

**Title: Further discussion on the Compulsory Voting Bill, 2004, moved by Shri Bachi Singh Rawat on 17.12.2004.
(Continued. Not concluded)**

17.05 hrs.

COMPULSORY VOTING BILL, 2004 - contd.

MR. DEPUTY-SPEAKER: Now, the House will take up item No. 34 - further consideration of the Compulsory Voting Bill.

Shri B. Mahtab to continue his speech.

SHRI B. MAHTAB (CUTTACK): Sir, I am going to conclude my speech.

The other day, I was mentioning about the first-past-the-post system, which we have adopted in our country. During the last fifty-six years of our independence, in the first two decades from 1947 to 1967, it has been found that one single party getting 37 per cent of the votes ruled over this country whereas 63 per cent of votes were against that political party. At no point of time did the parties which got 63 per cent votes say that they were against the single party which got 37 per cent votes, as it happened very recently in one State of our country. One can imagine how the founding fathers of our Constitution would have reacted if such a situation had occurred in the 1950s or 1960s, when they were alive and were Members of different Houses in either the States or in Parliament. This is a point which should be deliberated upon.

In spite of universal adult franchise, the voter turnout even today seldom crosses 60 per cent. Bogus voters are still there; rigging is still there; and re-polls are unable to wholly eliminate them. Horse-trading is also still there. Strictly speaking, elected candidates, in a sense, cannot be called people's representatives. If people elect independent candidates of their choice, they cannot form a government. Basically, party candidates can only form a government. This actually puts the electoral system through a difficult phase.

Stalemates after elections also continue, contrary to the cynicism that is prevalent in some sections of our society. A majority of the population of our country wants to vote. For an adult Indian to vote, the requirement is that his or her name should be in the voters' list. It should be a name, featured in the electoral rolls correctly. This, one would assume, is a routine matter; but that is not so. What happened last year, in 2004? There were glaring examples in Karnataka, Andhra Pradesh, and even in Orissa. During the last general elections, there were reports in different newspapers and in different media that there were large-scale deletions of voters' names from the rolls. In Andhra Pradesh, the quantum of deletion was 19.9 per cent in Prakasam district; and 11.2 per cent in Srikakulam district. In short, lakhs of Indians were forcibly disenfranchised.

The game of cricket is being played today. It has again started. In Gujarat, the names of two of our eminent cricket heroes Parthiv Patel of Ahmedabad and Irfan Pathan of Baroda were not there in the voters' list.

They did not cast their votes. One of our leading editors of Orissa found her name was not there in the voters' list. The name of a retired Director-General of Police was also not there in the voters' list. These are all eminent persons. Thousands and thousands of names were deleted. They were not approached by anyone saying that you have registered yourself here or you have registered yourself at some other place. But thousands and lakhs of names were deleted from the voters' list, which is the basis on which our voting depends. The Election Commission has conveniently shifted the blame to the administrative set up, to the political parties, and to the politicians that it is their job to ensure that their voters' and their supporters' names should have been there in the list. But this is not a credible justification. In any case, the responsibility for the electoral rolls rests with the Election Commission and not with the State or the Central Government.

What is surprising is that the incompetence and ineptitude of the Election Commission has not attracted more indignation. The onus of ensuring free and fair election rests with the Election Commission. That is why, it has been conferred with exceptional powers. How do they use those exceptional powers? Unfortunately, in the guise of preserving the independence of the Election Commission, we have ended up with creating an unaccountable set up.

My hon. friend, Shri Bachi Singh Rawat, has also moved another amendment and in that amendment I find that it is more justifiable. In that amendment, he has mentioned that a person who fails to cast his vote shall be disqualified from contesting any election for a period of, at least, six years from the date of his conviction. This is a rider which he has given in the Bill. To a certain extent, a person who is provided with a right, he also should be responsible about his duties. This amendment comes along with that line.

The adult franchise has provided the right to vote to around 55 crore or more people of our country. But how many of them are actually exercising their votes? There are a number of reasons about which I had explained in my earlier speech, the previous day. But today I want to confine myself that there are certain democratic countries in the world where the onus lies with the voter that he will come and register himself to exercise his power. That is how the list is prepared. If he is unable or if he does not want to cast his vote, then he is disenfranchised. He has to give a good reason as to why he is unable to cast his vote. Then, his name is removed from the register. If he does not cast his vote, a period of six months or one year is given where he is unable to get any Government service or he is unable to get any employment in that country. There the duty towards that country comes to the forefront. I think, that is more required.

We have adult franchise. When we got Independence, at that time, we had fought against a colonial rule and people's upsurge was there to bring in the whole society into the political fold. That was also in the minds of the founding fathers of our Constitution. But, at the same time, a sense of responsibility, the duty towards this country also has not developed to that extent.

But, at the same time, I would say that while educating the people about their responsibility to exercise their franchise, an attempt also should be made in the scheduled areas where development has not taken place to that level. There, an incentive has to be given; but in other places a disincentive also should be made a provision.

These are my concluding remarks. With these words, I support the amendment which has been brought by the Mover of this Bill. But,

at the same time, our country, I think, is so large, so vast and so varied that we need some more time to have a compulsory voting system in this country to make it effective.

Thank you. With these words, I conclude.

SHRI PAWAN KUMAR BANSAL (CHANDIGARH): Mr. Chairman, Sir, I value the spirit with which this Bill to provide for mandatory voting, compulsory voting has been moved. But given the present circumstances, I find myself unable to agree with the provisions of this Bill. I agree that though we have done enough in improving our electoral system during the last two decades, yet much has to be done. Electoral reforms is a continuing process and we have to, whenever the situation warrants, whenever we gain a new experience from the working of the existing provisions, bring about the necessary changes in the electoral law. It is also because in a changing, moving and dynamic society as ours, no law can be static and we must always be prepared to learn lessons from our experience and take steps – legislative or otherwise – to remove the lacunae, to overcome the difficulties and have a law which is, in effect, a working law on any subject whatever.

Having said that, I feel that the suggestion to make voting mandatory for the people would, in the present circumstances, run counter to the democratic principles as such. In a true democratic society, in a true democratic polity, I think, it has to be left to the individual whom does he want to vote for or whether he wants to vote at all or not. And whether he wants to vote at all or not is as important as, we say he should have, the freedom to vote without fear and without any pressure whatever.

17.19 hrs. (Shri Devendra Prasad Yadav *in the Chair*)

If there were to be a law forcing an individual to mandatorily go to the polling station and cast his vote despite the fact that he does not like any of the candidates therein, I think, that would be a mockery of law itself. There may be cases and there are a large number of instances where people do not prefer to vote for any of the candidates. Do you, in that circumstance, in that event, want to force it upon him that irrespective of his own feeling, irrespective of his own idea or notion or opinion about the candidate, he must still vote for somebody? Would that be democratic?

If we were to go into the reasons why there is low percentage of voting in our elections, I think the obvious conclusion that one would come to is that it is not because there is no provision for compulsory voting.

Sir, you may look at the figures of voting percentage anywhere in the world. I suppose, India would be faring better than others. If we were to have a segment-wise or class-wise analysis of the voting patterns, I think, the people who are less educated, who are illiterate are more conscious of exercising their right to vote than the educated ones. Why is it so? The people at the lower strata of the society consider this to be an important occasion when they have the right to assert themselves. Otherwise there is nothing worth democracy for them. We have been wanting always to usher in a true participatory democracy, but we are nowhere near it. People in the higher strata of the society have some sort of apathy towards the entire system as such. Call it indifference or call it cynicism, the net result is that they do not wish to go for voting.

As I said, the feeling about the politicians as a class is not only confined to India; it is worldwide. It is for us to do something about it. I do not deny that. But when we come to this question whether we just make a law here to make voting compulsory for them, I think the time is not ripe today and the time for this can never be ripe except in only one circumstance, in one set of circumstances or environment, and that is the suggestion that I would like to make.

Before we make voting compulsory, I would like to say that there are certain other things that we have to provide for. We have to make it conducive for the people to vote. What happens today? People want to exercise their right to vote, but they cannot. When I talk of the people in the lower strata of society - unfortunately, they are not well off - I find that they want to vote, but the circumstances are such that they are stopped from voting, they are not permitted to vote or the conditions are such that they cannot dare to go out to vote. What we have to do, what we have to ensure is that all those who are willing to vote, who want to participate in the voting process should be able to do it without hindrance or without fear.

Coming back to this important point, which is the subject matter of today's Bill moved by Shri Rawat, of compulsory voting, I would like to say that if you want to provide for compulsory voting, there has to be a condition precedent to that. Make it mandatory to provide in the ballot paper or in the voting machine that say, if there are ten candidates, there should also be eleventh entry "none of the above", that is, negative vote. If you provide for that, then, I suppose, there will not be anything wrong with providing for compulsory voting also because then, maybe, people would come out in large numbers to vote to exercise their right to vote, to express their opinion. If they do not like any of the top ten or any of the candidates, they may have the option "none of the above" to vote for.

We are following first-past-the-post system. I am wanting to be brief in this matter. I am not talking of the merits or the demerits of the list system because then the things could be different. If we are retaining first-past-the-post system - and I am in favour of retaining the same for very valid reasons - with that system in vogue, you can make the voting compulsory only if you provide for a negative vote.

I mean to say, if the voter coming to the polling station does not wish to vote for any of the contesting candidates and if majority votes are polled in favour of 'none of the above', then the election should be declared as void. Furthermore, none of the candidates who had contested that election should be allowed to participate in the subsequent election. This method can be experimented if you are prepared to do it.

If the election is held again, as it ought to, with any number of candidates in the field, and if the same situation is repeated, then none of them should be elected. This measure may bring about some salutary effect on our political system. But if you were to include compulsory voting and expect every ordinary citizen to go and vote, then it would not serve the purpose. It would rather go against the very principles of democracy.

Sir, having said this, all that I would like to further say is that we always talk about improving the system. This is the spirit and feeling

places where they live. That is also one of the reasons why the number of votes are reduced. Another thing is that a large number of people do not find their names in the voters' list. Their names are deleted. When people go for voting, they do not find their names in the voters' list. That way, many genuine people cannot vote because their names are not there. So, proper voters' list is necessary. People cannot exercise their voting rights without that. That is another area of concern.

There are many other reasons which are mentioned by my friends. These are the reasons by which the percentage of voting is coming down. We have to give some avenues, we have to bring some changes. How can we do that? We can think of the steps that we can take.

As I have said, education is a must for raising consciousness among the people. We have to ensure that they get some education to read and to understand the programmes of the various political parties. We can then select all the things that are necessary.

Another area is information. What type of information should reach the voters? We know there are many difficulties. We have talked about electoral reforms, State funding of elections and so on. Voters should get all the information on the basis of which they can make up their mind. Therefore, proper dissemination of information to the voters is another important thing. We have to see that free and fair elections are conducted. That type of atmosphere is necessary where there are no obstructions and poor people vote in a particular way they like. We know about the role of hooligans and criminals in elections. We have to ensure that voting is done in a free and fair manner and voters should not be harassed. That is also another area of concern.

If I think about it or you think about it, that alone is not enough. We all have to put together our understanding and thinking as to how the system can be improved. If one section follows the mission and another section follows the path of crime, then both the things cannot go together. We all know about criminalisation of politics. Criminals are joining in large numbers. This is an area of concern. We know, earlier, criminals were used by politicians. Now criminals have become conscious. They have started questioning why they should be used by politicians. These criminals have refused to be used by politicians. They themselves are becoming politicians. In these circumstances, how will the people have faith in the system? It is because of that that the people are losing faith in the system. We have to think about this jointly.

We see that different people are using the system differently. We have to find some way as to how we can achieve this goal. Protection of those voters should be ensured. Those voters who are away, should be allowed proper methods. An atmosphere should be created where they are given opportunity to cast their votes from their places of residence. These are certain methods which we all should ponder over. Parliament should think about it jointly and unanimously. We have to reach an understanding in a non-partisan way. Different parties may have different perceptions. We should have consensus where all the political parties should work in a particular manner which will be agreed to by all.

That is necessary. Without that, just by law, nothing will happen.

On the electoral reforms, there are so many Committees, including, the Dinesh Goswami Committee and the Indrajit Gupta Committee. These reports are just lying in the office and there is no use of them. So, we have to think in this regard.

There is no dearth of suggestions. We do have suggestions, but we need to have the will. If we have the will and we want that the political parties would come together, reach certain consensus and make certain rules, and then follow those rules, definitely people would have more and more confidence on us. Then, the number of voters using their franchise would also increase.

Sir, in West Bengal, Kerala, Tripura and to some extent in Tamil Nadu, the voters turnout percentage is very high, but in the Northern India, voters turnout percentage is very less. Why does it happen, we have to ponder over it. It is varying in different States of the country.

Sir, in our State of West Bengal, there is an intense competition among the people, among the political parties on political issues. There is not a single day in West Bengal when there is no political issue being discussed among the parties, among the general public. Congress party would say something, CPI (M) Party would say something and the Trinamool Party would also say something. All the issues are being discussed among everyone of us there. It is a part of everyone's life. There, politics is not only during the voting days, which are for 10 days to 15 days. In West Bengal, politics is a matter of general discussion for the people all around. Similar is the position in Kerala, Tripura and some other States. People there are conscious. It is because of intense competition among them over politics, political issues. According to their belief and faith, they vote. That is our experience.

If that intense political debate, discussion and consciousness are there among the general people in the whole country, I think, every voter would go and cast his vote. So, I think, it is all the more necessary. But we find that all this is absent at many places, in many States of the country.

Finally, Sir, I would say that we, all the political parties, should have consensus on issues like this. On the electoral reforms, we should be determined to have a consensus. We should have proper revision of the electoral system. We would have to agree on certain things, evolve a consensus and then act in the same manner. If that happens, definitely our system would be strengthened, faith of the people would be restored; and the people would feel that their representatives would behave in a particular manner, in their interest, in the national interest. If that happens, people's consciousness, faith and confidence on the political parties, on using their voting franchise would grow. Otherwise, you all know, how and why we are losing ground.

Everything is possible. But the main question is whether we have the political will, whether we would, all together put all our efforts unitedly and unanimously in trying to implementing certain standards and methods in a uniform way all over the country. All this is very much necessary. If we think seriously in this respect, we would improve the situation all over the country.

SHRI C.K. CHANDRAPPAN (TRICHUR): Sir, I thank Shri Bachi Singh Rawat for having introduced such a Bill so that we get an opportunity to discuss this serious question of voting, as to how the right of voting should be exercised.

I may not agree with the provisions of the Bill, but I also agree with the good spirit in which Shri Bachi Singh Rawat has brought this Bill to this House for consideration.

Now, this is inextricably linked with the question of electoral reforms.

18.00 hrs.

It is not an issue, that can be taken up separately.

Just before me, the comrade who spoke here was explaining the aspects connected with electoral reforms and their importance. Now, it is not that people are not voting because they do not want to do so. There are many reasons that stand in the way of their exercising their vote. One of the reasons maybe the use of money and muscle power in our elections. They play a big role, especially in the Northern part of the country. It is not that I am saying that the South is very virtuous. But, comparatively it is like this. It may have historical reasons. But, when a voter has to face such money and muscle power, he finds it extremely difficult to exercise his right. Maybe, he is a poor man employed with some landlord or employed in a company. The *malik* of the company or the landlord takes a position that he should vote to this or that party; otherwise he may lose his job or he may be beaten up. In this type of a situation, that man has to decide either way. If he is a little politically conscious, then he would decide to abstain from voting. It happens because, if he casts his vote, he will either lose his job or maybe beaten up. In such a situation, the best possibility is that he would not exercise his vote.

There are other reasons also. It maybe that a person wants to exercise his vote but as he is working far away from the place where he is registered as a voter, he does not. Now, take the case of Kerala where the percentage of voting is comparatively very high. Even in Kerala, there are lakhs of people who work outside India, especially in the West-Asian and the Gulf countries. I think that there is a thinking in the Government that they should be given the right of voting. They do have a voting right but cannot exercise it because they are far away. Probably, they will not be able to fly back to India, cast their vote and go back. Only a few rich people can do it; others cannot. So, knowing fully well that they have a desire to vote, they have a certain political understanding as to whom they should vote and all that, their desire to cast it becomes a mere wish. This happens to millions of people in Kerala. It is a reality. Even then the vote percentage is very high. What does it mean? Probably, every single person, who is valid – I mean physically in a good shape and who can vote – votes. They all cast their votes.

Then come the activities of the political parties. There, they only try to make people conscious of their right. That plays a very important role. As was told about West Bengal, the people discuss politics, they discuss socio-economic issues on a day-to-day basis. In Kerala, you will see that every single person reads a newspaper – probably more than a newspaper. It is not that he is subscribing it. But, there is this tradition in the districts of Malabar region, where *bidi* workers roll the *bidis*.

They will keep one person who do not have to roll beedies; in a factory, where there may be probably 50-60 persons, who will be rolling beedies, one person would not roll beedies, his only job is to read out all the newspapers for which they subscribe. He will read out all the political pamphlets; even good novels, he would read out; he would read out other books also. Others work and they hear what he is reading. They develop that capacity

to work and hear. They pay for the reader from their pay.

As a candidate if you go and talk to them, you will always be put in dock because you would not probably be as aware of the things as they are. Normally, they will not spare their votes like that. They will cast their votes and cast them very consciously. It is not so easy to stop them with your muscle or money power because they have that power of togetherness. That strength is there and they will cast their votes. In that situation, the only thing is that if a candidate can convince that you represent the right politics and you are the right candidate, then you are assured of their votes. That type of awareness is there among those voters and that is a very important thing.

It is not something that you create in a day; it is a process through which these beedi workers reach that stage. The trade unions play a role in it; the political parties play a role in it. Those people will say what their representatives should do in Parliament because they know what a representative can do in Parliament for their benefit. They will say that you should introduce such a Bill in Parliament or you should fight for such and such things so that their rights and privileges are assured.

Are we bringing in that type of development or consciousness among the people? It is the question which all of us should ask ourselves. If people are conscious to that level, then there is no need to compel them. They know that it is their right and they also know that the right of franchise is an instrument with which they can change the whole system. It is with that consciousness that they will vote. They will then vote in great numbers.

In Kerala probably, we need not run after the voters, asking them to vote for you. The only thing is that you should convince them that you are the right candidate and your programmes are the better ones than that of others and that they should vote for you. But here in the North, the difference is that probably a majority is not voting. It is a very unfortunate situation. Even after nearly 60 years of Independence, a majority of the people is not voting. It is a reflection of our politics and even of our democracy. So, the question is to strengthen democracy. Strengthening of democracy means that people at all levels – even the most downtrodden and poor – should be able to see that they have the right to vote and that is the instrument by which they could change the society.

If that consciousness is there among them, they will surely vote. Even if you have provisions like if anybody does not vote, he will be put behind bars or he would be fined – the wish or intention is good so that they will vote – but that will not help. On the contrary, what we should do is to create awareness among the people about the importance of the right to vote, which should be developed.

Then the situation will change. The situation will drastically change. This is again a question of electoral reform because it is not that we have to detach the voting right from everything and then discuss. It is a question of how electioneering is conducted, who will put the bill, the question of State funding of the election, the question of propaganda through the Media owned by the Government. All these are to be taken as a package and then we should discuss how the electoral system could be improved as demanded by our democratic system.

Our democracy or for that matter any democracy wants that its citizens should exercise their voting right. That is the elementary thing. But when it is not done, let us not think that it is the fault of the people. It is not. Probably it is our fault. If the political parties are working among the people at the grassroot level, not only at the time of elections, throughout the year, every day, every month and every year, take up their problems, in relation to their lives, and try to solve them, then they will understand that politics has something that is helping them. Otherwise, they will think that this fellow wants to become a Member of Parliament and wants to enjoy the fruits of Membership, let him enjoy. They think that it is his business and not theirs. To make them understand that it is their business, we will have to take such measures by which they may feel that it is the Government of the people. That feeling can be generated only by the actions of the Government.

In Kerala, Land Reforms have been introduced not for the sake of introducing land reforms. The basic structure of the society has been changed. Every landless person, a hutment dweller, who never might have imagined that he would become the owner of a few cent of the land - after all the land decides the status of a person in the society - every landless was given 10 cents of land.

Then came another project. Even before all these new projects of housing came, in Kerala we had introduced a scheme to provide one lakh houses for the poor people. And as a result of this they realised that voting was something by which they can get the land. Voting means that one can fulfil his dream of a small hut, which probably one's grandfather or father could never materialise. They can get all these things through voting.

एकमेव प्रवृत्तता एक संकल्पना है। स्वतंत्रता और लोकतंत्र के अभाव में एक ही प्रकार के दल और इंसान ही भाग ले सकते हैं।

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DR. THOKCHOM MEINYA (INNER MANIPUR): Mr. Chairman, Sir, I rise to participate in the debate on the consideration of the Compulsory Voting Bill moved by our hon. friend, Shri Bachi Singh Rawat. When he introduced this Bill on that particular day, my mind goes back to the days I was going for my electioneering.

To be very frank, I joined the electoral politics only in 2002 after a long stint of my teaching career. That too, I was in that process only for 13 days before the election. It was very interesting that people who wished to vote enormously in my favour did change their mind just two or three days before the election. Perhaps, all of us are aware how this has happened.

When we analyse all these things, I really appreciate the ideas put forth by Mr. Rawat while introducing this Bill. I think he has expressed everybody's wish that all should exercise their franchise. In a country like India, being the largest democracy in the world, unfortunately this did not happen so far. Sir poor turnout for voting must be one of the reasons which perhaps made him think to introduce such a Bill. But I am afraid that in this country where we have a lot of freedom enshrined in the Constitution, compulsory voting means use of some sort of compulsion or force. I am afraid that this may bring some negative results. Perhaps, for this, we have to wait for some time. For that, we are trying to analyse how to improve, rather increase the voting percentage.

We have just heard our hon. friend from Kerala. He had put his points so nicely that once the voters realise that their needs are met or made to be met by the process of voting, by the democratic system, perhaps all will come out for voting. Anyway, it depends on many things. Let us look at two occasions, namely the time of legislative and parliamentary elections and the time of elections to the local bodies. In the elections to the local bodies, the turnout of voting is very high. Why? It is because, perhaps, in that particular election their immediate needs are met because the area is small and the voters know their candidates very well. They take every initiative to go for voting and elect their right candidate.

So, there comes the quality of the candidate. Why I said quality of candidate is because it all depends upon the candidates. There are many candidates for whom the people do not want to vote, but we cannot stop them from contesting the election by the system that we are following now. So, that way when we go for compulsory voting, I am not taking a stand that I object to this. I would put it in this way that we have to take some time to educate the voters. Let the voters know that this is their primary right and that all of them should go for voting. For that, we are very much optimistic that with the system of education that we are now putting forward, every voter in a democratic country like India should be well educated. When I say well educated, I do not mean that a voter should be a Ph.D., like me, or he should be a lawyer like our friend Mr. Kapil Sibal. What I mean by education is that they should be able to express their views on all social issues, including political issues. They should be able to understand what opinion others express on particular issues so that they themselves can exercise their own minds and come out and join the system of democracy. That will be very fine.

In this connection, perhaps, the Sarva Shiksha Abhiyan by which we are now trying to make compulsory and free education up to the age of 14, might help to a certain extent. In the primary education, as you know everybody in this country is now talking of a three-language formula. It is very fine. In my place, we have our local vernacular, Hindi and English.

Sir, I am very sorry that I cannot speak fluent Hindi even though I can understand when my friends speak Hindi. Though Hindi is not compulsory, even then English is a good *lingua franca* now. We can understand each other in that language. Once at the primary level a particular student starts a proper spelling of their local vernacular, and some amount of arithmetic to do his day to day calculation and some sort of behaviour about the system of the country, then perhaps he should be able to participate freely and frankly in the election process. Here, I will use the word 'ignorance'. The voters are very ignorant, particularly in my area, maybe because my area is a hill area. Manipur is 90 per cent hill area, and only 10 per cent is plain. Like that, many other States have hill areas. Therefore we come across a peculiar situation. For example, villages are at very far far distance from the polling stations. They are just linked with a small road. Sometimes, some goondas or some moneyed-men will stand on the way, and say 'you do not go for voting, somebody will vote on your behalf, on behalf of the entire village'. There are instances, when some of the hon. Members, may be in the Parliament, even in the State Legislature, could win their election before they actually filed their nomination papers. You know some forces are there, which force them to contest election and make them win without any fight. These are certain things which are prevailing in the present system. So, for that, we require cent percent literacy, which is a little away at the moment. My friend Shri Rawat is not present in the House. I would request him that let us wait for some time to make compulsory voting because this

may give negative results.

Sir, there are many other things, I would like to point out. While educating the voters, we have to inculcate our democratic temperament. One should realise that ours is a country that has taken the administration from the hands of the monarchs and kings, and now we are running a Government by the people. So, we have to work together. We have to inculcate this democratic temperament, as we did in the case of scientific development.

State funding of elections is one issue which I would like to raise while taking advantage of this opportunity.. State funding can be done in the elections. The candidates have nothing to spend in the elections. They just put forward their bio datas, their activities in social life and all sorts of things, and the voters can decide to elect or select their representatives. Perhaps that is a very good thing. Money plays a very big role in our election process. In the beginning, I told my election was so short. Just two days before the whole scenario changed. I come from a teaching profession. I was not having enough money to fight elections, but even then, somehow, by God's grace, I could win. It was terrible. So money creates a problem. That is exactly happening in the elections. I represent the Parliamentary Constituency under which there are as many as 32 Assembly segments. Our population is less. Therefore, the number of seats in the Assembly are in proportionately high. So there a man having money can purchase votes. That is the real problem. Once we go in for State funding so that the candidates and the political parties do not spend money in the elections, maybe that will be a very good thing.

With these words, I once again appreciate the feelings, rather the motive, with which our friend Shri Rawat has moved the Bill. I wish we should give it some time. Then perhaps things will come up slowly and it will be very right.

SHRI KHARABELA SWAIN (BALASORE): Thank you, Sir.

I think, it is a very well-intentioned Bill. Probably, the intention of Shri Bachi Singh Rawat, who has piloted this Bill, was that it is always the candidate who gets a minority vote who wins. Suppose a total of 50 per cent people have voted and 50 per cent of that 50 per cent have voted in favour of a candidate. The candidate who has got only 25 per cent of the total votes wins the election. Probably, this was the reason that has driven him to pilot such a Bill.

Actually, it is not the poor who do not come to vote; it is the educated, who have a cynical view against democracy and politicians as a whole, who actually do not come to vote. For the intellectuals and elite class people of this country, politics is a cesspool. That is their feeling.

As a Member of Parliament, I have contested many elections. I find that for the poor people the election day has become a national holiday. They have probably gradually understood that it is the elections which have empowered them. They have realised that that is the power they have.

During the last Jammu and Kashmir elections, I remember a *panwala* was asked why he voted in the elections and whether he did not have any fear for his life since the terrorists had threatened people not to vote. He said, he initially thought he would not go to vote. He was sandwiched between the terrorists on the one side and the security forces on the other. He felt powerless. But, all on a sudden, on election day, he felt, he had some power and that was his power to vote, which he must exercise. So, it is the poor in this country, who come out in more and more numbers to vote but it is the cynical educated people who do not come out to vote.

The Bill that has come up seeks to make voting compulsory. Maybe, we could make it compulsory, but I do not think in most of the countries in the world it is compulsory. In the American Presidential elections also, hardly more than 50 per cent people cast their votes. In the UK and in most of the western countries, where educated people are more in number, never 70 per cent cast their votes. We find in India that mostly people come out to vote in good numbers; and sometimes even to the extent of 80 per cent. So, I do not think, making it compulsory is going to help much. On the other hand, it might create problems.

If somebody is sick or away, how could he vote? If he does not vote, could we punish him for that? If somebody is prevented from voting, what would happen? We could say that we would provide security. Can we provide security to each and every person? A threat need not be simply physical. It could be psychological also. If a person says, 'Do not go to vote. I would not tell you what I would do if you vote today but tomorrow I can take action against you', you could feel threatened.

There could also arise a situation where a person can't cast his vote. During the days of Khalistan movement and ULFA movement, we had seen such situations. At that time, when I was a civil servant, I had gone to Assam on election duty because the Government officials in Assam did not agree to perform election duty. We had seen in those days that hardly ten to fifteen per cent voters came out to vote.

In that case, can we punish somebody because he could not vote? So, I think, this might not be a real solution. We should just improve the consciousness to vote gradually. This would increase the percentage of voter turnout in elections.

Another point was raised by the hon. Member who spoke just before me from the other side about State funding. Would State funding solve the problem? It is all right to say that the State would give some money to everybody but I would simply cite one example. Almost each and every candidate spends some money for booth management. It is done just one or two days before elections and it is not accounted for anywhere. If somebody tries to bribe the voters, how are you going to find it out? Even if you have State funding, the same maladies would recur. So, I do not think, State funding is a solution to this.

In the whole gamut of electoral reforms, I would raise certain points which could be discussed and thought of. The first point relates to the provision of national identity cards. It could be a multi-purpose national identity card issued to every citizen so that it would prevent infiltrators from coming to India and grabbing all the economic opportunities here. India has become a milking cow for everybody from Bangladesh and Pakistan. From Pakistan, many people came to watch the cricket matches. Out of them, 34 people are absconding. It is not known where they have gone. Why is it that when Pakistanis come here, they vanish in India? Why is it that when Indians go to Pakistan, they come back? It should be seen that there should be a national identity card so that no outsider is allowed to get any benefit that he is not entitled to.

Another point which could be debated is whether the Prime Minister and Chief Ministers should be elected or appointed by the President and Governors. They should be elected in the Houses, as we are electing the Speaker, so that the question of Governors' intervention and the functioning or the impropriety of the Governors would not arise. So, this could be debated. I do not say that it should be decided but it could be debated.

Another point which could be debated is whether the tenure of the Lok Sabha and of the Vidhan Sabhas should be fixed, just like that of the American Congress. If you elect the Prime Minister and the Chief Ministers in the Houses, you would have to fix the tenure of the Houses and they could not be dissolved before that.

One more question is whether we should have a Presidential form of Government. Should the President be directly elected by the people? This should also be debated. Even after 58 years of Independence, we could debate whether we need a change in the system of government. Let us debate it. If we agree, we could bring in a change in the Constitution.

Should persons convicted by Courts be debarred from contesting elections even though they go on appeal? All the time they say that it is a judicial process, it is in the Court, and he has gone on appeal, even though the person has been convicted by the lower Court and sentenced to jail for three years or five years. So, still he is able to contest elections. Therefore, this point should also be debated.

My contention is that this is a very well-intentioned Bill but it might not be practicable to implement it. So, it just goes to prove that India is a shining example of democracy. I wish that the proposals I made should be debated. This should be debated so that gradually and gradually, like in England and in United Kingdom, India could become a symbol of democracy, a symbol of bright democracy and exemplary democracy.

SHRI GIRIDHAR GAMANG (KORAPUT): Mr. Chairman Sir, I appreciate the spirit of the Bill moved by my dear colleague, Shri Bachi Singh Rawat.

I will start with the hon. President's speech delivered to the hon. Members on the occasion of conferment of Outstanding Parliamentarian Awards for the years 1999, 2000, 2001 and 2002. I quote:

"What amazes the world perhaps is the sagacity and maturity of the Indian voters who have always tried to exercise their mandate conscientiously and enthusiastically proving once again that as envisaged in our Constitution, the people are sovereign and the power flows from them.
"

He has given two words. One is developmental politics and another is political politics. These two words definitely give us a serious thought of the development which we had experienced after a number of elections in the country.

We have got three Governments in the country. One is the Central Government, second is the State Government and the third one is the local self-government. So, all the three Governments always will have elections and elections starting from panchayat to Parliament. Therefore, people instead of voting after five years may be voting in less than five years or even less than that, or sometimes even lesser than that period. It is because we have reached a stage where there is no recall of the elected bodies at the lower panchayat level.

Elections are must in a democracy because the Governments will have to be formed by the people, for the people and of the people. You cannot avoid the elections. But frequent elections at all levels definitely create disgustment in the minds of the people. Therefore, we have to see how to curtail the frequent elections, and it is a matter of discussion for the future.

We had a number of Governments. The voters voted in different elections. But why the percentage of voting is changing? At different elections we had different patterns of voting with different percentages of voting.

I would like to mention here that during the elections, the five `VIP's' play a major role. These five VIPs decide who will vote, what will be the percentage, etc. They are: very intelligent person, very intellectual person, very influential person, very illiterate person and very innocent person. However, the `very important persons' also participate in the voting. But whose voting is more and whose voting is less will have to be surveyed to know the pattern of voting. The important point is whether the frequent elections can be avoided or not.

It is a debatable question. But we are not able to come to that point as of now.

MR. CHAIRMAN : Hon. Member Shri Giridhar Gamang, you will continue your speech next time because you are on your legs.

I thank all the hon. Members.

The House stands adjourned to meet again at 11 a.m. on Monday, 18th April, 2005.

19.30 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock
on Monday, April 18*, 2005 / Chaitra 28, 1927 (Saka).*

* Subsequently 18th April, 2005 was declared as Holiday on account of Ram Navami and the House met on 19th of April, 2005.