

N.Krishna Prasad  
 Advocate, (Former Convenor of  
 Secretariat Aikya Vedi, Kerala)  
 T.C-29/97, M.K.K. Nair Road  
 Pettah P.O, Trivandrum

To

Her Excellency the President of India Shrimathi Prathiba Devisingh Patil  
 Rashtrapathi Bhavan, New Delhi

Most Honored madam of India,

Sub: Exercise of pardoning power of the President of India under Article 72 of Indian Constitution on the advice of heartless UPA Govt. led by Dr. Manmohan Singh- objection - reg

Ref: 1. Representation No SAVE/10/06 dated 01-11-2006 from the convenor secretariat Aikya Vedi (SAVE) Trivandrum.

2. Letter No P1/57312 dated 14-11-2006 from the secretariat of Indian President.

With profound respect and immense reverence to the first mother figure of Indian Republic since its inauguration in the year 1950, I, a humble citizen of this great Country who admire your Excellency's stellar contributions to the nation in various fields of politics, administration, international affairs, lawyering and law- making etc., submit the following for the benevolent consideration and discharge of the sacred duty cast on thy majestic persona by the Constitution of one billion- plus people of our nation, on a matter involving life and death of thy fellow- citizens.

In the second Para of the representation dated 1-11-2006, submitted to the then His Excellency Dr. Abdul Kalam, valid and reasonable objection was raised by me, in my capacity as the then Convener of secretariat Aikya Vedi (SAVE), (an association of employees of Kerala Govt Secretariat) with regard to the exercise of Pardoning power of the Executive Government of India because of

the sordid and sorry state of affairs of our constitutional democracy narrated in this representation which is more painful than shameful, to any citizen of our Country. Hence convinced of the gravity of the contentions in this representation, the Secretariat of His Excellency the then President Of India Dr. Abdul Kalam forwarded it to the honorable Prime Minister of India Dr. Manmohan Singh on 14<sup>th</sup> November 2006 for appropriate action. Even though it may be by default, this was done ironically on the birth anniversary day of the great nationalist and first Indian Prime Minister Pandit Jawaharlal Nehru. If this representation was received to the Prime Minister's office during his time, his heart of enormous love and compassion might have shaken to the core, learning that his incarceration in the colonial jails for about a decade and many decades of mental and physical suffering have gone in vain due to the fraudulent behavior of powerful politicians of this nation. The present Prime Minister being only a former beaurocrat cum economist has not given any regard to the representation referred to him by the former His Excellency, a renowned technocrat and statesman with brimming human spirit.

It is hoped that Her Excellency is aware that the state of Kerala graciously adopted Indian Constitution only on 31-08-2004 by accepting the Constitutional oath of office of the ministers of Kerala in Malayalam language while the ministry headed by Sri. Oomen Chandy assumed office. The State had thereby rejected the forged and traitorous oath/affirmation of office in Malayalam taken on 17-05-2001 by the ministry headed by Sri. A.K. Antony, to rule the people 'without love' instead of 'without favour'. This oath/affirmation of office was a grave and fatal assault on the moral sense, sensibilities and sensitivities of the people of the brave new world and also the philosophical foundation of our beloved Republic. This idiotic anecdote of dismay and disbelief is live in the minds of thousands of informed citizens of Kerala and the higher judiciary of India. Even though immediately on the imposition of policies based on the inhuman oath/affirmation of office all sections of the people of Kerala were in street in the path of agitations but he suppressed them mercilessly according to the vow he had taken while assuming power, deploying the security forces on which he had unauthorized control. Despite the fact that there was strong protest against the illegality of his Govt due to the assumption of the cabinet led by Sri. A.K. Antony on the strength of forged and

traitorous oath/affirmation of office, the ministers clung on power diabolically from 17-5-2001 to 31-08-2004 manipulating the political system, media and judiciary thanks to the pseudo-gandhian gimmicks and congenital attributes of shrewdness and treachery of Sri. A.K. Antony, the 'the role model' politician of India. But the Executive Govt of India failed to intervene in this humanitarian crisis even after appeal from people of Kerala. During this period he was not ready even to verbally accept and respect the Constitution of India even after the interference of the judiciary. This insurrection against our Constitution and Republic committed by him was uniquely barbarous in the political history of the world. In this conflict between the most honorable document of our country the Constitution of India and the vaulting ambitions of this wily and shrewd politician who is always chasing power and status like a ravenous wolf, the Constitution was again failed as this politician was inducted to the Union Cabinet as Defence minister of India in the year 2006. A person who had committed the most traitorous act of fooling the entire people by ruling them without love according to his vow while assuming/usurping the office of chief minister of Kerala was entrusted with the affairs of the valiant soldiers of our nation who are faithfully discharging the most patriotic duty of defending our nation. This amounted to insulting the souls thousands of our security forces who have made supreme sacrifices for the nation.

Hence, this aggravated insult committed by our honorable prime Minister Dr. Manmohan Singh was brought to the notice of the then His Excellency Dr. Abdul Kalam and He promptly referred this matter to Hon'ble Prime minister of India Dr. Manmohan Singh for appropriate action. Dr. Manmohan Singh being simply an economist concerned with only the macroeconomic parameters of this nation neglecting the life and livelihood of the people of our nation has not paid due consideration to the representation involving the matter of life and death of the people of the nation and the nation itself. This indifferent conduct by His Honour, dishonouring the Constitution and values of our ancient civilisation protected by this master document tries to justify the cynical comments on Indian politicians made by Winston Churchill in House of commons on independence to India-"Power will go to the hands of rascal, rogues and freebooters. All Indian leaders will be of low caliber and men of straw. They will have sweet tongues and silly hearts."Sorry, Churchill was

wrong as these politicians may also be heartless- without love. The revelations of the mega scams related to 2G ,CWG,etc. of many lakhs of public money also tries to justify the apocalyptic comments of the colonialists on Indian independence. This sort of egregious nonchalance or insouciance from the highest authorities of the nation will only promote the traitors of the country and the terrorists who are hell-bent to defeat the nation from within "without love", and allow them to thrive, prosper and flourish. At present ,the noble soul in heaven of the gentle colossus of India who inspired and kindled hope and dreams in Indian minds by his tryst with destiny speech at the stroke of the midnight hour of 14<sup>th</sup> & 15<sup>th</sup> days of August 1947, may be terribly stirring.

It is a quirk of fate, Sri A.K. Antony, former Chief Minister of Kerala belonged to an ancient Christian family of Kerala. His forefathers embraced Christianity attracted by the gospels of Bible and biblically divine equation that 'God Is Love'. But Sri A.K. Antony is against Bible and the Papal authority on the conduct of people only because of his inveterate opposition to the word 'love'. But for the aversion to the life message of Mahatma Gandhi- LOVE IS GOD AND TRUTH, Sri A.K. Antony was a Gandhian though not in the substantial sense of the word. He vehemently opposed all human attributes recognized by Bible and church, like love, compassion, charity, forgiveness, mercy especially while holding the position of power. It was due to the influence of this weird and cruel philosophy that he assumed office as Chief Minister of Kerala adopting affirmation of office instead of oath of office in the name of God. He is very obstinate and stubborn in upholding his philosophy even though it is antithetical to Indian Constitution and humanity. By the induction of him in the Union Cabinet the UPA Government also has adopted his philosophy against our Constitution. The idiotic adoption of this evil inhuman and traitorous philosophy disables the UPA Govt to advice the President of India to exercise the pardoning power under Article 72 of our Constitution.

Incidentally, it is the glorious and epic chapter of the history of crime and punishment of new Bharat that the death sentence awarded to Smt. Nalini who was convicted for the brutal murder of Sri Rajiv Gandhi, the former Prime minister of India and beloved of thousands of Indians, was commuted to life sentence due to the intervention of his wife and UPA Convener Smt. Sonia Gandhi. This exceptionally holy deed was done by Smt. Gandhi immediately on

learning that the convict Smt. Nalini had delivered a girl child in jail. The celestials of heaven might have joyfully sung paeans on this occasion of this victory of human heart. By this monumentally humanitarian action she celebrated and glorified the concept of Indian motherhood and blazed a new trail of mercy and compassion so far unknown to many Indians of this age. This nation is bound to move on this golden trail for the total abolition of death penalty in our Nation emulating this spirit of tolerance and forgiveness shown by Smt. Gandhi, and accept the concept of fraternity boldly enshrined in the preamble of our Constitution and declare that fratricide is immoral.

It may be a matter of dismay and disbelief to the world that the ministry headed Sri. A.K. Antony, the present Defence minister of India ruled many years the poor, innocent and helpless people of Kerala 'without love', that too without fear, taking a vow to do so at the time of the fake entry to the office of chief minister, committing monstrous fraud on the Constitution of India. It may also appall the civilized world the fact that Sri. A.K. Antony was inducted in the Union Cabinet and some others of his unholy cabinet were also allowed to hold Constitutional posts, surreptitiously condoning the harakiri of Indian Constitution committed by them, by the UPA Governments headed by Dr. Manmohan Singh Govt. It may also be a matter of consternation to learn for them that some of them like Sri. A.K. Antony steadfastly holding the view that the values like love and compassion are negative qualities for public servant are cruelly entrusted to advise the authorities exercising pardoning power of Executive govt or even exercising pardoning power.

It is the ancient wisdom of Indian subcontinent revealed through epics that rulers shall have love and compassion to the ruled. It is a belief of many in the modern India also that the first sloka in Sanskrit by Adikavi Valmiki was uttered out of pity and compassion seeing the merciless killing of a male bird by a heartless hunter and hearing the piteous wailing of the distressed female bird engrossed in love. Sri Poonthanam, a devotee of Krishna (Guruvayurappan) and a Malayalam philosophical poet of 16<sup>th</sup> century had narrated in his masterpiece, Jnanapana (song of wisdom) about the conduct of a ruler- Kripa koodathe bharicheedunna naran krimiyay janicheedum (a ruler reigning a nation without love and compassion will be reborn as a wretched worm). Unfortunately, in the present day India many of the politicians are like

Sri. A.K. Antony and his colleagues who are incompetent in dealing matters related to the pardoning contemplated under article 72 of our Constitution as they are bereft of love and mercy in their heart. This incompetence warrants abolition of death penalty in our nation.

In this connection, I humbly submit to your Excellency that I was compelled to make this representation because of the news reports with regard to the rejection of mercy petition of a few number of persons in death row on the basis of the advice of the immoral Cabinet of our nation led by Dr. Manmohan Singh who is reluctant to accept human love as a positive quality. On going through the foregoing paras of this representation I hope that the robust mind and heart of your Excellency will cancel the order of rejection of the above mercy petitions. The pardoning power is the most sacred of all powers vested with your Excellency and hence it has to be exercised not mechanically but most conscientiously. I respectfully submit this representation today in celebration of the International Human Rights Day. Moreover, this day of lunar eclipse is also befitting for informing your Excellency about the eclipse of the Constitution of our nation.

Dated the 10<sup>th</sup> day of December 2011

Yours faithfully

5/1

N. Krishnaprasad

Enclosures:

- I. Copy of representation from convener Secretariat Aikyavedi, dt 1-11-2006
- II. Copy of the communication from President Secretariat dt 14-1-2006
- III. Copy of the forged oath / affirmation of office in Malayalam adopted by the members of the cabinet headed by former Chief Minister of Kerala Sri. A.K. Antony
- V. English translation of the forged oath/affirmation in Malayalam of the ministers of the cabinet headed by Sri.A.K.Antony.