

15.30 hrs.

COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS

Second Report

[Translation]

SHRI RAMESHWAR PRASAD (Arrah):
Mr. Deputy Speaker, Sir, I beg to move:-

"That this House do agree with the Second Report of the Committee on Private Members' Bills and Resolutions presented to the House on 18th April, 1990."

[English]

MR. DEPUTY SPEAKER: The question is:

"That this House do agree with the Second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 18th April, 1990".

The motion was adopted

15.31 hrs.

RESOLUTION RE: POLL REFORMS—
CONTD.

[English]

MR. DEPUTY SPEAKER: The House shall now take up further discussion on the Resolution moved by Shri L.K. Advani on the 23rd March 1990 Shri A.N. Singh Deo to continue his speech..

CH. JAGDEEP DHANKHAR:
(Jhunjhunu) Sir, I crave your indulgence for enhancing the time for this discussion.

MR. DEPUTY SPEAKER: We will see when we come to it. No problem. You will

have sufficient time.

SHRI A.N. SINGH DEO (Aska): Mr Deputy Speaker Sir, if money and muscle power has gained importance, then we have to put the blame squarely on the party which had been in power for the last forty years.

In India there is a saying, *Rajan Gatah Dharmah* that is, whatever the king does, everyone follows. So, after independence when the Congress came to power and they were able to retain the power through money, the proper democratic set up in this country did not grow. It is unfortunate that with this money and muscle power, which came afterwards, combined together they had been in power for the last forty years. It is also unfortunate that some of them now, after going out of power, are saying that it is the Opposition which is adopting these dubious methods.

When this debate was going on earlier, many of our friends on the other side brought in the matter of Meham. They said that it is the Janata Dal which has created mayhem in Meham. Unfortunately they forgot what happened in Amethi during the general elections. It is unfortunate that in the constituency from where the country's Prime Minister was contesting the Election Commission had to order repolling in 90 booths, and an Assembly candidate was shot and seriously wounded. It cannot be more shameful that such a thing should happen where the then Prime Minister of India was contesting. But unfortunately nothing happened to that.

We should be proud of our Prime Minister and our Party because as soon as the complaint was heard about Meham the Party requested the Election Commission to countermand the elections in Meham. As you know, there the elections are going to be held again.

So, it is meaningless to blame the present Government or the then opposition for the state of affairs in our country. But the basic thing is that since the majority party for so many years has completely polluted the

election atmosphere in this country, we are facing this problem now. Many suggestions have come as to how to bring about the election reforms. I have said earlier also that it is good that our Government is seized of the problem. They are going through some exercise. They have appointed a committee and that consultative committee—for law and justice—is also going through this exercise. So, it is not necessary that we should pass this Resolution. But it gives a good opportunity for us also to exercise, to give our views on this, at this stage. The point is that for the basic change in the electoral system, we must have a proper political party. One famous political commentator, Shri W.B. Munro once said, "No country has ever been able to maintain, for a considerable period of time, any form of democratic Government without the aid of political parties and it is safe to prophesy that no country ever will". So, when we talk of electoral reforms, we must talk of the political party which forms the very structure, the very foundation of the democratic system. Unfortunately, in India, the political parties do not have statutory powers, statutory status and statutory functions. In the Representation of People's Act, there are certain conditions, certain stipulations that the Election Commission can recognise and allot symbols of parties. If the question of symbol was not there, I do not think that we would have any mention of political parties. So, the basic thing is that in a country, when we talk of the electoral reforms, we must think of giving a political party, its proper place and proper legal status. Otherwise, what will happen is that we will have parties breaking up and coming together, where it is not a democratic party, but a democratic caucus which will start ruling the country. Again I will say that this tradition was set in by the party which was in power for the last forty years. I do not say that it is there from the very beginning, but at least for the last twenty years it is there. The very basic structure of the political party has been diluted. That is why, it is essential that the faith in the political parties must be brought back. I would give an example. Our friends talk of the tradition of the Congress party, they talk of the tradition of Mahatma Gandhi, they talk

of the tradition of Jawaharlal Nehru. First of all, let us see what status they have brought to their party. I will quote what one of the senior most leaders of the Congress party, Shri Kamalapati Tripathy has to say in this regard.

"I am a disgusted man. I have not lost hope, but I am a sad man. I have been in the Congress for the last 70 years. But I had never seen such a degradation of the partymen's character. But, what I saw was that the Congress (I) fashioned by Shri Jawaharlal Nehru was being destroyed. I therefore, tried for the last four years to stop the downward slide, giving advice and writing letters, but these produce little results. Some Congress (I) workers who visited me always stressed that the party needed me. But the very same persons, on going to the other quarter, would advise equally strongly to expel me. I have been looking on helplessly for four years. My heart is broken. I see no good in giving expression to my views. The old Congress (I) culture has changed. When we had joined the Congress, the system urged to give even one's life, if need be. Today whosoever come to the Congress (I), the sole object is to gain something".

I was just pointing out that it is the major party still the major party because they are having 196 members in this House. A senior member of their party talks like this. Then, every day, the members come and try to point out to some Press cuttings about the differences in our party. There is a saying that the kettle should not call the pot black. It is like the kettle calling the pot black. I therefore, would advise that instead of just throwing mud at us, let us see how the party functions, how your party functions. We are in the Government. But you are in the Opposition. This is what your leader says about the functioning of your party. It is time that we all should think how we can have a strong democratic party in this country. Therefore, we must give a proper status to a party. No one should have the power to throw the rules

[Sh. A.N. Singh Deo]

and regulations of the party to the wind. Now, what happens? If a person manages to become the President, he will remain President for ever. There is no election. There is no enrolment for the major parties of this country. So, to have a democratic foundation in our electoral system, to have reforms in our system, the first thing for us to do is that we must have democratically formed political parties. If any party goes against the rules, it should be penalised. Therefore, I would like to say that before going into the other aspects, we must take this into consideration. A case has been made in the present system where the winner takes all or whoever passes the post, takes all. Therefore, a minority Government is in power. It happens in England. In any democratic country, where there is this type of parliamentary system of elections, a minority party always comes in power there. And it has been happening in India. But it is necessary to change that. There is a talk of list system, that the individuals do not count, that the individuals should not become legislators or parliamentarians. It is for the party to choose. If the party gets a certain percentage of the votes, the legislators and the parliamentarians should be according to that percentage. It is a good idea. Some countries may be following that. But again, the basic point is that unless we have a basically strong democratic party, even this will be abused. It is only the caucus who will capture the party and the list system will come through them and they will nominate their henchmen to the State legislatures and the Parliament. Therefore, the same thing will continue. By having the list system, we may have the same percentage of the legislators and the parliamentarians according to the percentage of votes that the party gets. But the individuals who come to the legislatures and the Parliament, may not be democratically elected or nominated. So, in that case, we must also take into consideration how the democratic party again must have some statutory functions and some statutory status.

When we talk of electoral reforms,

another question which arises is about the role of independent candidates in the electoral system of our country. As you know, the independent candidates have no check. Anyone who deposits the nomination fee and whose name is found in the electoral roll, he can be nominated as a candidate. He may get even 100 votes. He loses the deposit hundred times. But still he can again be nominated. It has become such a state. As you know, in Allahabad, when the byelection was held, the present Prime Minister was also a candidate there. There were 60-70 other candidates. It was a trick tried by our friends from the other side to confuse the voters so that Mr. V.P. Singh's symbol would also be confused. It had happened in the last election. In my constituency, there is a party which calls itself the Janata Party and they managed to get a symbol akin to the Chakra, the Symbol which was given to Janata Dal. You will be surprised to know that this symbol was sold by the so-called President of the Janata Party of Orissa for Rs.10,000 or Rs.20,000 so that that would be used as a confusing element in the elections. They used to get hold of persons so that that particular symbol would come above the other candidate. It happened in my constituency when my wife contested for election of MLAs. That is the way the independent candidates and small parties use their symbols. The independent candidates should be curbed. Once a person loses his deposit, he can be allowed to contest once more and not continuously. You can find from the figures available, that there are certain people who have made it a habit or practice and they make money out of it. Every time, they file their nominations and fight the elections and even if they lose their deposits, they continue to fight the elections. How much Government money is wasted in printing the ballot paper and other work related to elections, by catering to the needs of these persons. The independent candidates should be allowed once or twice only. But if they lose their deposits continuously, they should not be allowed to contest by law.

Sir, I would like to say something about the Anti-Defection Bill. This is also a part of

the electoral reforms. Our friends from the other side said that Mr. Rajiv Gandhi or the Congress Government had brought this Anti-Defection Bill. The Anti-Defection Bill was brought at a stage when there were 450 Members in Congress so that no one would go from his side to the other side. But there is a flaw in this Act. Unfortunately, it had been moulded in such way that it can be utilised for political purposes only. With no intention of casting aspersions on the Chair or the Speaker, I would say that this power of arbitration as to who is disqualified should be taken away from the Speaker. And it should be given to the Election Commission or to some other body which will give justice by actually bringing this Act into effect. Unless this is done, it is meaningless to have the Anti-Defection Bill. It has been abused. Its only use is to suppress the proper concept of changing parties. There are so many other aspects of electoral reforms. It is not possible to go through all those within a short period. But I can say that it is time for the country, the educated people and the political persons to exercise their minds and to debate as to what sort of reforms should be brought so that a comprehensive Election Reform Act will be brought forward by the Government. I would request the hon. member who has brought this Resolution to at least allow time to the Government to bring about a comprehensive act so that democratic system in this country will be strengthened to have fair elections to our Legislatures and Parliament.

[Translation]

SHRI RAM NAIK (Bombay North): Mr. Deputy Speaker, Sir, while supporting the resolution of the BJP leader, Mr. Lal Krishna Advani on poll reforms, I would also like to express my views on it.

Hon'ble Shri Advani has exhaustively dwelt on his motion regarding the poll reforms. Now after his elaborate speech, my humble submission will be like a drop in the ocean. I rise to express my views just to support him. The hon'ble Member who has spoken here just before me made a mention

of incidents of Amethi and Meham which are like a cancerous growth in our Indian polity. In addition to it, this process seems to unending. Therefore, it is clear that present election-system needs reforms. As it has been deposed by a number of hon. members, it is true that a lot of corruption has crept into our election system and in case we make determined and concerted efforts for its purgation, we can do it. All these things need consideration. However, we should discuss certain points which have not been raised by any of the hon'ble members who have spoken earlier. Some hon. members have suggested that there cannot be any change in respect of the provision of reservation for S.C. and S.T. even after 2000 years. On the other hand, it is rare that a candidate belonging to S.C./S.T. is elected to Parliament from a general constituency which generally has the S.C./S.T. population to the extent of 40% to 45%. They feel that such a time will never come when they may get elected from the general constituency. Therefore, delimitation of constituencies must be given a second thought as it is something serious. There has been a sea-change among the voters in our constituencies as they have a biased view in this regard. We all know that our cities are developing at a great pace and the process of urbanisation is also very fast. Hence, we can easily visualize that there will be no change in this regard for next 2000 years.

I would like to place some statistics in this regard. Chandni Chowk is a Parliamentary constituency with an electorate of just 3.61 lakhs and the Outer Delhi Parliamentary constituency has got as many as 15.75 lakh voters.

In my own constituency that is North Bombay there are many as 15.22 lakhs voters while the South Bombay has got just 7.30 lakhs of voters. Hence, North Bombay has just twice the number of the voters as compared to that of South Bombay. All these things call for an immediate review. You would be surprised to know that my Borivili assembly constituency consisted of as many as 3.46 lakhs voters while Chandni

[Sh. Ram Naik]

Chowk which is a Parliamentary constituency, has got just 3.81 lakhs voters.

There are 4.62 lakh voters in the neighbouring Bejpur Assembly constituency. I am talking of Assembly Constituencies. (*Interruptions*)

You will be surprised to hear this. Delimitation of constituencies did not take place since 1976 and that is why this imbalance has been created. Is this imbalance going to be removed in 2000 A.D.? What will be the situation here after so many years? I would like to make a mention of the situation that prevailed before delimitation of the Assembly and Parliamentary constituencies in 1976. There were 6 lakh and 85 thousand voters in South Bombay in 1977. This number rose to 7,30,000 after 12 years, that is, an increase of 45,000 voters while in my constituency of North Bombay the number of voters has increased from 6,60,000 to 15,22,000 during the same period. In other words, 8,62,000 new voters have been added. In view of the present trend of urbanisation, it is improper to wait till 2000 A.D. and, as such, we should start the process of delimitation of the constituencies. Similarly, there is need to rotate the reserved constituencies for Scheduled Castes and Scheduled Tribes. How can all the constituencies accommodate equal number of voters also needs to be thought over. All these things should be kept in mind while amending the electoral laws.

Sir, why did this problem arise? I am a new member to this House. The old members might be knowing this but I came across an old debate on 44th Constitutional Amendment Bill, under which an amendment was also made in section 83. Under the amended provision, no change can be made till 2000 A.D. Those were the days of emergency. In those days of emergency that bill was passed by the House and only two members spoke on it. During the division, 361 members voted for the bill and only one member voted against it. It was Prof. Mavlankar from

Ahmedabad who voted against the bill. While amending the electoral system this thing should be borne in mind. Thus, there is need to further amend two amended acts. The Assembly and the Parliamentary constituencies should be delimited even if the number of Assembly and Parliamentary constituencies remains constant. It is necessary to remove imbalances which would go on increasing otherwise if we wait till 2000 A.D. I would also like to quote a few lines from the speech delivered by the then minister, Shri H.R. Gokhale while introducing that bill.

[*English*]

"All that I want to mention is that when this Amendment Bill is passed, it will be the finest hour in the history of this Parliament."

[*Translation*]

That way the bill was passed. Therefore, there is need to reconsider the matter and start the process of delimitation of constituencies. To my mind, this is a very important issue.

The second issue which requires to be considered is the problem of bogus voting. A mention of issuing identity cards to voters has been made here. A mere issuance of identity cards simply carrying the name and other particulars of the person is of no use unless a photograph of the beholder of the card is posted over it. If such photographed identity cards are issued, the menace of bogus voting can be checked to a great extent.

A mention has been made about the influence of money power in elections. Some people have the power of money whereas ordinary people lack money. Thus the contest between the two does not take place at equal footing. Thus, there is need for the state funding of elections so as to ensure equality among candidates in terms of money power. There is need to take such steps. If this thing happens, the party that comes to the forefront after 5 years of putting in labour

and the winning candidate thereof would be held in high esteem from the point of view of popular strength behind them. Therefore, there should be state-funding. With regard to the extra-additional expenses, no party honour the prescribed limit, particularly where the number of voters is 15,50,000. Therefore, a limit on the election expenditure including on publicity should be imposed.

I would conclude after making the last point and that is that simultaneous Assembly and Parliamentary elections were not held after 1967. A new thing has emerged from that. I would like to go a bit further to state that alongwith the Assembly and Parliamentary elections, simultaneous election to the Maha-Palika Nayaya-Palika, Zila-Parishads and Gram-Parishads and Gram-Panchayats should also be held. Such provisions should be made in the constitution itself. The adoption of such a policy would not only help to give a boost to our party to increase its field of action but would also give an impetus to the defeated party for its reform and improvement. So, while we talk of reforming our electoral system, it becomes imperative upon us to provide for the simultaneous Assembly and Parliamentary elections. Then the rules and canons that regulate the Assembly and Parliamentary elections shall be equally applicable to Nayaya-Palika, Maha-Palika and village Panchayat elections. This needs to be considered seriously. As the census is to be conducted very shortly, delimitation of constituencies can be accomplished within a year or two if only we take a prompt decision in this regard so that we can go for elections in 1995 on the basis of this delimitation.

SHRISONTOSH MOHANDEV (Tripura West): Elections may be held prior to 1995.
 ❖(Interruptions)

SHRI RAM NAIK: The elections may be held beforehand as well. You might be at a loss to understand how the Congress lost elections in Maharashtra. There is no objection so far as the simultaneous holding of Parliamentary elections is concerned. We will fully support the present Government as long as it holds the reins of power. I mean to

say that the elections of 1995 be held on the basis a fresh delimitation of constituencies. The new Government should work in this direction. We will naturally keep on supporting it if the Government accomplishes this goal.

With these words, Mr. Deputy Speaker, Sir, I thank you for giving me opportunity to speak.

[English]

SHRI EDUARDO FALEIRO (Morugao): Mr. Deputy Speaker, Sir, I have been listening with great interest to the points made by the previous speakers. Some of these points may not strictly arise from this Resolution but all the same, they are very important points. For instance, the hon. Member from Orissa has mentioned that the Anti-Defection Act has many flaws which need to be corrected. Yes, I agree with him, the Act has many flaws and need to be corrected. He has also mentioned that power to decide on defection or otherwise of an MLA or an MP should not rest with the Speaker. There also, I agree with him. All I can say is that this matter is now pending for consideration in the Supreme Court. It is pending for consideration in the Supreme Court and as a result of it what had happened in my own State is the Speaker himself has defected. The time has now come that we should go beyond the debates on Electoral Reforms. We have had debates in every single Parliament more than once and now we should get into implementation of these Reforms.

I was mentioning how this question of the anti-defection law and its flaws is pending before the Supreme Court. I was mentioning how the Speaker in my own State defected, and went on to form a new Government. I will now mention how a senior member of this Government was there to welcome this Speaker into this Front, and to be present there at the swearing in of this new Government.

I am not for a moment trying to score a

[Sh. Eduardo Faleiro]

debating point here. (*Interruptions*) I do not want to try to score a debating point here, on partisan lines, because I have given one example where your party is involved, and your leaders. When the next speaker comes from your side, he might give examples from my own party.

Therefore, let us not take this question of electoral reforms on a party basis. But my appeal and demand here is that the Government should consider this: in the course of the last year and before that, the Election Commission had made certain recommendations for electoral reforms. Secondly, the all-party leaders had evolved a consensus on certain matters which must be reformed in our electoral system. I would like that the Minister, when he replies, should tell us exactly which of the recommendations of the Election Commission for electoral reforms are being accepted by this Government, and when they will be implemented; and, similarly, which are the recommendations which arose from the consensus of all political parties have been accepted by this Government and are going to be implemented—by an amendment of the Constitution, amendment of the relevant laws or whatever other legislative and executive actions, if called for.

Now I must say that I have myself been a victim of the non-implementation of one of the recommendations of the Election Commission in this regard. The Election Commission had recommended the prevention of fraudulent filing of nomination papers, and had alerted to the fact that people were resorting to putting bogus candidates who fare on their death-bed, hoping that the candidate would die before the election date, and the elections would be countermanded. This is precisely what was done in my own election. When the general Lok Sabha elections were there, the Opposition or the other people rightly felt that there was no way, at that point of time, I could be defeated; we were then together with the electorate. What they did was to put up the name of a candi-

date, of an illiterate person, a man who was on his death-bed, who was paralysed, who did not know anything about the election, or cared, and who was about to die. His name was brought in as a candidate by impersonation and forgery; and the poor man actually died before the election. The election was countermanded; and in the order countermanding the election, the Returning Officer stated that this was obviously a criminal conspiracy by some people to countermand the election, filed a complaint with the Police. This was in the month of November. Upto now, the State Government and the Police have not taken any action in the matter. Therefore, this amount of inconvenience that is caused to the people, the expenses caused to everybody, apart from the inconvenience to myself and other candidates—these were caused just because the recommendation of the Election Commission regarding prevention of fraudulent filing of nomination papers, was not implemented. Therefore, I urge upon the Government that at the end of this debate, they must make a progress in this whole system. Let us not, after one year or some such time, have another debate on electoral reforms, without any progress. Therefore, Government should tell us at the end of this debate, what they intend to do, to implement the recommendations of the Election Commission in this regard, and also to implement the recommendations which arose the all-party consensus in this matter.

The Election Commissioner has also urged on amendment of the relevant law to disqualify persons with criminal record from contesting elections. The criminalisation of politics is increasing; criminals are coming into the political process and occupying the position of MLAs and other representatives, not of the people but of their own gang with their muscle power and money power. It is, therefore, necessary that this recommendation of the Election Commissioner disqualifying persons with criminal records from contesting elections, should be implemented by the necessary amendment in the legislation. Also, the Election Commissioner has recommended a statutory definition of political parties and banning communal parties. I do

not want to go into this question now. But what I would like to say is that at the time of election—I have in mind the last election and other elections—appeals to religious sentiments of the simple people of the country, misguiding them on this issue to gain political power, must be stopped, because this acts, quite apart from the election, as a major divisive force, a major force of turbulence and instability in the body politics. Therefore, communalisation and communal appeals at the time of election to the electorates must be stopped; there must be some legislation to prevent and punish these communal appeals and those who are arousing communal feelings, which are a major divisive force at the time of elections.

SHRI MANDHATA SINGH (Lucknow): It should also be prohibited in the election manifesto.

SHRI EDUARDO FALEIRO: It is absolutely true. We should also prevent communal appeals at the time of elections.

SHRI MANDHATA SINGH: IN Mizoram also.

SHRI EDUARDO FALEIRO: If you don't mind, we should prevent them in other parts of the country also; all over India. It is a very tolerant and understanding society; it is a very united society; as far as my own State is concerned. A point has been well raised about independent candidates; they, for the fun of it or by mistaking their own personality, like to contest/all elections at all times. There are persons who contest every elections. A man is there. A man was thinking of coming from Punjab or Haryana and contesting in my State on the assumption that Mr. Buta Singh would contest from there. Mr. Buta Singh did not contest nor was he particularly interested in contesting. But this man was there. He got hardly 100 votes. Therefore, it is necessary to prevent non-serious candidates, who file their nominations just for the fun of it, from contesting elections. Therefore, there was a consensus by all parties on this line. If a candidate loses his deposit in an election once or twice, may be in any elec-

tion, whether it is Assembly, whether it is Parliament, whether it is Zila Parishad, in that case, that person should be disqualified for a period of five years from contesting again another election. In addition, there should be a forfeiture of security deposit to prevent non-serious candidates in the election process. Graded penalty may be imposed on candidates who have polled a very small number of votes; graded penalty, may be Rs. 10,000, for instance, if a candidate has polled votes above 10 per cent of the valid votes polled by all the candidates put together but not exceeding 15 per cent; Rs. 10,000 if the number of valid votes polled is between 5 per cent and 10 per cent; Rs. 30,000 if the number of valid votes polled is less than 5 per cent and so on that these non-serious candidates are discouraged from vitiating the political and electoral process.

Mention has been made here by an hon. member from Orissa on how in a particular election 50 or 60 candidates were a put up just to confuse the voters. On this line, candidates put up by political parties should be arranged in an alphabetical order in the ballot papers and the names of independent candidates should be arranged in an alphabetical order at the bottom after that, so that there is no confusion, and people know which are the political parties and who are the people who are not represented by political parties.

It is necessary again to take stern steps in view of what has happened in recent days and before to prevent and punish booth capturing. Booth capturing should be statutorily defined. The offence of booth capturing should be made punishable. Booth capturing should be made a corrupt practice and candidates indulging in booth capturing, directly or through agents, should be disqualified.

On the point of delimitation, the hon. member from Bombay has raised a very pertinent point, namely that reserved constituencies are there. But for how long will the people of that constituency be prevented from contesting from their home consti-

[Sh. Eduardo Faleiro]

cies? The time has definitely come to have a look at it and to say that the reserved constituencies are rotated more frequently than at present, so that really other people in that particular area have an opportunity to contest elections without prejudice or reservations.

I am for introduction of photo identity cards. It is a very good thing. There may be problems in this regarding expenses, etc.

SHRI HARISH RAWAT (Almora) : You have not said anything about delimitation.

SHRI EDURADO FALEIRO : Delimitation can come on the other aspects when the widely shared feelings are taken into account after the census. That will be the proper thing to do in other respects.

As far as photo identity cards are concerned, it is a very good thing. It will prevent some malpractices or incidents such as I was a victim myself of and it is a good thing. It should be a multi-purpose identity cards which will be useful not merely for elections but for any other purpose to identify the individual and the citizen on different occasions.

Now it may or may not be possible to implement this at one stage or at one stretch, in the whole country. There will be problems in implementing these identity cards system in the whole country at one stretch. But if there are problems it can be tried on an experimental basis in some States, in the smaller States or in more compact States or in places like Delhi. But a beginning must surely be made and should be made at the earliest.

I support State funding of election expenses. I also plead that the present ceiling for election expenses which is Rs. 1.50 lakhs for an election to a Parliamentary constituency and a maximum of Rs. 15,000 for an Assembly constituency—whatever be the amount— should be increased as they

are very unrealistic now. They remain unrealistic and therefore it is necessary in order to avoid false statements being made by Members of Parliament—every single Member of Parliament makes an incorrect statement—these ceilings should be enhanced and made more realistic.

Even if the Government does not intend to reimburse the legitimate expenses which will be incurred, help in kind should also be provided by way of supply of copies of electoral reforms. This should be done by the Government. Voters' identity slips given to the candidates should also be supplied free of cost. Facilities regarding minimum number of vehicles and reimbursement of the cost of petrol of a fixed quantity and supply of printed symbols, all such type of things which are help in kind will be useful. If the Government cannot provide help by giving cash, at least help in kind should be provided immediately.

AN HON. MEMBER: Cash can also be given.

SHRI EDURADO FALEIRO: There is a problem there. You can fight for a limit. Because, as I have said, there is no way in which you can prevent any citizen from contesting an election. You cannot bar independent candidates from contesting, and if you give help in cash, people may just file the nomination to get the money—one or two lakhs—whatever is decided—and may not ultimately contest seriously. Therefore, I think help in kind will be more helpful. Otherwise people who are not serious will file their nominations.

I do not want to take any more time, on this matter. I, therefore, conclude by urging the Government that at the time of the reply, I want to give them an indication of their feelings on the resolutions. I know the feelings very well, they are there from the hon. Minister of Communications who, apparently, is looking into this matter now and they are there from every right thinking person. But what we want is, I request the Government to tell us what the recommendations of the Election Commission on the electoral

reforms are, which are not, when they are being implemented, what are the recommendations of the all party consensus that are accepted by the Government, and when they are going to implement them and I urge that they should be implemented at the earliest.

[*Translation*]

SHRI RAM PUJAN PATEL (Phulpur):
Mr. Deputy Speaker, Sir, today's discussion on a private Members resolution on electoral reforms is indeed a good thing. I feel that it has become necessary to bring a Bill on electoral reforms. The Government should consider the matter in a very impartial manner because today in this country a honest person or a person doing social service finds it very difficult in contesting elections in fair manner. This is because the criminals are so emboldened now is that they win elections by adopting a number of unfair means such as booth capturing, bribing, preventing the voters from casting their votes and so on. Now their sole intentions is to, become a member of the Lok Sabha, or the Vidhan Sabha by hook or crook. If such kind of people will be elected to the Lok Sabha and the Vidhan Sabha, they would make the kind of laws which instead of providing protection to the people would be a tool for their exploitations, I, therefore, would like to make a request to the Government to put a ceiling on the expenditure being incurred on elections. In this regard, I would like to make one or two suggestions.

First of all, we should put a ban on the use of posters and banners in elections. If it is not possible, the size and the volume of banners and posters printed for elections should be restricted because, in my opinion, crores of rupees are spent on posters and banners alone. In order to met the demand, paper is imported and foreign exchange is spent thereon. Thus, my submission is that use of posters in elections should be banned. Similarly, big banners are displayed. In this country there may be crores of such children of the poor who do not even get sufficient clothes to cover their bodies. If use of

banners are banned in election, the poor children could be provided clothes to cover their bodies. But I know that in today's capitalistic economy nobody would be prepared to accept this demand since the influence of money is increasing day-by-day.

Mr. Deputy Speaker, Sir, my second suggestion is to band playing of loudspeakers at high pitch during elections. It causes not only noise and air pollution but also a lot of inconvenience to the people as they are played on a very high pitch which is unpleasant to the ears. If the menace of playing loudspeakers are allowed to be continued unchecked, it will pose grave danger to the health of the people as noise pollution adversely affects the system of our body, even causing insanity of mind. Therefore, these loudspeakers should be allowed to play only in party offices and that too for a limited hours or at the place where any public meeting is being held. Its playing at other places or in any mobile vans as is being done at present should be totally banned.

My third submission is that the candidates should not be allowed to circulate large printed leaflets except small pamphlets or booklets containing personal biodata and experiences in the field of public service rendered by them. However, they should be given opportunity to put their view point over the Radio and Television. If this is implemented, I feel improvement is possible in this direction.

My fourth suggestion is that the time gap between the date of elections and that of filing of nominations should be reduced from present one month 15 days. Elections should be held within 15 days after the filing of nomination papers. As the period of one month is very long, some people get sufficient time to mobilise their money and muscle power. Bad characters are hired. With their help malpractices are committed and voters are intimidated. If the time gap would be reduced the contestant who had served the people in the past will be in a better position to win the election. But the practice prevailing these days is that services of anti-social

[Sh. Ram Pujan Patel]

elements are taken to win elections. This is also a fact that those anti social elements take undue advantage of the services rendered by them for the politicians after they won elections. Politicians have to make compromise and help them in illegal manner. This is the reason why we are not able to fulfil the basic idea of serving the people after winning the election and we deviate from that idea. Thus, special attention has to be paid in restricting excessive expenses on elections.

Mr. Deputy Speaker, Sir, I would also like to suggest that during elections, no candidates or party workers should be allowed to carry arms and ammunition with them. If there is any danger to their lives, as generally they have danger to their lives due to various acts of commission and commission on their part, the Government should the responsibility of protecting them. On the day of elections, no vehicles should be allowed to ply with the party banners of flags mounted on them. Nor should it be allowed at election booths set up near polling stations as it gives a wrong impression that a particular person or party is edged over his other rivals or the parties contesting the elections. The Government servants on duty do not take note of the unfair means adopted by the workers of the candidate belonging to the ruling party, but if a worker of the opposition party is present and if a slight turmoil takes place, he is harassed. In order to ensure a free and fair election, on the election day, no one should be allowed to move on vehicles carrying party flags. The election should be conducted impartially. Today, I am personally putting forth a small suggestion before you. I would like to state that in this country a murkery of democracy is being made as the number of anti social elements in politics is increasing day by day and this should be checked. These days newspapers and periodicals are full of reports of criminal cases filed against our M.L.A's and M.Ps. Now a days people say that unless a person is convicted by the court of law, he cannot be termed as a criminal. It this defina-

tion is accepted, it would greatly damage the norms of democracy. We should put restrictions on the use of money power in elections. State funding of election is no solution unless use of money power is restricted. This will give him only an additional amount of money to spend more. Suppose, you give him 1 lakh, he would spend Rs. 11 lakhs. My submission is this that if we want to curb these malpractices, we should impose ban on the use of posters and banners, then only impartial elections can be conducted and the right thinking persons in this country will be able to contest elections. I hope that due attention would be paid to these aspects.

MR. DEPUTY SPEAKER: I think the time allotted for this resolution ends at 4.35 P.M. and I have a long list of the speakers and I think all of them would like to express their views. Therefore, I extend this time by two hours.

KUMARI UMA BHARATI (Khajuraho) :
Mr. Deputy Speaker, Sir, how much time would you allot me to speak?

MR. DEPUTY SPEAKER: Actually you speak so well that you will cover many things within a short time. You may speak for 10 to 15 minutes.

KUMARI UMA BHARATI: Hon. Deputy Speaker, Sir, I am grateful to you for having given me time to express my views. I really wanted to speak on this issue as I am not a politician by nature. It was only a chance that I came in politics however, what I was during elections of 1984 and 1985 ashamed me. Before joining politics when I was in religious field and when I went abroad for delivering religious discourses, people often posed me a question which I could never answer, They say that India is the land of the Gita, the Upanishads, the Vedas and the Lord Rama, but when they meet our members of the Parliament, which is the highest law making body of the country, sometimes their behaviour is not in tune with the cultural heritage of this country. As a matter of fact, it is very difficult to answer this question because in our country some people win the elections

merely on the strength of money and muscle power and such people who should have been put behind the bar for life, are elected to the Legislative Assembly because of muscles and money powers possessed by them. In fact they are slur the dignified office. The presence of such people in a august body like the Lok Sabha and the Vidhan Sabha is the most unfortunate thing.

So, Mr. Advani has made everything clear in his speech before the House that our electoral system should be reformed in such a way as nobody is elected on the basis of money and muscle power, rather he should be elected by the power of the people. Many a times it so happens that people get defeated and the parties win the election. Criminals win the elections by using their money power and muscle power and the power of the anti-social elements. Very often such people win the elections who prove themselves as 'Bhasmasura' for the people. I would like to narrate a story in this regard. Once a demo underwent severe penance and Lord Shiva appeared before him and asked him to ask for a boon. He asked Shiva to make him such a powerful demon as whose touch would reduce everything to ashes. Shankarjee bestowed on him the boon. When Bahamasura's lusty eyes fell on Parvati, the beautiful wife of Lord Shiva, he was spell bound and thought why should he not take away Parvati by eliminating Shiva. He chased Lord Shiva to destroy him. Lord Shiva tried to escape but it was only Lord Vishnu who came to his rescue and saved him. This story belongs to Puranas. It may seem a baseless story, but this happening these days. Under the odd situations people are voting to some such Bhasmasura's who are determined to reduce the people to ashes. so, there is a need to amend the electoral system, so that such Bhasmasura's may not get re-elected. My first submission in this regard is that a party should decide it first before giving an election-ticket to a candidate that whether he possess the required education or knowledge for contesting an election? They should have some prescribed educational qualification. When we talk of the propagation of education, we should

think in this direction also.

The people of my constituency might have done some good deeds, that I could get some school education otherwise I would have been illiterate. I won my election in Madhya Pradesh with a greatest margin. Had I not been reading the newspapers daily I would have not been able to represent my people and have spent all my time yawning in the House and had gone back after 5 years to my constituency after enjoying sound sleep in an air-conditioned room. So, it is very essential for a candidate to have at least some educational qualifications.

When our former Prime Minister went to visit my constituency, he uttered such words which still make people laugh. He stated in his speech that there were less number of trees and also shortage of water in that area, so he would plant wells and dig trees for them. At this he has told that the trees are planted and wells are dug. If a man, holding such a supreme office, makes such a blunder, who will come to save the country from its destruction. So, it has become essential for every candidate to have at least some educational qualifications, that may be decided by all the parties.

My other request is that when our country was fighting for independence, Churchill was told by someone that India would achieve 'it's freedom now. Churchill retaliated and stated that slavery is deep rooted in their blood. So, these people will invite their slavery themselves. Political parties of our country, particular the main opposition party, has started a sort of a dynastic rule in our country, which is proving true the forecast of Churchill. Once I read an English magazine in which some youths were asked that what they would do, if they were made the Prime Minister; one of the reply was very peculiar which stated that to become the Prime Minister of India, he will have to commit suicide first, for so long he is son of his father, he cannot become the Prime Minister. He has to die and again take re-birth in Nehru family. It is only then he would be eligible for the post of Prime Minister. It has taken the shape of

[Kumari Uma Bharati]

a tradition that after the death of father, the son is given the ticket and when husband dies the wife is given. There is a political party in this country which is following this tradition practically. This is not democratic. It brings down the prestige of the democratic system of the country I would like to tell you, though it may seem improper that in our country one has to do M.B.B.S. or R.M.P. or B.A.M.S. to become a doctor; L.L.B. to become a Lawyer; B.Ed or M.Ed to become a teacher, even to become a peon he should possess some qualifications but to become a Prime Minister it is sufficient if one's mother had been Prime Minister and now she is no more and out of sympathy he is made the Prime Minister. This is not a healthy tradition. This is disgraceful for the democratic system of the Government. So it should be decided on the moral grounds, by all the parties that they would not let this tradition flourish in the country. (*Interruptions*) You may interrupt but I would not yield, I would call such interruptions only as frustration and nothing else. You should listen with patience and restraint.

Also, I would like to submit that when the elections are declared a very dangerous thing start happening and I would like to request particularly the Press people that they should desist from following the hateful tradition of making assessment of votes on the basis of caste such as votes of Thakurs, votes of Brahmins, votes of Yadavas, votes of Lodhies, votes of Hindus votes of Muslim, such a system causes distortion in politics. If this tradition is continued, the assessment of votes will not be on the basis of people but on the basis of castes. This is causing a distortion in our politics. If the assessment of voters is made on the basis of their caste and not as persons then he will remain no more a person instead will be known as Yadav, Brahmin, Thakur, Lodhi, Hindu, Muslim etc. So it should be decided by the intellectuals and the Press people that when we analyse the victory and defeat of a party, we should remain away from caste analysis and should not publish it in the newspapers. Such an

analysis should not be there that many Muslim voters are there is a particular region and so many Hindu voters are there or here Muslim voters lag behind in their numbers, so such and such candidate will not win the seat or in a particular constituency voters belong to a particular community are in majority so a person belonging to a particular community should be asked to contest election so as to win the election It would be very unfortunate and deplorable for our country if the castism against which we struggled for a long time to get rid of it and which caused India to suffer a lot is revived by our politicians and through mass media.

I have one more submission to make and that is about the election. Some members may not agree with me but I would express my views. Many a times the Rajas and Maharajas contest an election and I have the experience of Bundelkhand in this respect. In every village people are reminded that the candidate is the grandson and son of so and so person and you are indebted to his ancestors so you should vote for him. People are reminded that still they are their subjects and so should vote for him. The most undesirable and shameful thing is that even old people of 80-90 years are told to bow before the candidate as he is their Raja Saheb. So, I submit that during election campaign the candidate should not be addressed as Raja or Maharaja and this should not be given any publicity in newspapers also, for I have witnessed all this Bundelkhand. When my opponents in election found it very difficult to defeat me in election, they tried to put forward an ex-Maharaja against me. When I told him that the times were not in his favour and it is possible that he might forfeit his deposit, he agreed with me. This practice is still in vogue. I am not talking about myself, but this is not a good thing. In a large part of India people are still under the influence of ex-Rajas or Maharajas and still they cast their votes in their favour. This is disgraceful for the democratic system of our country. Therefore, if such candidates come forward to contest election they should not be addressed as Raja or Maharaja and such practice should be totally abandoned.

Mr. Deputy Speaker, Sir, liquor, money, blankets, sarees, bindis are distributed one or two days before the election in Harijan and tribal colonies. During the Lok Sabha election of 1989 the video cassetts of the attractive poses of the former Prime Minister were distributed among the people and displayed also. 'Bindis' bore election symbol. Thus, an effort was made to pay the price of the vote. Vote is the religion, soul and faith of a man and an effort is made to buy them. Selling one's vote amounts to selling one's religion, faith and soul but most of the voters are illiterate and they don't know the value of their votes. So, this is my suggestion that when the election campaign is stopped one or two days before the election, the hours of visiting the places by the people, accept the candidate, should be fixed. Otherwise, the devilish activities start and the people visit the locality, enter the jhuggies and distribute liquor at night and the next morning under the influence of liquor they caste their votes to a wrong candidate for which they repent later on for five years. It's best solution, as Shri Advani has stated, is that government should bear all the expenses of the elections. The use of money-power during election should be avoided, so worthless people do not win the election.

As regard polling booths, there is one polling booth for four villages. People do not have their own conveyance and they don't want to go 6-7 km. on foot for casting their votes. This enables the rich candidates to manage conveyance facility for the voters and when these vehicles carry these voters to polling booth they are asked in whose vehicle they are being carried and when they tell the name of the candidate in whose vehicle they were being carried they are further asked whether they recognise the election symbol of the candidate, thus they are brain washed. They are told that they have to cast their votes in favour of the candidate in whose vehicle they were being carried to the booth. Thus, these things leave much impact on these people. Of course, it is true that in the last Lok Sabha election people did not vote to ruling party candidates, though they went to the polling

booths in their vehicles. When I asked the voters why they were befooling the candidate, their reply was that they have been befooling them for the last 40 years, this time they (voters) decided to befool them. Generally it happens that people vote in favour of the candidate in whose vehicle they go to polling booths. So, I suggest that there should be a polling booth for every group of 300 voters. In my constituency there are many villages in which there are 500-600 voters, but there is no polling booth for them. In a situation like this, person like me, who dwell and eat in somebody else house, are unable to arrange a vehicles for voters and thus, they face many difficulties. So, polling booths should not be set-up at distant places, so that people have not to walk on foot long distances and do not have to face any difficulty in the exercise of their right to vote. I agree with Shri Advani that a constituency should cover only a small area. A constituency covering a vast area creates many problems and the candidates are unable to contact the people properly. And also the justice is not done with the voter of that constituency. There are 3000 villages in my constituency. I am tired of roaming about in all the village of my constituency. My hair has gone grey. It is very difficult to visit each and every village. And even after taking such a trouble the voter complains that they have not seen me after winning the election. I am finding difficult to visit each and every village. So, I urge for small constituencies, so that the representatives of people could contact the masses and do something for their welfare. The constituencies of Legislative Assemblies also should be smaller. This will enable the representatives to go to people at the right time and do something for them.

I want to bring a similar thing to your kind notice. A wrong was done by an hon. Member of my constituency, for which people of my constituency are still suffering. There was a proposal to set-up a sugar-mill in Madhya Pradesh. My constituency produces sugarcane in a large quantity. The hon. Member was not educated. He was asked if his constituency is a producer of sugarcane. He replied in the negative. In

[Kumari Uma Bharati]

M.P. Sugarcane is called 'Barai'. He was not aware of the term 'Ganna' (Sugarcane). The result was that the sugar mill was given to Dabra. Tikamgarh and Chhatarpur could not get it. So, it is essential for a representative of the people that he should be educated and has contact with every village. Only then he will be able to place the problems of the people properly.

I shall not take more time that allotted to me, though my senior do not stop speaking even after the ringing of the bell. I suggest that a rule should be framed so that no one could speak beyond the allotted time and even if some one speaks beyond the allowed limit of time, those extra words should be expunged and only then hon. Members will observe the limit of time.

AN HON. MEMBER: It may not happen that your words may be expunged from the proceedings of the House?

KUMARI UMABHARATI: You shouldn't worry about me. I can somehow manage to speak on one or the other pretext. There are many Members, who don't get an opportunity to express their views which makes them frustrated.

Lastly, I would like to submit that many a times the district officer is made the returning officer, who is there for the last one and a half years and very often their appointments are made on the behest of the then ruling party and they are their favourite officers, who are utilised by them for their political gains. These officers are like play things in their hands. It is pre-planned that they would render all help in winning the elections. They are appointed keeping all these aspects in view. So, in order to reform the electoral system there is a need to depute there an officer from any other district. He should be brought there a little early so that he may get himself acquainted with the region concerned. I think by doing so the election will be more fair.

I will emphasise this point that if the whole election expenditure is borne by the Government then candidates winning their election to Parliament and Legislatures Assemblies on the basis of money and muscle power will not succeed and those candidates will be victorious who contest on the support of the masses. Such candidates will be true representatives of the poor people in Parliament and Legislatures Assemblies of the country.

Mr. Deputy Speaker, Sir, I am grateful to you for providing me opportunity to speak. With these words I conclude my speech. I believe that the ex-ruling party, the present ruling party and all other parties will duly ponder our my submission that the tradition of dynastic rule will be done away with and a healthy democratic system will be established.

With these words, I conclude my speech.

[English]

SHRI SUDHIR GIRI (Contai): Mr. Deputy Speaker, Sir, I would like to congratulate Advaniji for bringing this Resolution at a time when it is needed most. The 1989 Lok Sabha election has witnessed a severe jolt in various parts of the country and unprecedented violence took place in the election. It reminded us of 1972, when in West Bengal a severe rigging took place. We complained to the then Chief Election Commissioner but to no effect. Afterwards, we engaged some impartial lawyers and prominent citizens of the country to look into the matter and give a result thereof. They submitted a report and said that violence took place and unprecedented booth capturing also took place with the help of the administrative machinery, that is, police etc. We complained but had no rectification at that time.

In 1984 elections, it had been proved that what we had told in 1972 was correct, true to the point. Nothing is static on this earth. So, a particular rule or regulation or system cannot remain static. For the first

Lok Sabha elections, in 1952, some rules were framed that were important and cogent in those days. But subsequently after the passage of the years, different types of situation, different types of developments had taken place in the country. That necessitated the change of rules and regulations.

In England, as far as we remember, at the initial stages, money power and muscle power played havoc and people of England in those days intended that their electoral system should be reformed so that genuine representatives could come. In course of time, in the history of England, we find that nothing of that type had taken place. In our country, muscle power and money power play an important role. There the people, in England, in due course of time, developed consciousness and became vigilant. These corrupt practices would never benefit the wrong-doers in that country. In our country also, we find that in due course of time, such corrupt practices would be removed and people's vigilance and consciousness will dominate and we will actually make a very good system and situation where the muscle power and money power will not have any effect in the elections.

Advaniji has dealt with prominently on two points—muscle power and money power. On the background of 1989 Lok Sabha elections, he has brought in this resolution. I support this resolution:

As regards money power, I would like to say that the State funding will not be enough because candidates who are in a position to afford money will spend money more in excess of the ceiling. They will not give any proper account and there is no such machinery in our country to have a properly audited accounts of the candidates. Therefore, State funding will be in addition to the expenditure incurred by the candidates, what they can really afford to. So, the money power is to be restricted. We have seen in our locality, in our own constituencies, blankets, wheat, rice, money and all these things being given to the people. The people are illiterate. They do not know the ideology of a political party.

There are different political parties and the people are totally ignorant of their ideologies. They cannot assess the political parties on the basis of ideology. They cannot assess the merit of the candidates whom they would elect to represent them in the Legislature or Parliament. Therefore, for them, only some money, some blankets weigh much more than the real value of the votes. There are some serious candidates who are also unable to afford money for the elections. They will be helped. But in what form? Not in cash. But they may be helped in the form of some posters. Posters may be printed by the Government machinery and some advertisement may also be made by the Government machinery and no cash should be given to them. Even individual candidates who are really poor and who cannot afford to provide security money, Government may provide them with security money for deposit.

My second point is regarding muscle power. An individual candidate may engage some anti-social elements to get him won over the battle. So the political parties are also there which engage anti-social elements to influence the people not to act according to their own wishes but they want them to act contrary to their wishes. So booth capturing and even Government machinery is also abused in this connection. I would rather say that in such cases Government machinery should made impartial. It is a fact that when the elections come, the Government machinery is placed at the disposal of the Election Commission. But the Election Commission does not itself work in the State. It is the State Government machinery which is placed at the disposal of the Election Commissioner. In this situation, the Election Commissioner should have their own men to share the administrative machinery in the State so that the administrative machinery i.e., the Police Forces and other para-military forces may be guided by such Election Commissioner and there should be strict penal measures which may be used against law violators. Law-breakers should be brought to book and they should be dealt with very strictly. Otherwise, Government

[Sh. Sudhir Giri]

machinery cannot remain free from corruption.

My suggestion is proportional representation is the main alternative and proportional representation means representation on the direct proportion of the percentage which a political party or individual taken together may get in the election. It should be with the List System as also. That means each political party will submit a List of Candidates and those candidates will be taken by the Election Commissioner in order of preference given in the List. So, proportional representation with List System is the best alternative to the present electoral system now in existence in our country. I would, therefore, suggest that besides this proportional representation List System, anti-defection laws should be properly maintained and observed and its loopholes should be removed. Strictness in the maintenance of anti-defection law will pave the way for redressing the allegations of corruption in the Election machinery.

Furthermore, I would suggest the campaign and preachings should be made in the villages and in towns also.

17.00 hrs.

[DR. THAMBI DURAI *in the Chair*]

But no one should be allowed to take the name of religion to get votes. Religion plays a very disruptive role in various ways. In our country since 1952 we have never faced such a complicated situation. But in 1989, religion and preachings in the name of religions played a havoc in various parts of our country. So, communal preachings should be banned in toto. All my suggestions can be made effective if mass consciousness is aroused. These suggestions can be implemented through proper education in the schools and colleges. Without mass consciousness and vigilance no corrupt practice can be removed and stopped. In order to do this, some equality should also be main-

tained in our social structure. Land Reform is the key to the solution of the problems of poverty and unemployment in our country and that should be adopted by the Government. That will improve the situation step-by-step. That will arouse consciousness and vigilance among the people who will safeguard their own interests and they will help the Government and the Election Commission in conducting elections. By this way we can correct the electoral malpractices.

With these words, I would conclude my speech.

[*Translation*]

SHRI DHARM PAL SHARMA (Udhampur): Mr. Chairman, Sir, with reference to the resolution on electoral reforms moved in the House by Shri L.K. Advani and in continuation of the discussion initiated on December 19, 1989 on it. I would certainly like to say that it has now become very necessary to bring about electoral reforms as mentioned in the resolution. From the experience we had gained in the ninth general elections we have seen the havoc played by muscle and money power, we have seen that such people had contested elections who were totally unknown in the constituency or who were criminals and I have no hesitation in saying this, with reference to those who are now in power and who talk about value based politics, that in one or two states, particularly in Bihar, the General Secretary of the party, a Member of the Parliament and many other people belonging to the Janata Dal have criminal past including charges of murders. They had grabbed the land of poor Harijans, some were smugglers and such people were given tickets. He himself had told the press that the local Parliamentary Board was not informed of the antecedents of all the prospective candidates as a result wrong candidates were given party tickets and confusion in allotment of party symbol remained even at the last moment. This has been admitted by him in the press. Thus, many undesirable candidates won the elections with the help of money power. A similar thing happened in Uttar Pradesh also. I know that there also

many undesirable elements have ascended to high positions despite their having been notorious smugglers and having criminal record but they won the elections with the help of money and muscle power. Therefore, it has become necessary that we should pay our attention towards electoral reforms. Whatever had happened in Meham is before all of us. Our reputed magazines and the press played a commendable role by informing the people of the country about the real situation. As many as 30,000 policemen were deputed to take care of one lakh voters and the Election Commission was unaware of it. Out of them, there were 2 I.G.Ps 4 D.I.G's and 7 Senior Superintendents of Police. This means that there was one policeman for every three voters and they did not allow the people to exercise their franchise. Shri Om Prakash Chautala, the Chief Minister of Haryana and son of the Deputy Prime Minister Shri Devi Lal was contesting from there. They even kidnapped the son of his opponent and despite doing all this, he was not certain about his victory. Repoll was ordered. Going by the firing that took place in Bainsi village, the excesses perpetrated and the power misused, I think that in history and even during the Ninth Lok Sabha Elections such misuse of power was not done in any state, as it was done in Meham. Now, who are the criminals? The criminals are those who talk here of value based politics. Five members of the Political Affairs Committee set up by these very people demanded the removal of the Chief Minister and the General Secretary of their party wrote a letter to the Prime Minister stating that if the Chief Minister was not removed, then they would be lose their face in the public. We heard that a meeting is being called out to discuss the issue. In fact the meeting of the Political Affairs Committee takes place every Monday and when it was said that Shri Om Prakash Chautala would go The Deputy Prime Minister resigned. A lot of Comotion was raised. Here if you remove Mr. Chautala the Government would fall. Then, you would be out of power. I would like to say that -

"Guftar ka Gaazi an to gaya, Kridar ka Gaazi ban an saka".

When it comes to talking, you become crusaders, but when it comes to acting upon it, you fail to become one. They know how to talk a lot, but when it comes to its implementation, they do not do anything. When the five people who were appointed by you to the PAC and who are of holding position equivalent to a Minister demanded the removal of Shri Om Prakash Chautala, it was said that the Prime Minister has taken a definite stand, but nothing happened, he bowed down to the pressures. When he felt that if he remains adamant on his stand, he would lose his chair, he would earn the displeasure of the Deputy Prime Minister and his supporters would leave him in the lurch and thus Shri Chautala continued to remain as the Chief Minister. Therefore, I would like to say that it is very necessary to bring about electoral reforms.

Mr. Chairman, Sir, as there is shortage of time, without taking much time, I would say that you have put a limit on the expenditure to be incurred by a candidate in the elections, but there is no limit on the expenditure incurred by the party and the well-wishers of the candidate. Lakhs and crores of banners and posters are made, so much petrol is consumed on the running of jeeps etc., then there are friends and relatives of the candidates who too would put in their resources and thus nothing would work with the money to be spent by a candidates prescribed under the law. Everyone knows that at least 8 to 10 lakh rupees are spent in the Parliamentary elections in one constituency alone and the returns that have to filled, is that of a very meagre amount. If it goes on like this, how can electoral reforms be brought about? Therefore, there should be some realistic approach while prescribing the limit.

Mr. Chairman, Sir, as far as the issue of State funding is concerned, the Government would not be able to meet the entire expenditure, nor are we in a position to do so, but a part of it should be borne by the State. It should also be kept in mind that it would not be possible for the candidates to tour each and every village. As far as voter lists are concerned, at the moment two voter lists are

[Sh. Dharm Pal Sharma]

provided to each candidate. In my view, more such lists should be provided. The Government should set up public platforms at important places in all the constituencies so that candidates belonging to the political parties could address the people from those platforms and tell them about the measures they propose to take for the welfare of the constituencies and about policies of the parties they represent. People should arrive at a decision, after getting this information, but it is also necessary to eliminate those candidates, independent candidates and political parties who are not serious about contesting elections. As far as independent candidates are concerned, those candidates who fail to get even four per cent of votes polled should be debarred from contesting elections in future. We are aware of the existence of such a provision in many countries. There are three or four parties in democratic countries, but here there are even one man parties. Therefore, these should be a provision, under which a percentage of votes should be prescribed for according recognition, the failure of getting which would lead to the derecognition of a party. In the last elections, the Janata Party nominated 200 candidates to contest the elections and they did not win even a single seat. They got 500 votes from some constituency, 200 from another and thus they were able to corner four per cent votes and they got recognition as an all India party. Such things also should not happen. Similar is the case of regional parties. We have got a political leader in Jammu and Kashmir whose party contests election from 76 seats and they do not win even one seat, but they do contest elections in order to maintain their identity as a regional party. Therefore, I would like that any party polling less than eight per cent of the votes should be derecognised. Independent candidates should get at least four per cent of the votes polled. If he fails to achieve this he too should be debarred from contesting elections from that constituency in future. In this perspective, we have also made an analysis of percentages of votes polled by various parties in the Ninth Lok Sabha, that

has come before us that in the 1984 General elections, the Bharatiya Janata Party had polled 7.5 per cent of the votes and just two of their candidates were elected to the Parliament. In the recent elections, they polled 11 per cent of the votes, that is, by just increasing their percentage of votes polled by only 3.5 per cent, 86 candidates belonging to their party got elected. Similarly, the Janata Dal polled 20 per cent of the votes and they got 142 seats and they call themselves the representatives of the people and they say that the people had voted for them while the Congress, which had polled 40 per cent of the votes and won 194 seats was unable to form a Government. Therefore, it is necessary to make some provision for proportional representation also. Some provision should be made for the list system also. I would like that at least 25 per cent members should be elected on the basis of the proportional representation and the rest 75 per cent should be elected through the present system because if we adopt the list system in its entirety, then whoever gets elected would not go to his constituency. But, the list system is necessary because those who sit in the party offices and work for the party do not want to contest elections because we know that however big a person may be, they take recourse to falsehood and they do not fulfill the promises they had given at the time of elections. Such persons should never come to power. There would be a responsible opposition, if there are only two or three parties. We have seen that we make big promises to the people and later on we find it difficult to fulfill them. Our friends in the Janata Dal said that loans upto ten thousand rupees would be waived, loans taken for opening shops would be waived, but when the Reserve Bank of India said that an expenditure of 14,000 crores of rupees would be incurred in the process, they changed their stand that loans of wilful defaulter would not be waived. Who is going to decide about the wilful defaulters? Yet, they would give only 2,800 crores of rupees and a provision for only 1,000 crore rupees has been made in the Budget. Similarly, an effort was made to provide grains at a cheaper rate and some announcements are being made under pressure that rice

would be provided at the price of two rupees and the economy there is in doldrums. No development activity is taking place but 'dhoties' and rice are being distributed. There could be a responsible opposition only if there are just two or three parties. Along with this, there is also the suggestion for introducing compulsory voting. Now, we see that in some constituencies only 30 to 35 per cent of votes are cast and still people get elected. The political parties themselves put up independent candidates in order to cut into votes of opponent candidates as it happened in the case of one parliamentary constituency in which the candidate of the ruling party won the election through this method. I shall not mention his name. Whatever views the friends have put forward should be taken into consideration and a comprehensive Bill may be prepared on that basis.

The electronic voting system should be adopted. The system of issuing multipurpose identity cards to voters should be started so that bogus voting can be checked. As regards the issue of rigging, there is a provision in the Representation of People Act in this regard.

Separate polling booths should be set up for the poor people and the Scheduled Castes and Scheduled Tribes. We have been informed about the fact that in Western U.P. Haryana and Bihar, the poor voters are not allowed to cast their votes. In my area, there are landless labourers who are not allowed to come out of their houses. When they go to cast their votes, the polling officers tell them that their votes have already been cast. Everyone whether he is rich or poor, has got the right to cast his vote as per his discretion and so far as deployment of police for election duty is concerned, at least 50 per cent of Police should be from a different state as also 50 per cent polling officers should be requisitioned for deployment for this purpose from judiciary.

Unless free and fair election are conducted in this country, the democracy cannot be maintained. We should all make concerted efforts for strengthening of the

democratic set up and elections should be held free and fair without any caste bias. Parties are formed on the basis of caste. All this must stop.

[English]

MR. CHAIRMAN : Already we have taken a lot of time on this Resolution. I am having a list of many Members, many parties have given name of their Members. I request all the Members to please cooperate with the Chair and take only five minutes so that many members can participate in the debate.

SHRI PIYUS TIRAKY: (Alipurduar) : Sir, It is Private Members' Business. I think, the time can be extended.

MR. CHAIRMAN : It can be extended. But there are many more Resolutions to be taken up. There is a limit. Only two hours are allotted for this. And already we have taken more time. I therefore, request all the hon. Members who want to speak on this, to put their views briefly, before the House and finish in five minutes. Now, Shri Piyus Tiraky.

[Translation]

SHRI PIYUS TIRAKY (Alipurduars) : Mr. Speaker, Sir, I support the Resolution moved by Shri L.K. Advani. It is very necessary to bring about electoral reforms. Shri Advani has brought this Resolution at the very appropriate juncture. In the recent Lok Sabha polls, much irregularities were committed. Muscle and money powers were used to get votes. Booth capturing also took place. Therefore, it is essential that we bring about early change in this regard.

It has also been observed that elections are taking the shape of a battlefield. Whoever is strong is able to win it. In our country, people above 18 years are eligible to vote. While the votes are being cast, efforts are made to woo the voters. I am not referring to any particular person or party in this regard. Apart from this, the number of political par-

[Sh. Piyus Tiraky]

ties is so large that the voter gets confused. Some sort of control should be exercised on the mushrooming political parties. There is a lack of political consciousness in the voters of our country. It is easy to sway them by offering money.

During the current Lok Sabha elections, some parties made much efforts to woo the voters under the cover of Ram Janam Bhoomi-Babri Masjid dispute. The villagers who are illiterate and superstitious are easily misled. During elections the ruling party gets the maximum benefit because the administrative machinery is available in their hands. Some reforms should take place to check all such things.

Many political parties have no ideology. It causes bad effect and it weakens the country. Only those political parties with an ideology should be permitted to contest elections. In the elections, caste, religious and regional sentiments are also propagated. Issues such as which caste has been benefited and regional disparities in regard to development are exploited for political ends and lack of development in a certain area is used as an instrument to collect votes. I have observed that in village it was first an election promise was made to provide water supply but when it could not be fulfilled even till the next election, it is stated that it would be done immediately and a tubewell got installed at the village headman's place because he was able to fetch a number of votes. Similarly, a lot of false promises are made to the influential persons of the village who are in a position to muster support of a large number of voters. It has also been observed that as soon as the elections are over and votes are cast the tubewell parts are taken away and the B.D.O. would give some explanation. The ruling party regardless of whether it is the congress or the Janata or the leftist, would resort to such pre-election gimmicks. If there is a need for a road in a certain area, three truck loads of pebbles and cement would be deposited there to show that the work has been started

or some-where else digging work would be undertaken for laying the foundation of some building and because the people do not have any political consciousness and they are unable to understand any kind of ideology, it is easy to fool them. A distorted version of socialism is put before them and because 70 per cent of the population is illiterate, they are unable to understand any kind of ideology and fail to discuss as to who is their actual well-wisher, with the result that they are easily fooled. What I mean that in order to prevent political parties having no ideology from contesting elections, some law should be framed to ensure that only those political parties which have a certain ideology would be eligible to take part in the election process.

Recently, regional sentiments are encouraged during the time of elections and in the same way language sentiments are also exploited. As to whether the country should lay more emphasis on English, Hindi or Sanskrit becomes an issue during the elections. During the last elections Hindi-English controversy was exploited for political ends. So is the case of Ram-Janam Bhoomi-Babri Masjid issue which is being exploited by both the Hindus and Muslims for their narrow sake. All these things take place before the elections which pollutes the elections atmosphere and at times attempts are made to defame persons at the personal level. All such things take place abroad as well but the scale in which caste, region, religion, language and other such considerations are raised here find little parallel anywhere else. Measures can be taken to rectify the situation and Government should pay attention in this direction as well.

At present, as Shri Advani has suggested, Delhi should be awarded with statehood but he is not concerned as to on what basis should it be done. In Delhi people belonging to every region of the country and speaking every language are residing and it needs to be considered as to on what basis should statehood be awarded to the citizens here.

This is all I have to submit.

PROF. PREM KUMAR DHUMAL (Hamirpur): Mr. Chairman, Sir, there are two points on which we all agree and these are that democracy should be maintained and reforms should be brought about in our election process. In this connection, hon. Shri Advani has made certain proposals and I have risen to support them. The influence of money power was clearly evident in the last elections and it is common knowledge that the influence of money and muscle power is increasing in elections. It has become absolutely necessary to bring about reforms in the election process to check the influence of money and muscle power in elections so that real representatives of the people could be elected to Lok Sabha and the Legislative Assemblies.

Similarly, there is a consensus on the point that delimitation work is long over due. It has not been done for the last many years. The reserved constituencies continue to be reserved which is resented by the people of the constituency which includes the Scheduled Castes and Scheduled Tribes and the upper castes. Therefore, there should be frequent rotation of the reserved constituencies. It is not proper to keep them reserved for 20 to 25 years continuously.

I agree with Shri Ram Naik about his views on the size of the constituency. Somewhere there are 3 lakhs of voters and somewhere there are 15 to 16 lakh of voters. Similarly, attention should be paid to the extent of area covered under the remote areas. In my Lok Sabha Constituency, there are 17 Vidhan Sabha Constituencies and which covers an area of 175 kms. In this way there are 17 such Vidhan Sabha Constituencies. In this connection, my suggestion is that both area and population should be taken into consideration for demarcation of a constituency and demarcation of boundaries of the constituency should be taken up afresh.

Similarly multipurpose identity cards with photographs should be issued so that bogus

voting could be checked. In the same way, polling centres in remote areas and hilly regions should be set up within a distance of 2 or 3 kms, so that people do not have to cover a long distance to cast their votes. It is inconvenient for the voter to travel a long distance to exercise his franchise that is why he is unwilling to do so. It is essential to pay attention in this direction as well.

One point which has already been mentioned by my previous speaker is that elections to the Lok Sabha and Legislative Assemblies should be held simultaneously. Before 1967, this convention did prevail but thereafter the election to Lok Sabha and Legislative Assemblies began to be conducted separately. During the last General election, it was expected that since only 2 to 3 months were left for election to the Legislative Assemblies of several States, the elections to them should also be held simultaneously but this not done. If election to Lok Sabha and State Assemblies are held simultaneously, there could be economy in expenditure and unnecessary time could also be saved. Now even the people sitting in the opposition benches would be thinking that if both these elections had been held simultaneously it would have benefited them because during the Lok Sabha elections, Congress was ahead in 20 Vidhan Sabha Constituencies in my state but 2 months later it got only 8 seats.

I would like to submit one point more regarding All India Radio and Doordarshan. Political parties and candidates should be given maximum time to express their views about election manifesto through All India Radio and Doordarshan. It will be more economical and campaigning will be easier.

Electronic voting machines should be utilized. This suggestion came up during the last General elections but it was not rejected because doubts were expressed about the large scale rigging which could take place by using such machines. For this purpose, it is necessary to get investigations conducted by the experts and in case there are no possibilities of rigging, the electronic voting

[Prof. Prem Kumar Dhupal]

machines should be utilized. It will help in saving of time and money. Many parties do not observe the code of conduct. I suggest that anyone who violates the code of conduct and wins the election through unfair means should be punished by declaring his election null and void.

Complaints have been received regarding non-serious candidates and I would also like to say something in this matter. One person contested the Lok Sabha election in my constituency and then stood as a candidate from three Assembly constituencies. On being asked why he was doing so he replied that his last objective is to contest the Panchyat elections. There should be a ban on non-serious candidates in elections. The security deposit per candidate can be increased and if a candidate gets votes less than a minimum limit then he should be debarred from contesting elections. The ban can be imposed on the candidate for a stipulated period.

Some of my hon. colleagues mentioned Meham and some others raised the Amethi issue. A mistake will remain a mistake. One mistake does not justify another mistake. So the most important issue before us is that elections should be held jointly. Necessary steps should be taken in this direction and the Government should bring forward a Bill before the next elections so that electoral reforms are implemented properly. With these words I thank you.

17.30 hrs.

STATEMENT BY MINISTER

Price Policy for Rabi crops of 1989-90 to be marketed in 1990-91 season

[Translation]

THE DEPUTY PRIME MINISTER AND MINISTER OF AGRICULTURE (SHRI DEVI LAL): Mr. Chairman Sir, I would like to an-

nounce the prices fixed by the new Government. After yesterday's Cabinet meeting it was decided that as the crops have come to the market and as the earlier rates were very low, the rates should be revised.

The Government have revised the procurement price of wheat of fair average quality to Rs. 215 per quintal for the 1989-90 crop to be marketed in 1990-91 season. In 1989 the price was Rs. 183 per quintal. After this a decision was taken to revise the rate of mustard. On the recommendations of the Advisory Committee the rate for mustard is revised to Rs. 575 per quintal from Rs. 460 per quintal of last year. So this is an increase of Rs. 115 per quintal. The rate for gram which was Rs. 325 per quintal in 1988-89 has now been revised to Rs. 421 per quintal. This means an increase of Rs. 96 per quintal. Barley was priced at Rs. 145 per quintal in 1988-89 but now it has been revised to Rs. 180 per quintal. This is an increase of Rs. 35 per quintal.

Similarly, Toria was priced at Rs. 439 per quintal earlier. The revised rates for this have not been worked out as yet but an announcement will be made soon. Along with this three committees were set up. We have received the recommendations of the Hanumant Rai Committee. Seven hon. Members who constitute the Standing Advisory Committee are: Shri Sharad Joshi, Shri Bhanu Pratap Singh, Shri Krishna Kanungo, Shri Subara Rao, Shri Kumar Maria, Shri Virendra Verma and Shri Jagjit Singh Ghumrala. Their report as also the Report of the Hanumant Rai Committee was considered by us. We have seen to it that the issue price is given along with the cost so that poor people are benefited by it. Therefore we have increased the issue price through subsidy...

[English]

MR. CHAIRMAN: Hon. Deputy Prime Minister, are you reading the statement which is being given, or making some speech?

[*Translation*]

SHRI DEVI LAL: I am covering the points contained in the statement, in my own words. The revised prices of important commodities are before you. The wheat crop requires water eight times and we have to export wheat and stop its import. We have to lay more emphasis on the mustard crop. That is why the price of mustard has been increased by Rs. 115 per quintal.

[*English*]

SHRI A. CHARLES (Trivandrum) : Sir, there are certain rules and certain precedents which are to be followed. A Minister can read the Statement only and not give lecture.

[*Translation*]

SHRI DEVI LAL : You might not have like this step also. I would like the farmers to concentrate more on the mustard crop so that there is no need to import it rather we are able to export it. That is why we have increase the price by Rs. 115 per quintal.

[*English*]

SHRI A. CHARLES: What about the support price of Coconut? Kindly look into this also because the poor farmers of Kerala have been ignored.

[*Translation*]

SHRI DEVI LAL: You have not let me read the whole statement. Kerala as well as tribal areas in Arunachal Pradesh, Mizoram, Meghalaya, Nagaland, Lakshadweep, Dadra and Nagar Haveli have found mention in the statement. The regions where foodgrain is grown were kept in mind while revising the prices.

AN HON. MEMBER: Please tell us about coconut also.

SHRI DEVI LAL : I am talking of the kharif crop. The prices are fixed when the

crop is ready. The wheat, grain and mustard crops have already reached the market. So it is necessary to announce the prices immediately

SHRI KALP NATH RAI (Ghosi) : On behalf of farmers of this country I thank hon. Shri Devi Lal for revising the rates to their benefit.

SHRI YAMUNA PRASAD SHASTRI (Rewa) : The farmers of India will remain indebted to the Hon. Deputy Prime Minister as he has announced the prices after taking into account the cost involved.

SHRI DEVI LAL: As far coconut is concerned, the rate has been revised from Rs. 1500 per quintal to Rs. 1600 per quintal.

17.38 hrs.

RESOLUTION RE: POLL REFORMS—
CONTD.

[*Translation*]

SHRIDILEEP SINGH BHURIA (Jhabna) : There has been a lot of discussion here on poll reforms. Many of my hon. colleagues have said that our country has a democratic system and there should be no scope in this system for unfair practices during elections. Members of all political parties expressed their news here but in the constituencies we come across an altogether different situation. We must strict laws to deal with this problem. If we get sincere and dedicated Parliamentarians, democracy in India will become strong. But today some people who have committed many murders and are being prosecuted under Section 420 and Section 302 on who are liquor contractors, or black-markers are also managing to get themselves elected to legislatures.

Our people are losing faith in such representatives and in such a system of democracy. A code should be evolved which should ensure that only right persons are

[Sh. Dileep Singh Bhuria]

elected as MPs, MLAs, Councillors or Chairmen of Municipalities or Sarpanches of village Panchayats; otherwise they will not be able to earn the credibility of the people. Ours is a secular country. If religion, language or caste is played up, the political parties can take advantage of the situation. Our country is a great democratic country; Mahatama Gandhi and Pandit Jawahar Lal Nehru laid down their lives for the cause of democracy. How devoted they were towards this cause? They wanted to lead the country in this very direction but what is the state of affairs today? Why there are mutual differences, this we have to think over. Every party has got his own ideology and speeches are made on that basis. The political parties then take advantage of the situation. I, therefore, feel that a Code of Conduct should be evolved which should serve as a set of guidelines for the parties. While preparing such a Code religion, language and caste should be kept away.

Mr Speaker, Sir, my friends from the ruling party, the Hon. Deputy Prime Minister and one of the Hon. Minister are sitting here. Will they tell us as to how much money they have spent to win the elections? They will tell us the amount which is permissible. We will be told that they have spent Rs. 75 thousand or 1 lakh or 2 lakhs in the elections. We are deceiving the people of the country. How much money is spent during the elections? The companies provide crores of rupees for Parliament elections and Rs 10 to 20 lakhs for State Assembly elections. Who spends this money? The problem of the country is that we are unable to decide between the wrong and the right. The political parties in the country are exploiting the people and try to win the elections and come to power. The people who help them also want something in return. Mr. Chairman, Sir, I know of a Minister, I will not name him, who has won the elections with the help of such people and when he was made a minister, the people who had helped him started with him in his car. They want something in return. Therefore, we should condemn such ele-

ments and should ensure that such political parties do not come to power. For this, we will have to strengthen the rural culture in the country. Today the tendency is that M.Ps. and M.L.As think that as their period will be short, they must have some office, and in that bribing becomes the way of life. This must be stopped. It is essential to know that the elected representatives come to Parliament or State Assemblies to serve the people. Therefore, the weapon of service which we have got must be used with honesty and sincerity. For this, we should find out the way after due deliberations. The minimum amount should be spent during the elections. Honesty should prevail in the elections and the unscrupulous people should be thrown away. Though there are voters' lists, the people are not allowed to go according to their will and they are forced to put thumb impressions and booth capturing is resorted to. Why are we deceiving ourselves? How can we expect honesty from a member of Parliament who has won by booth capturing. Can anyone work sincerely in this way? If a person is elected M.P., M.L.A., or a Member of Municipality by gun totting or by throwing a hand grenade, then a situation of Might is Right will arise. Therefore, we should fight Parliamentary elections with honesty and should think of serving the people and the country. For this, we should not take partisan attitude whether we belong to this party or that party... (*Interruptions*). We do not use the force. You use the force and capture the booths. We fight election honestly and use fair means. Mr Yadav, I want to make this absolutely clear. We should discuss each and every issue with sincerity and take decisions which are for the good of the country. The Government should give weightage to our opinion also on the Resolution which we are discussing presently. We have been holding fair elections in the country for quite a long time. We could hold elections even in Punjab but you have failed to do so. We held elections in 1977 also and our leader Smt. Indira Gandhi relinquished the power as a result thereof. This time also we have relinquished the power. Our Congress party is not after power. It wants to see the democracy strengthened in this country. We believe that

the country should be run by a Government which is duly elected by the people. We have always followed this principle and in future also we will follow the same ideology. Therefore, you need not worry on this aspect. We fully respect the verdict of the people and we will keep on abiding by it. People have asked us to sit in the Opposition and we will do the duty of an Opposition with utmost sincerity. Choudhry Saheb, the people whom you are carrying along with you are supporting you only to the extent of pressing the green button. Otherwise they are speaking against you in the House as well as outside the House. That is why the country is facing many a crisis. Somewhere communal riots are taking place and somewhere atrocities are being committed on Harijans. The reason is that there is no unanimity of views among you. There is no unanimity as to which direction the country should follow. We want that you should remain in power for full term of 5 years. We will support you for every right work but on no condition we will allow the country to weaken. We want a strong India and all our endeavours have been to this direction only. We will not retract from our policies. Therefore, you need worry on this account. We do not want to break you. It will not be our fault if you yourselves lose your identity with your internal bickerings. We want you to rule for 5 years but first you should formulate your policies. What sort of views are being expressed by BJP people in the House? They are fanning the feelings of the people by asking for abrogation of Article 370. This is resulting in communal riots and disturbances. Who is responsible for this? Why do you want to hold responsible our 40-years rule for this? We have never incited the people. We admit that we committed certain mistakes because of which we have to sit on this side of the House but you should also remember that if you too commit mistakes, the people are not going to forgive you. People have shown confidence in you. They have several hopes. In your manifesto, you have promised to waive loans of the farmers and have also made other promises but you have done nothing though the Month of May has come. You have stated in your manifesto that the prices will

be brought down. In a democracy the election manifestoes are quite important. You are now in power and you should start implementing your promises with sincerity. But it seems nothing is being done at present. In such a situation have you any moral right to be in power? If we think that our duty is limited only to make hollow speeches in Parliament then I have nothing to say but if you want to do something for the country and want that the country should progress, then you will have to take some concrete steps. With these words I conclude. Mr Chairman, Sir, I thank you for allowing me to speak.

SHRI RAMESHWAR PRASAD (Arrah) : Mr. Chairman, Sir, I would also like to give few suggestions on the resolution being discussed in the House at present regarding the misuse of money power, muscle power and government machinery in the elections. We must not forget that the right to vote is the right to form the Government and it is not something to be given in charity. I personally feel that today our politics is being dominated by those people who believe in grabbing power by hook or crook. As a result of this tendency growing very fast, the inevitable outcome of this is that criminalisation of politics is taking place at an accelerated rate and the criminals are turning into political heroes. The previous Government openly encouraged the economic offenders to join active politics and entrusted all of them with highly influential positions. Booth capturing and buying votes with money in the rural areas have become one of the routine features now-a-days. Therefore, my suggestion is that we should set up these polling-booths in those places which are easily accessible by the people belonging to weaker sections of the society instead of social centres, and no outsiders should be allowed to go to those booths so as to check the atrocities being committed against the rural people. Secondly there is need to modify our administrative rules to put a check on those police officials who help the politicians in achieving their selfish motives. Even the returning Officer declares the name of losing candidate as the winning candidate in the counting of votes and this leads to firing of

[Sh. Rameshwar Prasad]

gun shots. For instance, the candidate from Jahanabad resorted to firing in the constituency of Ararwal for a similar reason. It is essential to implement all the electoral reforms to curb the practice of seeking votes in the name of religion and caste and creating religious frenzy as is done by the B.J.P.

Sir, I would like to suggest that elections would be held on the basis of proportional representation. If farmers constitute 70 per cent of the population, their representation should be proportionate to their population. Similarly, if labourers and students constitute 10 per cent and 5 per cent of the population respectively, their representatives should be elected accordingly. In this way each group of the society will be able to enjoy opportunities of representation. My second suggestion is that candidate should not be permitted to fight election from two constituencies like our hon. Deputy Prime Minister did in the last elections. There is a need to frame law in this regard. In this way, we will be able to build a clean social and political atmosphere in our country and the practice of using unfair means during elections can be checked. Now, I resume my seat as a number of hon. Members are waiting for their turn to speak.

[English]

SHRI BALGOPAL MISHRA (Bolangir): At the outset, I thank you for giving me this opportunity to speak on this subject. At the same time I also take this opportunity to congratulate the Deputy Prime Minister who has made an announcement about the procurement prices.

If you observe the trend of the discussion in the last four days, you will find that one thing has been admitted by all of us in the House viz. that there is no law in this country. Had there been a law, had there been respect for law, probably we would not have been discussing these things today here?

Mr. Advani has brought this resolution on the basis of two things. (1) To prevent misuse of money power, (2) To prevent muscle power in election. It has been admitted inside the House and outside at different forums that there is black money which is running in parallel with the State economy. So, until and unless that black money is curbed, there cannot be fair and free elections. If the financial law of this of this country had been existing properly in the last 40 years, this black money would not have been there; and if the black money had not been there, the money power would not have been a factor, a reason or a problem today to implement the electoral law.

Similarly, if the criminal law had not been used with restraint, then the muscle power would not also have become a factor for rigging the elections. So there is admission of these things, two factors, by all sections of this House, including myself - it is not a question of this side or that side. It has been unanimously accepted in this House that money and muscle powers are ruling; it has been accepted, it has been proved unanimously by this House that this country is not run by the normal law; this country is run by jungle law. The normal law was killed as far back as 1975 after the historic judgment of the Allahabad High Court in the case of Mrs. Indira Gandhi.

Sir, when the watergate scandal broke out, ultimately Nixon had to go. and here is a country the people of which claim that it is the largest democracy in the world, and what have we done? When a Prime Minister was accused and convicted of election offences the law was amended.

AN HON. MEMBER: With retrospective effect!

SHRI BALGOPAL MISHRA: Yes. That again shows that there is no rule of law here.

Regarding bureaucracy, a word has been coined you must have heard it, "committed bureaucracy". They are committed. But, they are committed to whom? Are they

committed to the people, or committed to the country, or committed to the Constitution of the country, or to the ruling clique of the country? So also, 'committed judiciary' also has come in. I have said it that they are committed to the ruling clique, and I am victim of committed bureaucracy, for so many years.

SHRI A. CHARLES: You said hon. members are also involved. All the members are governed by the same law. So, it is applicable to you also.

SHRI BALGOPAL MISHRA: Naturally. I did not mean that I am above it. It applies to everybody.

SHRI A. CHARLES: We are also here. (*Interruptions*)

SHRI BALGOPAL MISHRA: Yes. I am also here. I agree. (*Interruptions*) Whoever is there, I do not mean anybody in particular. In the recent elections, before filing nomination, Shri J.B. Patnaik, the Chief Minister of Orissa had distributed these cards. This card is here with me. (*Interruptions*) I have been fighting bureaucracy there for the last six years. I had submitted a petition to the Election Commission before filing my nomination for this election. I submitted that if the S.P. and collector of Balangir continue to be there, there would not be a free and fair election there. I met the Chief Election Officer at Bhubaneswar. But the Election Commission did not pay any heed. What was the observation made by the DIG Police and Election observer about the SP and collector. They continued to be there as the Chief Minister wanted them to be there.

AN HON. MEMBER: What about 1980.

SHRI BALGOPAL MISHRA: You have started all this in 1974 and this is all because of you only. (*Interruptions*) Everywhere you have got your own people. (*Interruptions*)

I have come on my own. I have been an independent member for the last ten years in Orissa. (*Interruptions*) We are from the grass-

roots. We do not want to take shelter somebody's umbrella or somebody's sari.

What happened ultimately? What happened is that my victory processions were disrupted. I was threatened by the S.P. that I could be killed if I became a member of this House.

Now what happened is that SP has been transferred. Simply you have transferred him. Transfer is no punishment. So, I request that if electoral reforms are to be made, the first thing should be any officer who is found guilty should be punished, whichever party may come to power. Only transfer does not mean anything.

Similarly, there is a provision in the Criminal Procedure Code under Section 197 which requires us to take the permission if we want to file a complaint against an officer. Why? The Britishers did it. But the Britishers did it because they were using it for their own ends. But in a free country, after 40 years of Independence, we have still got that rule! Why should we have such a rule? Why should such a draconian law should be there?

So I suggest that there should be recall system. Unless and until the members are recalled and are made answerable and accountable our electoral system will not improve. The tendency is that we come for five years and we make a fortune for five generations. The Members should be made answerable and accountable to the electorate. This can be done only if there is a system of recalling because we come for five years and we make fortunes for five generations.

[*Translation*]

18.00 hrs.

SHRI K.D. SULTANPURI (Simla):- Mr. Chairman, Sir, I support the resolution moved by Shri Advani. The present Government should endeavour to bring about electoral reforms. I am quite hopeful that the government will take firm steps in this direction.

[Sh. K.D. Sultanpuri]

So far as democracy is concerned, a single party forms the Government, but in the present Government, 3-4 political parties have joined together to strengthen the democracy in our country and I would be happy if this spirit of cooperation among them lasts long.

[English]

MR. CHAIRMAN: You may continue next time.

18.01 hrs.

HALF-AN-HOUR DISCUSSION

Commercialisation in Education

[English]

MR. CHAIRMAN: We shall now take up Half-an-Hour Discussion on the points arising out of the answer given on 26 March, 1990 to starred question No 189 regarding commercialisation in education. Shri Y.S. Mahajan.

SHRI Y.S. MAHAJAN (Jalgaon) : Mr. Chairman, Sir, there has been a tremendous expansion of educational facilities during the last forty years. We have tried to reach all sections of society down to the weakest, those living in the hilly areas and under various social difficulties. The number of primary schools had increased from 2.10 lakhs in 1950-51 to 5.29 lakhs in 1986-87. The number of boys had increased from 16.56 million to 75.29 million and the number of girls had from 5.29 million to 51 million by 1986-87.

Similar achievements are to our credit in the field of secondary and higher education.

The total enrolment in Universities and

colleges is now about 40 lakhs of students, both male and female. We can boast that we have the third largest group of scientists and technologists in the world. Our scientists and technologists have distinguished themselves in the whole world. This picture as many bright spots, but it has some dark patches. It is with a view to focus attention on the dark patches, that I have requested for this Half-an-Hour discussion on commercialisation of education.

Because of the phenomenal growth of population, educational facilities, inspite of tremendous expansion, have fallen short of demand at all levels of education. To secure admission in primary schools, parents have to pay extra fees, we can call 'capitation fees'. Every year parents can be seen running about for chits from influential persons and emptying their pockets for getting admission in primary schools. This question of admission has become so difficult that in the case of institutions of higher education, especially in the field of engineering and medicine, the capitation fees have reached the level of two and even there lakhs of rupees. To take advantage of this situation many new private institutions have cropped up. Usually they do not possess adequate facilities in the form of classrooms, laboratories, equipments and libraries. In their anxiety to show good results, they resort to malpractices such as conniving at copying at examinations, allowing teachers to run private coaching classes, manipulation of marks in university examinations and even changing the rules and regulations of the University to boost their examination results. Teachers who undertake private tuitions, often show favours to students at the time of examinations. All these practices have reduced education to a farce. Though there are some good institutions, and many good teachers, by and large our education system has been reduced to a farce. Many college teachers, whose salaries are now at such a level that they can be regarded as an affluent section of the community, have turned private tuition into a regular industry. The evil of copying should be put down with a heavy hand as is done in Maharashtra. I will tell my