

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIKHS FOR JUSTICE, INC. et al.,

Plaintiffs,

-against-

KAMAL NATH and INDIAN NATIONAL
CONGRESS PARTY,

Defendants,

-and-

INDIAN LEGAL HERITAGE,

Intervenor

No. 10 CV 2940 (RWS)

DECLARATION OF MOTILAL VORA IN SUPPORT OF
THE INDIAN NATIONAL CONGRESS PARTY'S OPPOSITION
TO PLAINTIFFS' MOTION FOR A DEFAULT JUDGMENT

I, Motilal Vora, hereby affirm pursuant to 28 U.S.C. § 1746(1) that the following statements are true and correct and based upon my own personal knowledge:

1. My name is Motilal Vora.
2. I submit this declaration in support of the Indian National Congress Party's opposition to Plaintiffs' motion for a default judgment in the case of Sikhs for Justice, Inc. et al. v. Kamal Nath and Indian National Congress Party pending in the United States District Court for the Southern District of New York (the "New York Litigation").
3. I am an elected Member of the Rajya Sabha (Upper House of the Parliament of India) from the State of Chhattisgarh. Prior to this I was a Member of the Madhya Pradesh Legislative Assembly from 1972-92; Vice-Chairman, Madhya Pradesh State Road Transport Corporation from 1972-75; State Minister and Cabinet Minister, Government of Madhya Pradesh from 1981-84. I served as the Chief Minister for the State of Madhya Pradesh from 1985-88. In April 1988, I was elected to the Rajya Sabha and served as the Union Cabinet Minister of Health and Family Welfare (also holding temporary charge of the Ministry of Civil Aviation) Government of India in

1988-1989. I served as the Governor for the State of Uttar Pradesh from 1993 to 1995. I once again served as the Chief Minister for the State of Madhya Pradesh in 1998-1999. Since April 2002, I have been a Member of Parliament (Rajya Sabha) from the State of Chhattisgarh.

4. I am a member of the Indian National Congress Party.
5. The Indian National Congress Party is a national political party registered under laws of the Republic of India.
6. I maintain an office at the address of the Indian National Congress Party, 24, Akbar Road, New Delhi – 110011, India.
7. Within the Indian National Congress Party, I am the Treasurer of the All India Congress Committee.
8. The All India Congress Committee is the decision-making body within the Indian National Congress Party.
9. I have been made aware that the plaintiffs in the New York Litigation have alleged that they made efforts to serve process upon the Indian National Congress Party by means of the Convention on Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the “Hague Service Convention”).
10. I have made inquiries within the Indian National Congress Party to determine whether copies of the summons and complaint in the New York Litigation were delivered to the Indian National Congress Party through designated officials pursuant to the Hague Service Convention.
11. I have reviewed the records maintained by the Indian National Congress Party and have checked with officials of the Indian National Congress Party who are tasked with maintaining records and documentation received at the offices of the Indian National Congress Party.
12. To the best of my knowledge and belief, no summons and complaint from the New York Litigation was delivered to the Indian National Congress Party in accordance with the Hague Service Convention.
13. I have been informed that the plaintiffs in the New York Litigation have alleged that an entity known as the “Indian National Overseas Congress” is an affiliate or subsidiary of the Indian National Congress Party operated as a department or agent of the Indian National Congress Party. The Indian National Overseas Congress is not an affiliate or subsidiary of the Indian National Congress Party. The Indian National Overseas Congress is neither a department nor an agent of the Indian National Congress. The Indian National Congress Party has no ownership interest in any entity

known as the Indian National Overseas Congress, and the Indian National Congress Party cannot control its activities.

14. I have also been informed that the plaintiffs in the New York Litigation have alleged that entities known as "Indian National Overseas Congress USA Inc.," "Indian National Congress of America, Inc.," "Indian Overseas Congress Global, Inc.," and "Indian National Overseas Congress Haryana Wing, Inc." are affiliates, subsidiaries, departments and/or agents of the Indian National Congress Party. Those entities are not affiliates, subsidiaries, departments or agents of the Indian National Congress Party. The Indian National Congress Party has no ownership interest in those entities and cannot control their activities.
15. I am aware that lawyers purporting to represent the Indian National Congress Party entered appearances in the New York Litigation. Those lawyers were not engaged by the Indian National Congress Party and they were not authorized to appear in the New York Litigation on its behalf.
16. The Indian National Congress Party became aware of the New York Litigation and understood that since it was not served and it did not need to appear. After the Indian National Congress Party became aware that plaintiffs applied for a default judgment in the New York Litigation, it was decided that counsel would be engaged in the United States to represent the interests of the Indian National Congress Party.
17. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: April 23, 2012
New Delhi



Motilal Vora