for the aforesaid reason.

11. The Petitioners submit that at several polling stations of the aforesaid Constituency the voters to whom double voting papers were issued, did not, in thousands of cases, distribute the same as required by Section 63 (1) of the said Act, and their failure to comply with the provisions of Section 63 (1) of the said Act resulted in the said ballot papers being declared to be void and wholly worthless in respect of the election held in the said Constituency.

12. The Petitioners say that the aforesaid large number of double votes being void votes, has been the result of corrupt practice of undue influence on the part of the Respondent Nos. 1 and 2 within the meaning of Section 123 (2) of the Representation of People Act, 1951, at the election as set out below and that the said corrupt practice has vitiated the entire election and has rendered the same void.

13. The Petitioners say that the Respondent Nos. 1 and 2 during their election campaign carried on a fierce, virulent and malicious propaganda by leaflets, handbills and press statements and by speeches at public meetings held in the constituency and induced and illegally exhorted the voters to cast both their votes in favour of each of them in direct contravention of the provisions of Section 63 (1) of the Act. The Petitioners say that due to the aforesaid propaganda carried on by the Respondent Nos. 1 and 2. amongst the voters in the Constituency, the electors were falsely induced to give more than one votes to the same candidate by placing both the ballot papers issued to them in the same ballot box and thereby contravening the said section of the said Act and defeating the purpose and policy underlying it.

14. (i) In a printed Marathi pamphlet addressed to and distributed amongst the voters in the said Bombay City North Constituency at the instance of the Respondent No. 1 or his agents and/or supporters, the Respondent No. 1 was described as the most capable leader of all, to lead the People's Front in the House of the People. The voters were exhorted therefore, to cast both their votes in favour of the said Respondent No. 1 avoiding to tell the voters whether voting in the manner suggested would benefit Respondent No. 1. A copy of the English translation of the relevant portion of the said handbill is annexed hereto the marked B.

(ii) A Marathi weekly paper entitled 'Yugantar' printed at Bombay gave instructions to the Bombay voters in its issue dated 29th December 1951 at page 4, columns 1, 2 and 3 whereby the voters receiving two ballot papers were, *inter alia*, falsely instructed and exhorted to drop both the ballot papers in the box with picture of the Engine pasted on it i.e. into the ballot box of the Respondent No. 1 again avoiding to tell the voters whether voting in the manner suggested would benefit Respondent No. 1. The Yugantar is an organ of the Communist Party of which the Respondent No. 1 was a nominee for the Parliamentary seat. A copy of the English translation of the said instructions is annexed hereto and marked C.

(iii) Similarly in leaflet in Marathi issued over the signature of the Respondent No. 1 described as the United Front of the Leftist

candidate for the House of the People from the said Bombay City North Constituency. It was stated, *inter alia*, that if the voters wanted their candidate to be elected they should cast both their votes for the Respondent No. 1. The Respondent No. 1 stated further that the waste of one of the two votes did not in any way violate democracy because according to the Respondent No. 1 giving of a vote by the non-Scheduled Castes voters to a candidate for the seat reserved for the Scheduled Castes is itself against the interests of democracy of the Scheduled Caste voters. Then referring particularly to the Petitioner No. 1 the Respondent No. 1 stated in the said pamphlet that as the Petitioner No. 1 as a Scheduled Caste candidate, was according to the Respondent- entitled to contest both the seats, it was desirable that the Respondent No. 1 must take both the votes for himself and that all those who wanted to make United Front of Leftist nomination successful, should give both their votes to the 'Engine' (the symbol of the Party on whose ticket the Respondent No. 1 stood for election). A copy of the English translation of the said leaflet is annexed hereto and marked D.

15. In a press statement published by the Respondent No. 2 in the Marathi Weekly in Bombay entitled Vividh Vritta, in its issue of the 30th December 1951 under the caption, '*Bombay City North Constituency Parliamentary Election Trap*', '*Warning to the Voters*' the Respondent No. 2 warned the voters in this Constituency, where a reserved seat for the Scheduled Castes is provided, that a virtual trap to enable the two Scheduled Castes candidates to capture both the seats had been laid by the Petitioner No. 1, who belongs to the Scheduled Castes. The Respondent No. 2 further stated in the said statement that in order to escape the trap, the voter should cast his votes as he himself wanted to without paying any heed to any party or pact and completely disregarding, what he conveys, "the influence of self seeking leaders." He still further added that "that alone would be his duty", meaning thereby that the voters should cast both their votes to a candidate other than the Petitioner No. 1 if they wanted to avoid the Petitioner No. 1, who belonged to Scheduled Caste being elected with the Respondent No. 5 who also belonged to the Scheduled Castes, and thereby the Scheduled Castes candidates carrying both the seats and

the non-Scheduled Castes community going unrepresented. An English translation of the said statement issued by and on behalf of the Respondent No. 2 is hereto annexed and marked E.

16. Then again the said Marathi Weekly, the Vividha Vritta, sponsoring the cause of the Respondent No. 2, published a statement under the caption '*Ruse in Voting*', in its issue dated 30th December 1951 at page 1 column 5 wherein it is stated, *inter alia*, that both the votes can be dropped in the box of a Caste Hindu candidate and that voting in this manner is in no way illegal. It is further stated that voters have complete freedom to cast both their votes for one candidate alone. An English translation of statement referred to in this para is hereto annexed and marked F.

17. The Petitioners say that the Respondent Nos. 1 and 2 in view of what is contained in the foregoing parts 13,14,15,16 of this Petition not only misled the voters but also played upon the communal feeling of the Caste Hindu voters; the Respondent No. 2 particularly raising the communal feeling of the Caste Hindu voters by creating a fear complex in them that their interest would be in jeopardy if they distributed their votes as required by law.

18. The Petitioners say that the Respondent Nos. 1 and 2 not only did create an alarm in the mind of the Caste Hindu voters in the said Bombay City North Constituency but failed to explain the provisions of Section 54 of the Act, which prescribes how the results of election are to be determined and declared.

19. In the aforesaid manner the Respondent Nos. 1 and 2 misrepresented the law and misled the Caste Hindu voters into believing that in any and every circumstance it was probable for the Scheduled Castes candidates to get themselves elected to both the seats to the exclusion of Caste Hindu community candidates.

20. The Petitioners say that in the aforesaid manner the Respondent Nos. 1 and 2 practised deception on the Caste Hindu voters and willfully and fraudulently induced them cast both their votes in their favour.

21. The Petitioners submit that in view of what is stated in the foregoing paras, the Respondent Nos. 1 and 2 have by themselves their Agents and other persons acting for and on their behalf, exercised undue influence during their election campaign preceding the side election inasmuch as they actively interfered with the free exercise of the electoral right of the voters within the meaning of Section 123 (2) of the Act and that the election on that account has not been a free election within the meaning of Section 100 (i) (a) of the said Act.

22. The Petitioners further say that the Respondent Nos. 1 and 2 knew that they could not derive any benefit to themselves by their propaganda to appropriate both the votes to themselves. All the same they persisted in the said propaganda because they were actuated by the malicious motive to injure the prospects of the Petitioner Nos. 1 and 2.

23. The Petitioners submit that the large number of double votes cast by the voters in favour of the Respondent Nos. 1 and 2 as herein above stated in para 10 is evidence of the fact that the undue influence exerted by the Respondent Nos. 1 and 2 in the said Constituency has extensively prevailed at the Election.

24. The Petitioners therefore say that the election has not been a free election by reason of the corrupt practices of undue influence which extensively prevailed at the election, and that hence the said election should be declared wholly void.

25. That Petitioners have deposited Rs. 1,000 with the Reserve Bank of India in favour of the Secretary of the Election Commission as security for the costs of the Petition as required by Section 117 of the Representation of the Peoples Act, 1951. The original receipt showing that the said amount has been deposited in hereto annexed and marked G.

26. That this Petition is accompanied by a list of the particulars of the corrupt practices committed by the Respondent Nos. 1 and 2 signed and verified as required by Section 83 (2) of the Representation of the People Act, 1951 and is hereto annexed and marked H.

27. That this Petition is being presented within the time allowed under Rule 119 (b) of the Representation of the People (Conduct of Election and Election Petitions) Rules, 1951, 11th March 1952 being the date on which the time for lodging of the return of expenses under sub-rule (1) of Rule 112 of the said Rules expired.

28. The Petitioner No. 2 craves leave to submit any other Petition on grounds other than those advanced in this Petition.

Your Petitioner, therefore, pray :—

- (a) that an Election Tribunal be appointed for the trial of the Petition;
- (b) that the election to the House of the People from the Bombay City North Parliamentary Constituency held on 3rd January 1952 be declared wholly void;
- (c) that the Petitioners' costs of this Petition be provided for; and
- (d) that Petitioners may have such further and other reliefs as the nature of the case may require and for the purpose aforesaid all such orders may be passed and directions given including scrutiny of votes as may be deemed necessary and proper.

(Sd) B.R.Ambedkar

(Sd) Ashoka Mehta

(Petition drawn by)

(Mr. N. C. N. Acharya,

Advocate O. S.)

(Sd) Kothare & Co.

Attorneys for the

Petitioners.

We, (1) Bhimrao Ramji Ambedkar and (2) Ashoka Ranjitram Mehta of Bombay Inhabitants residing respectively at Rajgriha, Hindu Colony, Dadar, and 3, Aadyseth Street near Babulnath Temple without the Fort of Bombay do solemnly declare that what

is stated in paras 1 to 9 and 11 to 26 of the foregoing Petition is true to our own knowledge and that what is stated in para 10 is stated on information and belief and we believe the same to be true.

Solemnly declared by)
 Bhimrao Ramji Ambedkar)
 the Petitioner No. 1)
 above named at Bombay)
 aforesaid this 21st day)
 of April 1952.)

(Sd.)B.R. Ambedkar

S e a l

Before me
 (Sd.) H. K. Patel
 Presidency Magistrate,
 XI Court, Kurla, Bombay
 21-4-1952.

Solemnly declared by)
 Ashoka Ranjitram Mehta)
 the Petitioner No. 2)
 above named at Bombay)
 aforesaid this 21st day)
 of April 1952.)

(Sd) Ashoka Mehta

S e a l

Before me
 (Sd.) H. K. Patel
 Presidency Magistrate,
 XI Court, Kurla, Bombay
 21-4-1952.”¹

¹: Khairmode, Vol. 10, Pp. 269-280.

Use of Agents at General Elections

Dr. Ambedkar's Plea.

“Anything which causes a disturbing effect on the minds of voters amounts to undue influence and interference. If a candidate carries on propaganda to frighten voters then he has caused interference and obviously disturbed the minds of voters. If he conceals an important point of law from the electorate he commits a fraud on voters or brings about undue influence on them. And to tell voters to act contrary to the electoral law is corrupt practice.

There were some of the points of law Dr. B. R. Ambedkar submitted to the Election Tribunal, composed of Mr. N. J. Wadia, Chairman, Mr. M. K. Lalkaka, and Mr. G. P. Murdeshwar at the resumed hearing of his petition and that of the Socialist Leader, Mr. Ashoka Mehta, complaining of malpractices at the last General Elections from the Bombay City North Constituency, on Friday.

Dr. Ambedkar, who appeared in person, argued at length on the question of agency at elections and touched on propaganda some of the candidates had made through newspapers and pamphlets and went on to prove that those publications had amounted to undue influence with particular reference to Section 123 (2) of the Representation of the People's Act.

UNDUE INTERFERENCE

He pointed out the difference between the English and the Indian law and said that the former particularised undue interference while the latter only used the word in a general sense.

He referred to the statements published by and on behalf of Mr. S. A. Dange, the Communist candidate, and Dr. G. V. Deshmukh, the Independent candidate, and said that by asking voters to cast both their votes in favour of one candidate they had caused undue influence on them. One of the four witnesses previously examined had admitted that Mr. Dange knew that the Left United Front which supported his candidature to Parliamentary seat, had issued leaflets, but at no stage had he intervened and asked the Front to stop the issuing of the leaflets, he said.

The petitioner contended that Mr. Dange was responsible for his agents' doings. The *Ugantar*, a Marathi weekly, had in an

hesitant manner admitted that it was an organ of the Communist Party and that the two members of the Front in their evidence had also admitted that they had made propaganda to support the candidature of Mr. Dange. On the basis of the submission, he said, there could be no doubt that they were Mr. Dange's agents.

Dr. Ambedkar tried to trace the relationship between *Vividh Vritta*, a Sunday Marathi weekly, and Dr. Deshpande (Deshmukh), and said that the statement the respondent had published in the paper was not to enlighten voters. In fact, it was given to that particular newspaper and to no other and this, in his contention, proved that there was a link between the paper and the respondent.

..... At this stage, Dr. Deshmukh stood up and requested the tribunal that Dr. Ambedkar might be asked to address his question. "I am not asking you any question. In fact, you have raised them and I am only trying to answer them," was Dr. Ambedkar's reply which caused laughter in the Court room.

Earlier Mr. K. V. Chitre, Registrar of Siddharth College and an agent of Dr. Ambedkar gave evidence.

The hearing will be continued on Monday."

(The Times of India, 4-10-1952)¹

"PROPAGANDA FOR WASTAGE OF VOTES IS ILLEGAL"

Dr. Ambedkar's Plea In Election Dispute

It was a gross perversion of law to arouse communal feelings among the electorate by frightening it that it would go unrepresented if it distributed votes, declared Dr. B. R. Ambedkar, arguing his petition before the Election Tribunal, composed of Mr. N. J. Wadia, Chairman, Mr. M. D. Lalkaka and Mr. G. P. Murdeshwar, at the Small Causes Court, Bombay, on Monday.

He was referring to the communal propaganda that had been carried on in the Bombay City North Constituency by Dr. G. V. Deshmukh, who, he said, was the leader of the Independent Candidates' Group, comprising 17 candidates.

"I cannot find worse propaganda than this," said Dr. Ambedkar, and added "Because of the realisation of the psychology of Caste Hindus, who did not want Untouchables to occupy important posts

¹ Khairmode, Vol. 10, Pp. 298-299.

in the legislature, a special provision was made for Scheduled Castes in the Montague - Chelmsford Reforms. There is a similar provision in the Representation of the People's Act also."

..... The petitioner contended that Dr. Deshmukh has conceded the provisions of Section 54 of the Act from the electorate while the Communist candidate, Mr. S. A. Dange, by preaching the nullification of Section 63, had set the law at naught. He charged both the respondents with adopting corrupt practices and unduly influencing the voters.

DISPOSAL OF VOTES

Dr. Ambedkar submitted that the disposal of one of the two votes was not left to the wishes of voters or, for that matter, of candidates. The disposal of the second vote was regulated by Section 79 (d) which, he said, gave the electorate the option to vote or not to vote as voting was not compulsory in India. He raised the following points (1) A voter was free to exercise his electoral rights; (2) He could go to the polling booth and receive both his ballot papers and distribute them; (3) He could use one of them and return the other to the Presiding Officer; (4) To use one ballot paper and destroy the other was illegal and an offence according to Section 136(e) (f); (5) To cast one ballot paper in the ballot box and take the other with him would be illegal, according to Section 135, and (6) To insert both the ballot papers in one box was also illegal, according to Rule 25 (1) and a violation of the Act.

He stated that Section 100 clearly stated that "an election shall be set aside on the ground of corrupt practices extensively prevailing," and asked if the Tribunal did not consider the 74,333 votes wasted as the result of the perverse propaganda to be a large figure. "I lost my seat by 13,000 votes. I am not very presumptuous, but out of the 39,000 votes wasted by Mr. Dange, I would certainly have got a large number had it not been for the crucial propaganda of his and that of Dr. Deshmukh," he said.

"CHAPTER OF MISALLIANCE"

Mr. A. S. R. Chari, counsel for Mr. Dange, described the petitions of Dr. Ambedkar and Socialist leader, Mr. Ashoka Mehta, as the closing chapter of misalliance between the Socialists and the Scheduled Castes Federation. He said the petitioners' own witness

Mr. Bapurao Jagtap, had told the Tribunal that the Left United Front had requested the petitioners “with folded hands” to join the Left United Front, a request they had refused only because they overestimated their strength.

Mr. Chari said that there was no legal obligation on a voter to use both his votes as he could either vote or refrain from voting for a candidate in accordance with the clauses of Section 63 of the Act. His arguments were: That the persuasion to vote only one candidate, or not to vote for any one candidate, did not constitute interference with the free exercise of the will of the voters according to the definition of “undue influence.” That any of the acts of Mr. Dange or any other candidate, did not come within the definition of “corrupt practice” as set out in the Representation of the People Act. That what Mr. Dange had done was only to persuade the voter and he had a right to do so. That the petitioners had filed their petitions only to provide a plausible excuse for their defeat before their supporters; and that the defeat of the petitioners in the last election was due to their arrogant refusal to join hands with the Left United Front which wanted to fight the Congress and the communal elements.

UNDUE INFLUENCE

Mr. T. R. Kapadia, counsel for V. B. Gandhi corroborating Mr. Chari’s argument, said that the petitioners had failed to prove who had exerted undue influence on voters. He asked whether the respondents alone were guilty of that charge or whether the petitioners were also equally guilty of it.

Dr. Deshmukh, after obtaining consent “from -the Tribunal that he might be allowed to address it in place of his advocate, said that all parties were responsible for corrupt practices at the last elections. He admitted that the editor of “Vividh Vritta”, a Marathi weekly, was not only his agent but also his intimate friend.

Hearing will be continued on Wednesday.

The respondents are Mr. S. A. Dange, Dr. G. V. Deshmukh, Dr. V. B. Gandhi, Mr. K. B. Joshi, Mr. N. S. Kajrolkar and Mr. N. B. Parulkar.

Mr. S. S. Kavalekar and Mr. Madhusudhan Vyas, instructed by Kothare and Company appeared for Mr. Ashoka Mehta; Mr. A. S. R. Chari and Mr. T. S. Hegde for Mr. Dange; Mr. Pandit for Dr. G. V. Deshmukh and Mr. T. R. Kapadia for Dr. Gandhi and Mr. Kajrolkar.”¹

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¹: The Times of India : dated 7-10-1952

Reprinted Khairmode, Vol. 10, Pp. 300-302.