

fact that under 1800 of the income-tax Act, the publishing industry was given a rebate of 20 per cent which ends this year. In our country, the conditions being what they are and the prices of paper and publishing mounting up as they are, I think our taxation laws should have a bias in favour of books and publishing. Therefore, I would request that on some suitable occasion if not now the Government should see that this 20 per cent rebate is extended for another 5 years. Thank You, Madam.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill be returned."

The question was put and the motion was adopted.

REFERENCE TO THE STRIKE IN THE DELHI TRANSPORT CORPORA- TION

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : माननीय उपसभापति महोदय आज सुबह मैं सभापति जी से मिला था और उन्होंने मुझे अनुमति दी थी कि मैं इस विषय को वित्त विधेयक के बाद उठाऊँ।

कल से दिल्ली परिवहन की बसों की हड़ताल हो गयी है और पिछले 15 दिनों से दिल्ली में आटो रिक्शा वालों की हड़ताल भी चल रही है और जो परिवहन निगम के अधिकारी हैं या कंडक्टर हैं और जो सरकारी अधिकारी हैं उन को इस प्रकार जन जीवन के साथ खिलवाड़ करने का अधिकार नहीं दिया जाना चाहिए। आज दिल्ली का सामान्य जन जीवन पूरी तरह से ठप्प हो चुका है और सरकारी कर्मचारी और दुकानदार भी अपने अपने स्थानों पर समय पर नहीं पहुंच सके हैं, और चूंकि दिल्ली केन्द्र शासित प्रदेश है इस लिये केन्द्रीय सरकार से मेरा अनुरोध है कि इस समस्या का तुरन्त समाधान किया जाय जिससे दिल्ली का जन जीवन सामान्य हो सके और लोगों को जो असुविधा हो रही है वह समाप्त हो।

THE DEPUTY CHAIRMAN: The House stands adjourned till 2.30 P.M.

The House then adjourned for lunch at nineteen minutes past one of the clock.

The House re-assembled after lunch at thirty-three minutes past two of the clock. The Vice-Chairman (Shri-mati Kanak Mukherjee) in the Chair.

RESOLUTION REGARDING AP- POINTMENT OF A COMMITTEE TO STUDY ELECTORAL REFORMS— contd.

THE VICE-CHAIRMAN (SHRI-MATI KANAK MUKHERJEE): Shri Ghulam Rasool Matto to continue his speech.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Madam Vice-Chairman, I have spoken at length on the subject on the 3rd of May, 1985. And the point that has to be taken into consideration now is point No. 8 in the Resolution moved by Shri Dhabe—that is, control and regulate by law the formation and functioning of political parties including auditing of their accounts and making them public. Madam, there is a mushroom growth of parties these days with no programmes. But some media of the Government gives them publicity and they appear to be functioning. I have an instance in Jammu and Kashmir. There is one party called the Old National Conference. There is nobody there. But somebody sends a letter to the Rad'o Kashmir, Srinagar, and they give out those names. So it is very necessary, as Mr. Dhabe has put in his Resolution, that we must regulate the formation of the political parties. Whether they are regional parties or national parties. How that can be done is the thing to be considered at length. The mushroom growth of even regional parties or national parties is a thing which comes in the way of the efficient functioning of the political sys-

tem. Madam, this can be illustrated by the fact that in America and Britain there are only two or three parties and the parties give out their programmes and the people have not to choose from so many parties. I think that this suggestion of Mr. Dhabe that there should be control and regulation by law on the formation and functioning of political parties is very necessary.

Then, Madam, he has also mentioned about the auditing of the accounts of political parties. This, to my mind, is a very important step that he has envisaged. Right now the position is that we do not know how much money is being spent by political parties and how much money is being accumulated by them for funding elections of their candidates. But the way the money is being spent, one is simply aghast. For instance, at the time of the last general elections a newspaper report had stated that a particular party had kept at the disposal of a particular candidate as many as 40 jeeps in one constituency alone. Now, you can imagine, Madam, that a party which has 40 jeeps how much money it needs for their maintenance, petrol and other things? Such a party must have recourse to a wealth of money and then alone it is possible for them to provide 40 jeeps. So, in my opinion, it is very essential and it is very necessary that we must have auditing of the accounts of political parties. Now that the latest thing has been done only two days back, the Bill has been passed under which companies can donate to political parties, I think there should be no hesitation on the part of the Government to accept this proposal of Mr. Dhabe that auditing of accounts of political parties is a very crucial necessity for the smooth functioning of democracy.

Madam, Mr. Dhabe has finally recommended that the Government should appoint a high-powered committee consisting of 15 Members of the House under the chairmanship of the Union Minister of Law to study

the various aspects of the electoral reforms and submit a comprehensive report to the House within three months. Now, in reply to the debate, I am sure—Mr. Minister will listen to me please—the Minister will say that the Government is coming out with a comprehensive Bill on electoral reforms. And I had said on the 3rd of May that when Mr. Rajiv Gandhi took over his two main planks were, namely, (1) that he will pass the Anti-Defection Bill, and (2) that he will see that electoral reforms are made. The first thing has already been done. The second this is with regard to electoral reforms. So, we would welcome if Mr. Bhardwaj comes out today in reply to Mr. Dhabe's proposal that the Government is coming forward with a comprehensive Bill for electoral reforms. He will then be only fulfilling the pronouncements that the Prime Minister had made when he took over. I have only to tell him that it may take some time for the Government to formulate the proposals and what Mr. Dhabe's committee will do in the mean time is that it will supplement the efforts of the Government or be complementary to the exercise the Government will be doing in this regard. So this committee shall help the Government to arrive at certain decisions with regard to these electoral reforms.

Madam, this proposal is a very sanguine one and I feel that it should be accepted without any reservation. Coming to the Resolution as a whole, I have already stated what steps the Government needs to take with regard to the amendment of the Constitution, Part XV and reducing the age and also drastically cutting down the election expenses and also the recommendations as to how the Government should also contribute to the funding of elections by political parties. In this respect I have spoken at length on the 3rd of May. I need not repeat all that. But I would only request the hon. Minister that instead of telling us that he will come out with a comprehensive Bill for the

electoral reforms. he should accept the principles of the Bill of Mr. Dhabe so that this Committee will supplement and complement the work of Mr. Bhardwaj in arriving at a consensus with regard to the electoral reforms.

Madam, with these observations, I commend the Resolution of Mr. Dhabe and strongly support it and request the hon. Minister that he should accept the provisions of this Resolution without any hesitation. Thank you very much.

श्री कल्पनाथ राय (उत्तर प्रदेश) :
आदरणीय उपसभाध्यक्ष महोदय, श्री एम० डब्ल्यू० धाबे जी ने यह जो प्रस्ताव पेश किया है, मैं उसका समर्थन करता हूँ। मैं आदरणीय कानून मंत्री श्री भारद्वाज जी से प्रार्थना करूँगा कि बदलते हुए नये संदर्भ में जो इलेक्टोरल रिफार्म्स है वे देश में प्रजातंत्र के हित में आवश्यक है। इसलिए मैं सर्वप्रथम कानून मंत्री जी से यह निवेदन करूँगा कि इस देश में प्रजातंत्र की जड़ें गहरी बनाने के लिए वे चौखम्भा राज्य की कल्पना को सदन के माध्यम से साकार करें। हमारे देश में ग्राम पंचायतों के इलेक्शन होते हैं। जिला परिषदों के भी चुनाव होते हैं। आप जानते हैं कि एक पंचायत दिल्ली की है, एक पंचायत लखनऊ की है और एक पंचायत जिले की है और एक पंचायत गांव की है। ये पंचायतें तो हमारे संविधान के अनुसार मैनडेटरी है। इनके चुनाव अनिवार्य रूप से हर पांच साल के बाद होते हैं अर्थात् लोक सभा और विधान सभा के चुनाव हर पांच साल में होते रहते हैं। लेकिन जिला परिषदों और ग्राम-पंचायतों के चुनाव कभी 10 साल के बाद और कभी-कभी 15 और 20 साल के बाद होते हैं। आज हमारे देश में आवश्यकता इस बात की है कि ग्राम स्तर पर और जिला स्तर पर विकास का काम बहुत तेजी के साथ हो। हमारी सरकार का यह उद्देश्य होते हुए भी हम इस उद्देश्य को पूरा नहीं कर पाते हैं। मैं आपसे निवेदन करना चाहता हूँ कि हमारे उत्तर प्रदेश में व्योक्तों के चुनाव और जिला परिषदों के चुनाव करीब 12 साल के बाद

हुए। जिला परिषदों का चुनाव हो गया, ब्लॉक प्रमुख का चुनाव हो गया, परन्तु आज तक जिला परिषद का गठन नहीं हो सका। इसका परिणाम यह हुआ है कि एन० आर० ई० पी० आर एन० आर० एल० जी० पी० के अन्तर्गत योजनाओं का कार्यान्वयन जिस असरदार ढंग से होना चाहिए था उतना असरदार ढंग से नहीं हुआ है। इसलिए मेरा निवेदन है कि संविधान के अन्दर चौखम्भा राज्य की कल्पना को साकार रूप दिया जाय और जिला परिषदों और ग्राम-पंचायतों को स्टेट्यूरी माध्यम से अनिवार्य चुनाव कराने की व्यवस्था की जाय और जिस प्रकार से लोक सभा देश का बजट पास करती है और विधान सभाएं राज्यों का बजट पास करती हैं उसी प्रकार से जिला परिषदें भी अपने बजट पास करें। इस प्रकार की व्यवस्था संविधान में की जानी चाहिए। ग्राम पंचायतें भी अपना बजट पास करें और वे अपने स्तर पर अपने इलाकों का विकास करें। आज स्थिति यह हो गई है कि जिला परिषदों के चुनाव नहीं हो पाते हैं (व्यवधान)। यही मैं कह रहा हूँ कि संविधान में एमेन्डमेन्ट करके इस काम को किया जा सकता है। इसलिए मैं कानून मंत्री जी से यही निवेदन करना चाहता हूँ कि जिस प्रकार से मैनडेटरी प्रोविजन के अनुसार लोक सभा और विधान सभाओं के चुनाव होते हैं उसी तरह से संविधान में एमेन्डमेन्ट करके इस प्रकार का मैनडेटरी प्रोविजन बनाया जाना चाहिए जिनमें जिला परिषदों और ग्राम पंचायतों के चुनाव भी हर पांच साल के बाद हों और हर पांच साल के बाद नई जिला परिषद या ग्राम पंचायत का गठन हो क्योंकि सामाजिक विकास के समग्र लक्ष्य को पूरा करने के लिए यह आवश्यक है कि संविधान के चौखम्भा राज्य की कल्पना को साकार किया जाय (व्यवधान)। जी हाँ, इससे हमारे देश में प्रजातंत्र भी मजबूत होगा। प्रजातंत्र को कैसे मजबूत किया जा सकता है, पीपुल्स पार्टिसिपेशन से देश के प्रजातंत्र को मजबूत किया जा सकता है। जनता का इसमें ज्यादा से ज्यादा इन्वाल्वमेंट हो। गांव सभा के चुनावों में, जिला परिषद के चुनावों में, विधान

[श्री कल्याण राय]

सभा के चुनावों में और लोक सभा के चुनावों में जब जनता को अधिकार हो अपने प्रतिनिधियों का चुनाव करने और अपने अपने इलाके का विकास करने का, तभी हम प्रजातंत्र की जड़े इस देश में मजबूत बना सकते हैं। आदरणीय उपसभाध्यक्ष महोदय, धावे जी ने अपने रेजोल्यूशन में कहा है इलेक्टोरल रिफार्म्स के बारे में। इलेक्शन कमीशन ने भी इसकी सिफारिश केन्द्रीय सरकार को की है। मैं आदरणीय कानून मंत्री जी से निवेदन करना चाहूंगा कि जो एक लाख रुपये एक पार्लियामेन्टरी कांस्टिट्यूएन्सी में खर्च करने की आपने सीमा निर्धारित की है वह आज की बढ़ती हुई महंगाई के कारण आज जो खर्च बढ़ गया है उसको देखते हुए कम है। मैं आपसे निवेदन करूंगा कि पीपुल्स रेप्रेजेंटेशन ऐक्ट में अमेंडमेंट करके एक लाख की धनराशि को कम से कम दो लाख रूपया करना चाहिये। आज पेट्रोल और डीजल बहुत महंगा है और एक पार्लियामेन्टरी कांस्टिट्यूएन्सी में आठ सौ, सात सौ पोलिंग स्टेशन होते हैं। उत्तर प्रदेश में नौ लाख आदमियों के ऊपर एक लोक सभा का प्रतिनिधि होता है। इसलिये पीपुल्स रेप्रेजेंटेशन ऐक्ट में जो एक लाख रुपये की सीमा रखी गई है, मैं कानून मंत्री जी से निवेदन करना चाहूंगा कि आज के संदर्भ में जब कि चुनाव इतना महंगा और खर्चाला हो गया है उन्हें ऐसी व्यवस्था करनी चाहिये ताकि इसमें कम से कम सीमा 2 लाख रुपये की हो। एक कन्डीडेट 2 लाख रुपये तक चुनाव में खर्च कर सकता है। क्योंकि अगर अपनी पूरी पार्लियामेन्टरी कांस्टिट्यूएन्सी में कोई आदमी जीप से दौरा करना चाहता है और पांच जीप भी लोक सभा क्षेत्र में चुनाव करने के लिये उपयोग करता है तो उसमें एक लाख रुपये का पेट्रोल या डीजल लग जायेगा। इसलिये मैं निवेदन करना चाहता हूँ कि पीपुल्स रेप्रेजेंटेशन ऐक्ट में कुछ अमेंडमेंट किये जायें और जो इसमें एक लाख रुपये की धनराशि रखी गई है उसको कम से कम 2 लाख रुपये या ढाई लाख रुपये किया जाये। क्योंकि हम संविधान की कसम खाते हैं और जब भी मंत्री पार्लियामेंट चुनाव

लड़ने जाता है तो वह भी गण्य ग्रहण करता है।

वह अपना खर्च का विवरण चुनाव के बाद सबमिट करना है कि हमने इतने रुपये चुनाव में खर्च किये। लेकिन ईमानदारी की बात यह है कि सभी राजनैतिक दलों के लोग चाहें इस पक्ष के हों या उस पक्ष के लोग जो वे हिसाब सबमिट करते हैं वे ईमानदारी में अपना हिसाब नहीं देते बल्कि खाना पति करते हैं। किसी भी जनता के प्रतिनिधि से अगर आप चाहते हैं कि वह अपना सही हिसाब पेश करे तो इसके लिये चुनाव खर्च की कम से कम सीमा 2 लाख निर्धारित की जानी चाहिये। आदरणीय उपसभाध्यक्ष महोदय, आज देश में एक बहुत बड़ी बराई बूथ कैप्चरिंग की हो गई है। आज जनता के प्रतिनिधियों का सही चुनाव कई प्रान्तों में नहीं हो पाता है। आज जिनके पास लठे हैं, जिनके पास पैसे की ताकत है, लाठी की ताकत है या जिनके पास असामाजिक तत्वों की ताकत है, वे लोग अपनी इस ताकत का इस्तेमाल करके बूथ पर कब्जा कर लेते हैं और जनता को अपना सही प्रतिनिधि नहीं चुनने देते हैं और जो सही प्रतिनिधि होते हैं वे चुनाव नहीं जत पाते। तो मैं कानून मंत्री जी से निवेदन करूंगा कि वह चुनाव कानून में ऐसा संशोधन करे जिससे कोई भी उम्मीदवार बूथ कैप्चरिंग न कर सके और बूथ कैप्चरिंग द्वारा चुनाव की जो सही प्रक्रिया है उसके रास्ते में कोई बाधा न डाल सके। हमारे इलेक्शन कमिशनर ने केन्द्रीय सरकार के पास एक सिफारिश भेजी है। मैं चाहूंगा कि केन्द्रीय सरकार इस सिफारिश पर विचार करे और इलेक्टोरल रिफार्म्स को तत्काल लागू करने की दिशा में कदम उठाये। आदरणीय उपसभाध्यक्ष महोदय, मैं दूसरा निवेदन यह करना चाहता हूँ कि इलेक्टोरल रिफार्म्स में, आज जो बोगस, एक ही आदमी एक शहर में दस जगहों का वोटर हो जाता है और एक शहर में 10 जगहों पर वोटर लिस्ट में अपना नाम लिखवा लेता है। मैं चाहता हूँ कि एक व्यक्ति एक ही जगह पर वोटर लिस्ट में अपना नाम लिखवा

सके। अगर वह दस जगहों पर अपना नाम लिखवा लेता है और इन सारी जगहों पर वोट देने की कोशिश करता है तो ऐसे व्यक्ति को वोट के अधिकार में वंचित किया जाना चाहिये। इसलिये इलेक्टोरल रिफार्म्स के संदर्भ में आज यह अति आवश्यक है।

आदरणीय उपसभाध्यक्ष महोदय, विरोधी दल और सरकारी पार्टी के लोग चुनाव में भाग लेते हैं। कुछ ऐसी चीजें होती हैं, जैसे कि हर कंडीडेट को मत-दाताओं की सूची मिलती है। मेरा निवेदन है कि सरकार की ओर से मतदाताओं को सूची सभी दलों के उम्मीदवारों को दी जानी चाहिये। उसके लिये पैसा नहीं निभा जाना चाहिये।

उपसभाध्यक्ष महोदय, आज चुनाव में यह देखा गया है कि एक एक क्षेत्र में करीब 40-40, 50-50 उम्मीदवारों ने लोकसभा के लिये पर्चा दाखिल कर दिया है। केवल 5 सौ रुपये जमा करके उनको लोकसभा का उम्मीदवार बनने का अधिकार दे दिया गया है। लेकिन बिना सोचे समझे, बिना किसी मतलब के 80-80, 90-90 उम्मीदवारों के एक क्षेत्र से पर्चा दाखिल कर देने पर बड़ा संकट उत्पन्न हो जाता है सही उम्मीदवारों का चयन करने में इसलिये मैं कानून मंत्री जी से यह निवेदन करना चाहूंगा कि वे कानून में ऐसा संशोधन करें कि ज्यादा उम्मीदवारों के ऊपर रस्ट्रिक्शन हों, कौन उम्मीदवार चुनाव लड़ सकता है। और 5 सौ रुपये की जो धनराशि है मैं चाहूंगा कि उसको बढ़ाकर 2 हजार रुपये कर दिया जाये तो शायद इतने ज्यादा उम्मीदवारों की संख्या नहीं बढ़ेगी क्योंकि पहले जमानत भी जमा होती थी तो केवल 5 सौ रुपये जमा हो गये। इसलिये यह चुनाव के प्रोपेस को कमजोर करे ऐसा नहीं होने देना चाहिये।

उपसभाध्यक्ष महोदय, आज के बदलते हुए संदर्भ में हम चुनाव कानून में परिवर्तन करना अति आवश्यक हो गया है। इसमें सभी राजनैतिक दलों का एक गोल-मे-गोल कान्फ्रेंस बुलाना चाहिये कानून मंत्री जी को, जिसमें सभी राजनैतिक दलों के प्रतिनिधि उपस्थित हों और लगातार 2-3

दिन तक उनमें और कानून मंत्री जी में चुनाव में सुधार लाने के लिये विचार-विमर्श हो। फिर उसके बाद जो निष्कर्ष निकलते हैं उनको लागू करने की दिशा में कदम उठाया जाये। आज आवश्यकता इस बात की है कि हिन्दुस्तान के सभी विरोधी दलों के नेता और सरकारी पक्ष के लोग दोनों मिलकर इलेक्टोरल रिफार्म्स की दिशा में कदम उठाये।

मैं देश के नये प्रधानमंत्री श्री राजीव गांधी को बधाई देना चाहता हूँ कि उन्होंने सत्ता में आने के बाद एण्टी डिफेक्शन बिल पास कराया जो कि प्रजातन्त्र को मजबूत करने की दिशा में एक बहुत बड़ा कदम है। इससे राजनैतिक जीवन में भ्रष्टाचार रहेगा। इससे हिन्दुस्तान के राजनैतिक जीवन में जो "आया राम गया राम" की प्रक्रिया चल रही थी वह रहेगी। जो अपनी पार्टी से चुना जायेगा वह पार्टी में ही रहेगा और अगर वह डिफेक्ट करेगा तो उसको अपनी सदस्यता से हाथ धोना पड़ेगा। तो देश के नेता श्री राजीव गांधी ने सत्ता में आने के बाद एण्टी डिफेक्शन का जो पहला कदम उठाया हम देश की करोड़ों जनता की तरफ से उसका स्वागत करते हैं। इस बिल के पास होने से हिन्दुस्तान के राजनैतिक जीवन में एक स्वच्छता आई है और एक नये युग का श्रीगणेश हुआ है। इसके लिये हम कानून मंत्री और पूरी सरकार को बधाई देना चाहेंगे कि उन्होंने दलबदल विरोधी कानून लाकर देश के राजनैतिक जीवन में पवित्रता लाने की कोशिश की है।

मैं देश के प्रधानमंत्री और कानून मंत्री जी को बधाई देना चाहूंगा कि अभी उन्होंने एक नया संशोधन कम्पनी एक्ट में किया है कि कंपनियां राजनैतिक दलों को डोनेशन देंगी अपने मुनाफे में से। यह भी एक अच्छी बात है। हर राजनैतिक पार्टी चुनाव में पैसे लगाती है मगर उसका आडिट नहीं होता है। लेकिन अगर कम्पनीज के माध्यम से दुनिया के अन्य देशों में भी राजनैतिक दल पैसे लेते हैं, चंदा लेते हैं और उसी चंदा के माध्यम से चुनाव के मैदान में जाते हैं तो हमारे देश की राजनीति में जो संशोधन के माध्यमों

[श्री कल्पनाथ राय]

यह कानून लाया गया है इससे कम्पनीज अपने मुनाफे से कुछ परसेंट पैसे किसी राजनीतिक दल को दे सकती है। यह भी हिन्दुस्तान के राजनीतिक जीवन को स्वच्छ बनाने की दिशा में एक बड़ा कदम है। इसी 4 महीने के अंदर हमारे देश के प्रधान मंत्री राजीव गांधी जी के नेतृत्व में जो इलेक्टोरल रिफार्म्स की दिशा में देश के राजनीतिक जीवन में स्वच्छता लाने की दिशा में जो कदम उठाये गये हैं वे बड़े सराहनीय हैं और हिन्दुस्तान के सारे राजनीतिक दलों को इन कदमों का समर्थन करना चाहिये और इसका समर्थन किया भी गया है। एण्टी-डिफेक्शन बिल को बनाकर हिन्दुस्तान के राजनीतिक जीवन में एक स्वच्छता का श्रीगणेश किया गया है। इस सराहनीय कदम का हम स्वागत करते हैं और जो कंपनी ला अमेंडमेंट किया गया है जिसमें हिन्दुस्तान की कम्पनीज विभिन्न राजनीतिक दलों को अपने मुनाफे का कुछ परसेंटेज डोनेशन के रूप में दे सकती हैं। यह भी राजनीतिक जीवन को स्वच्छ बनाने की दिशा में एक अच्छा काम है। आदरणीय उपसभाध्यक्ष महोदया, मैं अपने कानून मंत्री जी से निवेदन करना चाहूंगा कि जब हमारे देश के प्रधान मंत्री देश के राजनीतिक जीवन में एक स्वच्छता लाना चाहते हैं तो उन्हें सभी राजनीतिक दलों की गोलमेज कान्फ्रेंस तुरन्त बुलानी चाहिये और उसमें इलेक्टोरल रिफार्म्स के सभी पहलुओं पर विचार करना चाहिये और जो निष्कर्ष निकलते हैं जो सहमति के विचार आते हैं, कुछ ऐसे भी प्रश्न होंगे जिन पर सभी राजनीतिक दल सहमति प्रकट करेंगे और कुछ ऐसे भी प्रश्न होंगे जिन पर राजनीतिक दल मतभेद प्रकट कर सकते हैं, तो जिन सवालों पर सभी राजनीतिक दलों का एक मतैक्य स्थापित होता है, उन्हें कानूनी रूप दिया जाना चाहिये, ताकि भविष्य में हमारे देश के राजनीतिक जीवन में सुधार लाया जा सके और उसे स्वच्छ तथा साफ सुथरा बनाया जा सके। हमें विश्वास है कि हमारे कानून मंत्री जी इस दिशा में अवश्य ही कदम उठावेंगे। आदरणीय उपसभाध्यक्ष महोदया, इस बिल के माध्यम से श्री शावे जी ने माँग की है कि मता-

धिकार की आयु 21 वर्ष से घटाकर 18 वर्ष कर दी जाये। उन सभी व्यक्तियों को चुनाव में भाग लेने का अधिकार दिया जाये जिनकी उम्र 18 वर्ष हो चुकी है इसका मैं समर्थन करता हूँ। पिछले 10-15 वर्षों से देश के अन्दर यह माँग रही है कि 18 वर्ष के लोगों को यह वोट का अधिकार दिया जाये। यह बड़े सौभाग्य की बात है कि हिन्दुस्तान में सबसे कम उम्र के व्यक्ति भारत के प्रधान मंत्री श्री राजीव जी हुए हैं जो कि हिन्दुस्तान की एक नई पीढ़ी के प्रतीक हैं। नई पीढ़ी के प्रधान मंत्री अगर 18 वर्ष की उम्र के व्यक्तियों को वोट देने के अधिकार की दिशा में कोई कदम उठावेंगे तो यह बड़ा ही प्रशंसनीय कार्य होगा। मैं कानून मंत्री जी से कहूंगा कि पिछले 10-15 वर्षों से देश में यह माँग लगातार उठाई जाती रही है। इसलिये यह वोट का अधिकार दिया जाये और इस प्रस्ताव से भी हम सहमत हैं,

“Drastically cut the election expenses to bring them within the reach of the poor;”

जो चुनाव के खर्चे हैं उसमें व्यवस्था ऐसी की जाये कि सही एफीडेविट देने की क्षमता कैंडीडेट के अन्दर हो। कुछ ऐसे खर्चे हैं जिनको कि सरकार खुद वहन करे। कुछ ऐसे खर्चे हैं जैसे कि जब कोई उम्मीदवार होता है तो उसको मतदाता सूची भी लेनी पड़ती है। उसके लिये पैसा जमा कराना पड़ता है, जब पंचियां कटती हैं, उस पर पैसा खर्च करना पड़ता है। ये कुछ ऐसे खर्चे हैं जिन्हें कि सरकार खुद वहन करे ताकि गरीब व्यक्ति को भी चुनाव में गंभीरता से हिस्सा लेने का मौका मिले। आदरणीय उपसभाध्यक्ष महोदया

“Implement various recommendations, reports and decisions with regard to electoral reforms;”

यह बड़े दुर्भाग्य की बात है कि हमारे देश के अन्दर राजनीतिक दलों के जो खर्चे हैं उन खर्चों का आडिट प्रकाशित नहीं किया जाता। मैं कानून मंत्री जी से निवेदन करूंगा कि वह पीपुल्स रिप्रेजेंटेशन एक्ट में इस तरह का संशोधन लाये जिससे कि सभी राजनीतिक दलों को अनिवार्य रूप से अपने

मालाना खर्च को आडिट करने का सरकार को तुरफ़ में मौका मिले और किन्ना उनका खर्चा हुआ है चुनाव में कैडिडेट पर वह सब पत्रिकली प्रकाशित किया जाये। इससे भी देश के राजनीतिक जीवन में काफी स्वच्छता आयेगी और देश में जनतंत्र की जड़ें गहरी होंगी।

"This House recommends that Government should appoint a high-powered Committee consisting of 15 members of this House under the Chairmanship of the Union Minister of Law to study various aspects of electoral reforms and submit a comprehensive report to the House within 3 months suggesting amendments to the Constitution, various laws relating to elections to Parliament and State Legislatures, as also other steps that should be taken to make democracy truly representative of people, curb the evil effects of money power in elections, eliminate corrupt practices, and to maintain the purity of elections so essential for the poorer and healthy functioning of our great democracy."

3 P.M.

आदरणीय उपसभाध्यक्ष महोदय, हमारे देश में आजादी के बाद प्रजातंत्र की स्थापना हुई और यह बड़े सौभाग्य की बात है कि एशिया/अफ्रीका मुल्कों के बीच में सैकड़ों मुल्कों में आजादी आई और बहुत से मुल्कों ने अपने देश में प्रजातंत्र स्थापित किया। मगर हिन्दुस्तान का यह सौभाग्य रहा है कि हिन्दुस्तान में आजादी के बाद चुनाव के माध्यम से जो डेमोक्रेटिक सेटअप एस्टैब्लिश हुआ, पिछले 36 साल से वही प्रोसेस चल रहा है। एक विकासशील देश में, हिन्दुस्तान में प्रजातंत्र का कायम रहना यह एक बहुत बड़ी राष्ट्रीय आजादी की उपलब्धि है। आजादी की लड़ाई के दौरान ही देश की आजादी के लिए लड़ने वाले सैनिकों ने यह फैसला किया था कि आजादी के बाद कैसा हिन्दुस्तान होगा? हिन्दुस्तान का क्या खाका होगा? हिन्दुस्तान का कैसा स्वरूप होगा?

1947 के पहले महात्मा गांधी के नेतृत्व में देश के नेताओं ने हिन्दुस्तान की राजनीतिक क्षितिज पर हमारा क्या रूप होगा इसकी रूपरेखा तैयार की थी और हिन्दुस्तान की आर्थिक व्यवस्था का क्या रूप होगा इसकी रूपरेखा भी तैयार की थी और 1957 के बाद हिन्दुस्तान की संविधान सभा का निर्माण किया गया और उस संविधान सभा ने बड़े विचार-विमर्श के बाद हिन्दुस्तान का संविधान बनाया और 1952 में वालिम मतदाता के आधार पर देश में चुनाव हुए। उसके बाद 1952 से आज 1985 तक हमारे देश में लगातार इन चुनावों के माध्यम से सरकारें बनी हैं। आज हमारा हिन्दुस्तान सारी दुनिया के लिये एक मिसाल बन गया है कि भारत जैसे विशाल देश में पिछले 36 सालों से लगातार प्रजातंत्र कामयाबी के साथ चल रहा है और हमारा देश सारी दुनिया के सामने एक मिसाल के रूप में खड़ा हुआ है। हमने आजादी को नई दिशा दी है। यह एक विकासशील देश में डेमोक्रेसी कायम रहना एक बहुत बड़ी हिन्दुस्तान की उपलब्धि है क्योंकि आज की अंतर्राष्ट्रीय परिस्थितियों के कारण, जब उपनिवेशवाद, साम्राज्यवाद, कट चक्र, अन्तर्राष्ट्रीय परिस्थितियाँ एक दूसरे को प्रभावित कर रही हैं, जब एक देश की घटना दूसरे देश की घटना को प्रभावित करती है। इधर अड़ोस-पड़ोस के मुल्कों में यह प्रजातंत्र नहीं है और इस दौरान हमारे देश में एक विशाल प्रजातंत्र की नींव डाली गयी है। यह प्रजातंत्र जवाहर लाल जी के नेतृत्व में, महात्मा गांधी जी के नेतृत्व में, श्री लाल बहादुर शास्त्री जी के नेतृत्व में, हमारे देश के विरोधी दल के नेता मोरारजी देसाई, जो इस देश के प्रधान मंत्री रहे हैं, के नेतृत्व में, इंदिरा जी के नेतृत्व में और अब आज राजीव जी के नेतृत्व में हमारे देश में आज भी कायम है। आज जब कि अड़ोस-पड़ोस के मुल्कों में, पाकिस्तान में कितनी बार प्रजातंत्र आया, और प्रजातंत्र का गला घोट दिया गया...

उपसभाध्यक्ष (श्रीमती कटक मुखर्जी) : आप यह रेजोल्यूशन पर बोल चुके हैं, सारे पाइंट्स बोल चुके हैं। अब ज्यादा भाषण की जरूरत नहीं है...

श्री लाल लाल आडवाणी (मध्य प्रदेश) : मैडम, इसमें कोई लिमिट नहीं होती ।

On Private Members' Business (Resolution) there is no limit. e

THE VICE-CHAIRMAN (SHRIMATI ANAK MUKHERJEE): So long as he relevant there is no objection. But there are other Members also who want to speak.

श्री कल्पनाथ राय : ठीक है, आपकी भावनाओं का ध्यान रखूंगा . . .

उपसभाध्यक्ष (श्रीमती कलक मुकुर्जी) : प्राप चाहें, तो बोल सकते हैं । कोई गान नहीं ।

श्री कल्पनाथ राय : उपसभाध्यक्ष महोदया, मैं निवेदन कह कर रहा था कि हिन्दुस्तान में प्रजातंत्र को कायम रखना और इस प्रजातंत्र को मजबूत बनाकर रखना, यह हमारे देश के लिए न केवल सरकारी पार्टी की जिम्मेदारी है बल्कि सभी राजनीतिक दलों की एक सामूहिक जिम्मेदारी है । दुनिया के विकासशील देशों में हिन्दुस्तान ही एक ऐसा देश है, जहाँ जातंत्र का एक्सपेरिमेंट पिछले 36 सालों से गमयाबी के साथ रहा है और अपनी दिशा में बराबर चल रहा है ।

आदरणीय उपसभाध्यक्ष महोदया, नियां में कई ऐसे मुल्क हैं, जिन्होंने साम्यवादी तरीके से अपने मुल्क का विकास किया । दुनिया के उन मुल्कों में साम्यवाद तो है, मगर प्रजातंत्र नहीं है । नियां में बहुत से देश ऐसे हैं, जहाँ जातंत्र तो है, मगर समाजवाद का नाम ने वाला कोई नहीं है । मगर हमारे हिन्दुस्तान की संविधान सभा ने और आजादी के राष्ट्रीय नेताओं ने आजादी के रान ही यह तय कर लिया था कि जब हिन्दुस्तान आजाद होगा, तो गद्दां पर प्रजा- भी होगा और प्रजातंत्र के साथ समाजवाद होगा । हम प्लान्ड इकानामी के ग्राम से अपने मुल्क का विकास करेंगे,

हम मन की आजादी के साथ पेट की आजादी का कायम रखेंगे, हम मुल्क के अन्दर सेक्युलरिज्म को स्थापित करेंगे । यह सौभाग्य की बात है कि आज हिन्दुस्तान में प्रजातन्त्र भी है और प्रजातन्त्र के माध्यम से समाजवाद की दिशा में भी हम कदम उठा रहे हैं । दुनिया के किसी भी मुल्क में—रूस में साम्यवाद है, चीन में साम्यवाद है, कोरिया में साम्यवाद है, वियतनाम में साम्यवाद है, लेकिन वहाँ प्रजातन्त्र नहीं है । अमरीका, इंग्लैंड, फ्रांस में प्रजातन्त्र है, लेकिन वहाँ समाजवाद नहीं है । हमारी आजादी की लड़ाई के नेताओं ने प्रजातन्त्र के साथ समाजवाद को भी रखा, मन की आजादी के साथ पेट की आजादी को कायम रखा । सब से बड़ी बात इस मुल्क में हुई कि हम ने सेक्युलरिज्म के प्रति अपनी आस्था प्रकट की । दुनिया के किसी भी मुल्क में माइनारिटी की वह इज्जत नहीं है जो हिन्दुस्तान में है । बगल में पाकिस्तान को देखें उस मुल्क में माइनारिटी की क्या इज्जत है, बर्मा में क्या इज्जत है, चीन में माइनारिटी की क्या इज्जत है, ईरान, ईराक, लीबिया, जोर्डन, सऊदी अरेबिया में माइनारिटीज की क्या स्थिति है, अमरीका में हस्त्रियों की माइनारिटी की क्या इज्जत है, इंग्लैंड में आइरिश की क्या स्थिति है, रूस में क्या इज्जत है, श्रीलंका में माइनारिटीज की क्या स्थिति है ? हिन्दुस्तान ही ऐसा देश है जहाँ आजादी की लड़ाई के नेताओं ने, महात्मा गांधी और अब्दुल गफ्फार खां ने, जवाहर लाल नेहरू और अबुल कलाम आजाद ने, श्रीमती इन्दिरा गांधी और फखरुद्दीन अली अहमद ने, चन्द्रशेखर आजाद और अशफाकुल्ला ने आजादी की लड़ाई के दौर से लड़ाई के बाद तक यह सिखाया कि जिन्होंने इस मुल्क में जन्म लिया है उन का इस मुल्क के चप्पे-चप्पे पर अधिकार है, वे मुल्क के नागरिक हैं और हम मिल-जुलकर नये हिन्दुस्तान का बनायेंगे । यह एक्सपेरिमेंट हिन्दुस्तान में ही चल रहा है । दुनिया के किसी भी विकासशील देश में प्रजातन्त्र और उसके साथ-साथ समाजवाद और समाजवाद के साथ-साथ सेक्युलरिज्म का कन्सेप्ट नहीं है । मैं विरोधी दल के नेताओं से कहता हूँ कि यह सौभाग्य की बात है कि हमारे मुल्क में जो हम ने आजादी

की लड़ाई के दौरान परम्परा कायम की उस परंपरा को आज भी हम ने कायम रखा है। किसी भी विकाशील देश में प्रजातंत्र को मजबूत करने के लिए सब से जरूरी बात है कि सभी राजनीतिक दलों में राष्ट्रीय प्रश्नों पर मतैक्य हो। कुर्सी के चक्कर में राष्ट्रीय सवाल को न भूल जायें। राष्ट्र की अखंडता के सवाल पर राजनीतिक दलों में मतैक्य हो।

मुल्क में पापुलेशन घटनी चाहिए। पापुलेशन के सवाल को राष्ट्रीय आन्दोलन के रूप में चलाना चाहिए। सभी राजनीतिक दलों को रेडियो से, अखबार से, प्रचार से, आपसभाओं के माध्यम से कहना चाहिए कि इस मुल्क में विकास के शिशु को जनसंख्या के राक्षस ने दबोच लिया है। हमें जनसंख्या पर कंट्रोल करना है। हमें इसे राष्ट्रीय आन्दोलन के रूप में आगे बढ़ाना है। जब बुनियादी प्रश्नों पर मतैक्य होगा तभी प्रजातन्त्र मजबूत होगा।

आज देश में तोड़-फोड़ वाली ताकतें सिर उठा रही हैं। जिन्होंने हमारे मुल्क को गुलाम बनाया था वे सम्राज्यवादी शक्तियाँ प्रजातन्त्र को खत्म करने के लिए, मुल्क को डिस्टेबिलाइज करने के लिए मुल्क को राजनीतिक रूप से अस्थिर बनाने के लिए लगातार कोशिश कर रही हैं। राष्ट्रीय अखंडता के सवाल पर देश के सभी राजनीतिक दलों का एक स्वर होना चाहिए। हिन्दुस्तान की खुशकिस्मती है कि हमने अपने मुल्क में प्रजातन्त्र के साथ समाजवाद, समाजवाद के साथ सेक्युलरिज्म, धर्म-समभाव को अपना राष्ट्रीय उद्देश्य बनाकर प्रजातन्त्र की जड़ों को मजबूत बनाया है और हिन्दुस्तान की जनता ने इस जनतन्त्र को मजबूत बनाने की दिशा में काम किया है। हमें उम्मीद है कि आदरणीय कानून मंत्री जी एलेक्टोरल रिफार्म्स ऐसा लायेंगे जिससे कि हिन्दुस्तान का राजनीतिक जीवन स्वच्छ होगा, जिस में कि सारे राजनीतिक दलों के राष्ट्रीय मतैक्य के आधार पर एलेक्टोरल रिफार्म्स किये जायेंगे। मैं कानून मंत्री जी से निवेदन करूंगा कि वे तुरन्त सभी राजनीतिक दलों की एक तीन दिन की गोलमेज कॉन्फ्रेंस बुलायें और तीन दिन तक वे उन सारे एलेक्टोरल रिफार्म्स के सारे

पहुँचों पर विचार करें और जिन बातों पर सभी राजनीतिक दलों का मतैक्य हो उन को कानून का अमली जामा पहना कर इन रिफार्म्स को लाया जाय। अगर राष्ट्रीय मतैक्य के आधार पर हिन्दुस्तान के सभी राजनीतिक दल काम करेंगे तो सारे राजनीतिक दल मजबूत होंगे और हम उस के आधार पर भारत के भविष्य का निर्माण कर सकेंगे जिससे हिन्दुस्तान को भावी संतानें सुखी हों सकेंगी और हिन्दुस्तान में प्रजातन्त्र को मजबूत बना कर हम राजनीतिक समृद्धि के उद्देश्य को प्राप्त कर सकेंगे। हिन्दुस्तान का आजादी हिन्दुस्तान के रहने वाले इंसानों के लिये ही केवल नहीं है बल्कि यह प्रजातन्त्र की मशाल जो हमारी आजादी की लड़ाई के सेनानियों ने जलायी थी वह सारी दुनिया के लिये एक प्रकाश की ज्योति का काम करेगी और सारी दुनिया के लोग हमारे राजनीतिक दर्शन को, प्रजातन्त्र और समाजवाद के राजनीतिक दर्शन को स्वीकार करेंगे और हम दुनिया में विश्व-शान्ति और विश्व-विकास के उद्देश्य को प्राप्त कर सकेंगे। इन शब्दों के साथ मैं धाबे जी के प्रस्ताव का समर्थन करता हूँ।

THE VICE-CHAIRMAN (SHRI-MATI KANAK MUKHERJEE): Honourable Members, I cannot impose any time-limit as such on a discussion on Private Members' Bills, but please have consideration for other Members also so that you can accommodate more speakers within the time allotted.

Now, Mr. Babul Reddy.

SHRI P. BABUL REDDY (Andhra Pradesh): Madam Vice-Chairman, I congratulate Shri Dhabe on having moved this resolution aimed at purifying elections in our democratic process and thereby saving democracy in this country. We take pride that our is the largest democracy. But that pride has meaning only if we can operate our system properly. Today, I can say without fear of contradiction, democracy is limping in our country. The reason is that if we analyse the last eight general elections through

[Shri P. Babul Reddy]

which this country has passed for electing Lok Sabha Members, in election after election there is a very visible deterioration in the purity of elections. Therefore, the time has come when we must arrest this deterioration. Democracy is the best known political device for forming a government. But that best system can thrive only if we have safeguards to preserve the purity of elections. Three evils from which the present elections are suffering are the muscle power, the money power and the casteism. These are three cancers corroding the very vitals of democracy in our country. If we compare the 1952 general elections with the latest general elections of 1985, we can describe the 1952 general elections, from the purity point of view, were as pure as snow. In 1952 or 1957 elections it was said if a person spent a lakh of rupees in a Lok Sabha constituency, it was a lavish spending. But today it is nothing. This much amount is spent even in a municipal ward election or panchayat election. It is said by authoritative sources that in the last general elections on an average in a Lok Sabha constituency Rs. 7 to Rs. 10 lakhs were spent by each candidate. And I have heard from the horse's mouth that in one constituency in Andhra Pradesh both the contesting candidates together had spent more Rs. 2 crores in the Lok Sabha elections in January 1985. Therefore, if this trend continues, it is just like purchasing seats in the Lok Sabha. This should not be allowed to continue.

Then, muscle power is playing havoc in our elections. Bihar, of course, is specialising in this. I am not saying that it is not happening in other States. Relatively it is not in the Southern States and this much I can say. But, if the elections are manoeuvred and if elections are manipulated, the very system of democracy would be converted into a farce and people may say that dictatorship is better than this type of

democracy. So, we have to think about the best form of elections.

Casteism is another cancer. If we review every election, every general election, we will find that every election makes the country at least twenty to thirty per cent more casteist than what it was earlier. So, this tendency has also to be arrested. For this we have to seriously think about the maladies that are there in the electoral system. If we analyse, we will find that there are so many anomalies which should be put an end to. For example, under the present electoral system, in 1983, by getting 38 per cent of votes, the Janata Party did not get a single seat out of the 42 seats. One seat it won, but that was also lost in the byelection. Another party, securing 48 per cent of the votes, got all the 42 seats. So, this is a very grave anomaly. It does not reflect the will of the people. Thirty-eight per cent of the people wanted to support a particular party. But it does not get even one seat. This is the anomaly. There is another anomaly which I have noticed in the recent elections. A candidate, securing 2,88,000 votes—a former Member of this House Mr. Era Sezhyan—was defeated in Madras. He secured 2,88,000 votes and he was defeated. Another candidate, who secured 2,800 votes, perhaps in Lakshadweep, I think, was declared elected. A person who secured 2,88,000 votes is defeated and a person who secured 2,800 votes is declared elected! In the recent elections in Assam, a candidate securing just 211 votes was declared elected to the Assembly there and later on, he became a Minister also! He became a Minister with 211 votes which are not enough for a person to become a Panchayat member representing a ward. So, these are the anomalies on which we have to bestow our serious thought. I am not saying this to criticise this party or that party and it is not with that intention that I am giving these figures. I am only saying that a se-

rious thought is required to be given to end these anomalies by amending the Constitution or the election laws. With this end in view, I thought over the problem and I want to make a few suggestions.

The first thing that I want to say is that if this democracy is to succeed in this country, then we must thoroughly and in a revolutionary way change the system of elections. We must introduce what is called the List System which is in force in some countries. The advantage of this system is that it will eliminate the muscle power, if not eliminate, at least will reduce it to the minimum. It will also reduce the evil of casteism. The reason is this: If you have on a proportional representation basis elections, without candidates, but with only parties, individuals would not be allowed to contest. This is my honest opinion because the present system serves no purpose. By law nobody has got any fundamental right to contest. The Supreme Court has ruled that anybody has got right only to the extent to which it is allowed under the law and he has no further right to complain in the field of elections. In a parliamentary system, political parties are very important and the fight must be between political parties and if it is on the basis of proportional representation, then the contestants are the political parties. If the candidates are eliminated, you see, money power will then go because only when the individual is involved, the question of his prestige is there and he will spend lavishly on elections just as a candidate has spent in a constituency. In one constituency, he has spent Rs. 1½ crores. There is no purpose of amending the law, saying "we will punish you if you spend more than Rs. 50,000 or Rs. 100,000. Mr. Kalpnath Rai was pleading for Rs. 2 lakhs. Who is spending Rs. 2 lakhs? Not less than 10 lakhs are spent every time.

SHRI KALAPNATH RAI: Your party is spending Rs. 10 lakhs.

SHRI P. BABUL REDDY: I think the Congress Party—Mr. Kalpnath

Rai, you have provoked me—the Congress Party is the only party perhaps which has spent Rs. 40 crores for advertisements in papers. Can you deny that? So this will eliminate money power. (Interruptions) Please hear me fully. Money power would come only when individual prestige is injected into elections. If individual prestige is removed, nobody will spend. I may be a rich man. I will spend for my individual prestige. But when my party is there, I will spend no doubt, but only the amount required for propaganda; nothing more than that. Similarly, the muscle power also. Political parties are not using it. So the muscle power will also be eliminated. More than anything else, it is casteism. The question of a Reddy, Kama or a Bhoomahari will not arise. The parties would set up their candidates. Otherwise what is happening—and I will say very frankly because this is only forum where we can speak frankly—what is happening is that in Andhra there are areas where Reddys are very dominant, in some areas Chaudhuries are very dominant. (Interruptions) I am Reddy. In these areas all the parties, including the Communist Party, set up the 'Congress Reddy', 'Janata Reddy', 'Communist Reddy', and so on. (Interruptions) Likewise, in the other areas, Kamas are dominant or other castes are dominant, and the parties set up candidates of that caste only. So this sort of thing has to be eliminated. It is a very serious matter, no doubt. It is not my innovation; it is not my brain child. It is there already in vogue in most parts of the world. All these evils—the money power, the muscle power, the casteism—even though they cannot be eliminated, would be reduced to the minimum by this list system. So this list system has to be accepted at least for this reason.

The other suggestion that I want to make is this. Up to 1977 the election for Parliament and Legislative Assemblies were put together, except in very rare castes. Now there is greater

[Shri P. Babul Reddy.]

need to restore that aspect because elections are costing very much. No poor man can contest for Assembly. I am saying this from practical experience. Every political party is thinking of rich men for Parliamentary constituencies—not for his contribution to the party, not his commitment to the welfare of the people, but 'Can he spend Rs. 10 lakhs of his money?' That is the first question that is put. So this should be done away with. For what the elections must be together, we must find out some device, if necessary, by cutting down the period of Parliament or extending the period of Assemblies. Up to 1977 the elections or Assemblies and Parliament were together. We must restore that.

Then, the next thing is about expenses. About expenses, there can be no question of legislating. It is a mere logan. What is the use? The question is how to prove it? The Supreme Court interpreted, that money spent by the candidate alone should be taken into account and not the money spent by the political party. I will spend one lakh within the limit and I will ask my party to spend ten lakhs for me. How do you account for this? This will not solve the problem. The list system will solve the problem.

Then I come to impersonation which is going on. Some parties are specialising in this. About 30,000 or 40,000 in one Assembly constituency. I know practically; it has happened. It was also in the Consultative Committee, and Mr. L.K. Advani was also there. He used to say in almost every Consultative Committee meeting that there must be identity cards for the voters. It is not difficult. After all, they are spending thousands of crores of rupees and this will not cost more than 100 crores of rupees. Therefore, identity cards should be issued. If it is not possible to issue identity cards to all voters, at least in places where it is not possible to identify the voters, it should be done, for example, in areas with a population of more than 100 or in bigger Panchayats.

Then I come to the question of compulsory voting. I do not understand why we are having 40 or 50 per cent voting. A public holiday is declared. Factories are closed. Government offices are closed. Colleges are closed. Every institution is closed in order to enable them to vote. Why should they not vote? I am not saying that they should be sent to jail. If you impose a fine of Rs. 50, nobody will like to pay the fine and he will prefer to vote. If he is able to explain it, then he can be excused. Who will take the trouble of going and explaining? He will prefer to vote. It is his basic duty to vote. When you declare a holiday, he has to vote. In a democracy, it is his fundamental duty. It would eliminate impersonation and it would ensure 95 per cent or 100 per cent voting. It is very necessary.

Then voting age should be reduced. Some local governments have already implemented it. My submission is that we have to reduce the voting age from 21 years to 18 years. A man of 18 years can enter into a contract and Government service. The why can't he vote? What is the disqualification for him. So, the voting age should be reduced from 21 years to 18 years.

My next suggestion is about delimitation. It was done 25 years ago. There was some revision in 1976. There are some constituencies in Andhra Pradesh which are reserved for the last 25—30 years. It is bad. They should be shifted. I am not saying that reservation should be done away with. There should be reservation up to 1990 as provided in the Constitution. But the same constituencies should not remain reserved. We must have different constituencies reserved. I suggest that steps must be taken to shift the constituencies which are reserved for 25 years or so and they should no longer go to reserved candidates.

Then there is another important thing. I do not know how it was not raised for the last 35—40 years. In a municipal election, if a nomination is

rejected, there is a right of appeal to the Collector. He disposes of the appeal within two days. The danger is not to the person whose nomination has been rejected. But the danger is to the person who has been elected. The nomination is rejected for some silly reason. The people spend 10 or 12 lakhs of rupees in elections. He is declared elected. Suppose the court decides that the nomination of one candidate was illegally rejected, then the whole election is set aside. I would like to suggest that there should be an appeal and then let a Judge of the High Court or some other higher officer, such as, Chief Election Commissioner decide it in two days. This will not delay the elections. Recently, I read that in one case the age was not given. Chaudhary Charan Singh's age was shown as 82 years. The Electoral Officer had doubt about it. If the election petition is admitted, then the whole election process costing lakhs of rupees will be a wild goose chase. This is a very important suggestion in my humble opinion. **This should be done at the earliest point of time.** Regarding election expenses, my suggestion is that the amount spent by the political parties also, particularly with reference to that constituency, must be included in the election expenses. It is a difficult process. But if some process is there, it will discourage spending like that.

These are some of the suggestions that I wanted to make. Thank you.

SHRI SANTOSH KUMAR SAHU (Orissa): Madam Vice-Chairman, in the first instance, I congratulate Shri Dhabe for the thought-provoking Resolution which he has brought before the House. While giving him all the praise, I want to say that he mentioned in the last sentence of the Resolution that within three months a report should come. I do not understand why the hurry that within three months the report should come. The election has been almost over. The problems are so many, as has been pointed out by him. If we have to think of an electoral reform, we

must think in a comprehensive way where all the political parties must be consulted because the country needs it now. Now, let me analyse the points raised by Shri Dhabe. The first sentence of the Resolution says: Whereas it is necessary to take the following steps, namely strengthen Indian democracy and make it more people-oriented. Madam, how can we strengthen the Indian democracy? The fundamental question now is that it comes from the national consensus and national feeling. Now, we see the atmosphere has vitiated the social and political life. The destabilising forces are working in the country. It requires a serious political consideration. Now, if we read the second line of the Resolution, it is more important and it says that Part XV of the Constitution which speaks of elections must be implemented. And if we read article 325 of the Constitution, it says that no person shall be ineligible for inclusion in or to claim to be included in a special electoral roll on grounds of religion, race, caste or sex. Does it not say that the founding fathers of the Constitution thought that in the elections, the question of religion, the question of caste and other things should be barred? Is it not provided in the law still today? Are we going to enforce it that religion should not play a dominant role and religious preaching in an election makes it disqualified? So, whatever election law is there today, whatever be the aims of the Constitution, are we not following it? Have we not seen that the forces of religious fundamentalism, secessionism, communalism and casteism are growing? Does it not require that there should be a more penetration and a clearer analysis of the socio-political situation prevailing today? And it is **very fundamental.** Until we go into the matter at a national level by all the political parties, the social system cannot contain the society. This is the crisis, this is the problem today. And with a scientific analysis of political and economic development, we should have gone in for a class war. But, unfortunately, we are seeing a

[Shri Santosh Kumar Sahu]

caste war today in India. This is the ramification of the social evil which we are not able to control with the political apparatus.

Madam, while I appreciate Mr. Dhabe's Resolution that there is a need for electoral reform, let us analyse as to how many people voted earlier in the largest democracy of the world. In the first election, 173 million people participated. In 1980, it was 200 million people who participated in the election. And many of the developing countries have less population than that. Now, coming to the other thing, we have to consider how we can make the democracy more stronger. Definitely, the electoral reform must be there. There must be clean and fair elections. Everybody requires it. If we analyse all this, to my mind, it appears that we have reached a critical stage where there should be a constructive approach to the national problems, there should be a re-thinking so that we can have a new lease of national forces which can sustain the society. Otherwise, we may face a further critical situation which will create more problems for this country. Now, coming to the secessionist elements, can we not agree to this that the secessionist forces, the forces which are of religious fundamentalism, the forces which are operating from the religious places should be banned from any political activity? Can we not have an election law that from these temples, mosques or gurudwaras we should not have any political preaching for elections? Can we not make this law? This is the most important problem of this country today. And, I think all the parties will agree that we are seeing the unleashing of a social evil which cannot be contained.

Then, Again, there is another important thing to which Mr. Kalpnath Rai has referred to, namely, the activities of foreign agents in our country who want to destabilise this country, who are indulging in the

culture of violence and annihilation which is against Indian culture. Indian culture is the culture of tolerance towards all religions

“सर्वे भवन्तु सुखिनः”

This is the philosophy from the Vedic times. But what we see now is the unleashing of the forces of violence which is foreign bred, the terrorism which has been foreign bred. Should we not think that we reform our laws to contain the activities of these foreign agents? The Indian culture is an age-old culture. In Sanskrit we say

“आयुर्वेद संहिता”

This is universally accepted by all the world today. Now, these are the very important things which we have to consider in making any report. Now, as suggested by some of my friends, I entirely agree that there is no hurry. The Law Minister, who is here before us, is a very dynamic man. He should consult all the political parties. We must discuss in depth the social and political discontent prevailing in the country which is going to destroy the whole national fabric of political development. We have to see how to contain the social evils which have been unleashing today.

Then, Madam, I would like to tell you about another very important thing. In many of the smaller countries we may have seen the expenses are borne for the candidates by the State. But in our country the theory of bi-party system is a myth. We have seen that the bi-party system failed in 1977 and the multi-party system is in existence today. And what you see today is that on the political scene the regional parties are growing and they are growing in phenomena and effect. We cannot deny the role played by the Telugu Desam or the DMK or ADMK. They might have started as regional parties but they have made a national effect on the national scene.

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): We all have a national outlook.

SHRI SANTOSH KUMAR SAHU:

In a country like ours where there is multi-party system, with so much of huge voters list, with such a large population and so many other problems, we cannot have electoral reforms as we can have in any other smaller country in which there is bi-party system and a smaller electorate. So, we have to take all those things into consideration. I agree that nothing is impossible. But before doing anything you require the consent and consensus of all the political parties and you have also to go into the depth of the problem before solving it.

Then, Madam, before 1970, probably there was no major thought given to the election system here. But since 1970 the Election Commission has submitted many proposals and a Joint Committee of the Parliament also has gone into the matter and they recommended certain changes. A Bill to that effect was introduced in 1973 but it lapsed. Then, in 1977, the late Shri Jayaprakash Narayan took a lead in bringing reforms in the election process of this country and then the D. M. Tarkunde Committee was appointed and that Committee also made certain recommendations. After that, in 1980, the Election Commission also made certain suggestions. Now, the main suggestion of the Election Commission in 1982 was the end of defections. It is good that the Prime Minister took the initiative. The opposition parties agreed to it and one chapter is closed and it will go to purify the election process. There is no doubt about it. So, also in this Resolution of Mr. Dhabe we have to have a national outlook and we have to think in clear terms. All the parties may sit together and if we want that this largest democracy in the world has to show a path to other countries and we have to sustain the democracy with full vigour, we must put our heads together and evolve a national policy on the electoral reforms. There is no doubt about it.

Then there is a recommendation for the election fund. And there are other recommendations. While I agree with Mr. Dhabe on the need of these electoral reforms, I feel that there are other aspects also which require immediate attention and which have not been focussed in this resolution. We passed an Act in this Parliament that till 1999 there should be no increase in the number of seats. By that Act we cannot increase the number of seats as and when we want. But within this strength, the recommendation of the committee was that we can change different reserved seats by rotation so that at least people of different areas who have no scope of sending their representation will have a chance to do so by rotation...

SHRI S. W. DHABE (Maharashtra): I have also said it that various recommendations made be implemented.

SHRI SANTOSH KUMAR SAHU: Then I am emphasising your point. So, I feel we must compile all these recommendations; many good suggestions have been made and we should see how far those recommendations are practicable and what are the pragmatic points that we need to consider. So, I feel, seeing the national scene, taking into account the provisions in the Constitution, and what is contained in the Representation of People Act, we should sit together and see how we can enforce these provisions. We have to curb the various evils; we cannot allow religion to play a part in politics and we have to deal with such things firmly, and for that we require immediate law. Even the period of 3 months, as recommended here, is too long. How far are we going to tolerate these things in our body politic? Whosoever goes against the interests of the country, should have no protection and for that we have to evolve stringent measures. Such people must be debarred even from contesting elections. While coming, I also happened to see the two recommendations made by the Election Commission where they have said

(Shri Santosh Kumar Sahu)

that communalism in politics is one dimension of the problem and growing criminalisation in political and electoral process is another problem. Therefore, they have recommended that anyone guilty of moral turpitude should be debarred from contesting the election. It has also been recommended that those who are detained under the National Security Act, under the Essential Services Maintenance Act, under the COFEPOSA and those whose detention has been approved by the Advisory Boards must be debarred from contesting elections. Of course, there may be certain cases of innocent people having been falsely implicated under the NSA. Therefore, we may think how these Acts can be improved. But we have to put a stop to these evils. We cannot allow the country to be endangered by such people. It has been rightly pointed out by Mr. Dhabe that we require reforms in our election processes and I hope the Minister will accept his suggestions. He has asked for a 3 months period. It may not be 3 months; it may take a little longer also. Let all the political parties be invited; let us also join the Election Commission in finalising the recommendations so that it becomes a basis for us to start. But at the same time we must have a national approach so that the political scene is clear and is got rid of casteism, communalism and secessionist elements, violent and terrorist activities religious fundamentalism. We have to create such an atmosphere if we have to survive and remain as the largest democracy in the world. India has gone through many byelections, general elections and it has shown that our democracy has survived

I would like to emphasise upon three other things. And these are people's participation at every level, then elections to be held at regular intervals, and decentralisation of power. If we are able to ensure these things, then the common man

here will feel that he is also involved in the process. We have to even restore the Panchayats. That was, in fact, the idea of Mahatma Gandhi who united the nation during the freedom struggle. We are now in a critical stage. What I would like to emphasise today is that we have to contain these social tensions. This should be the purpose of any economic resolution we may have. There are people who belong to the backward classes. Many commissions have gone into their working. Many expectations are aroused in the minds of these people. But I would say that whoever are the people, whether it is Brahmins, or backward class people or adivasis of harijans, nobody should feel that one community is being discriminated against another. The factors which give rise to casteism should be removed and this is the only way we can make keep the country united. We have to think along those lines. We will have to think along national lines, have a national outlook. Our country is great. It has survived all these years. It will survive for many more years to come, thousands of years. But the basic question is, we should evolve a national consensus. We should look at every problem from the point of view of Indian tradition of tolerance and peaceful resolution of problems.

Madam, with these words, I welcome the spirit behind Mr. Dhabe's Resolution. I would appeal that all political parties should sit together and see how the necessary reforms can be brought about. By doing this, we will be ensuring the maintenance of ethical and moral standards in our political life. Thank you.

SHRI LAL K. ADVANI: Madam Vice-Chairman, I must compliment Shri S. W. Dhabe for having brought forward this Resolution and I hope this will be a Resolution which will not be just talked out, because this Resolution is intended to help

the Government do what the Government itself has promised the nation when it took over in January, 1985.

So far as this particular subject is concerned, discussion on this subject has been going on since 1970 at least. As Shri Sahu just now said, it was around that period that electoral reforms began to be talked about as a major subject. But in 1985, when the Government came in, its first policy pronouncement which I have in my hand, which was the Address of the President to Parliament's Budget Session, had two particular paragraphs, paragraphs 36 and 37, which both relate to Government's commitment to a clean public life. These are the words that the Government has used. Government are committed to a clean public life. It is in this context that paragraph 36 addresses itself to electoral reforms and says that they will discuss with the Opposition parties as to how electoral reforms are to be brought about. In paragraph 37, it refers to the need for an anti-defection law.

Now, I remember, when there was a discussion on the anti-defection law, all kinds of views put forward. There was even a suggestion that why should we hurry about it. It was said, after all, there are pros and cons from this side from that side to proposed, that it has to be viewed and, that therefore, in order that the different view points may be considered, we should send the Bill to a Joint Select Committee. The response of the Government was very appropriate. The Government's response was: after all, this problem has been talked about for so many years; are we once again going to talk about it, refer it to a Select Committee and be done with it. Most of us agreed with view that this is not the time for just talking it out again and that we should do something about it. It was felt that this was the time when Government should demonstrate its will. May be, the law that is framed may have some shortcomings. I recall, when the Prime Minister replied

to the debate, he himself mentioned that there may be some shortcomings and that they will attend to those later on; but today, at least, let the House demonstrate its will, to stand up against defection, an evil, and malady, which is afflicting India's political life.

I hold. Madam, electoral reforms is another such issue I heard Shri Kalp Nath Rai. I heard Shri Sahu also. The other day also, some Members spoke from the other side. I think, there is a wide measure of consensus on many issues, that these things can be done. These things should be done. There may be some differences. Even with regard to the recommendations made by Shri Dhabe I may not be in agreement with all of them. But you take the Election Commission's recommendations till now, the Joint Parliamentary Committee which was set up in 1972, of which I had the privilege to be a member. I had the occasion to serve on it there are numerous recommendations of that Joint Parliamentary through the Tarkunde Committee recommendations of the Election Commission on which in the country there is a broad consensus. You go through the Tarkunde Committee report, you go through any other Committee's report, you will find quite a few of them are common. I do not see why we should delay implementing those. So, I do not see why three months (the period indicated in the Resolution) should be regarded as a very short time to let us have a comprehensive debate on this issue. I do not subscribe to that.

The Vice-Chairman (Dr. (Shrimati) Sarojini Mahishi) in the Chair

Madam, I must say therefore that when I heard the other day the Industry Minister replying to the debate on the Company Law (Amendment) Bill, I felt very much disturbed. That statement, those utterances and those observations of his did not fit in with this declaration, which committed the

Government to a clean public life. This statement did not say so but it suggested that in the past there may have been uncleanness, but we are going to clean it. I would like the hon. Law Minister also to understand the implications of what was said by the Minister. I have with me the Industry Minister's reply to the debate on the Company Law (Amendment) Bill in this House and I quote:

"Madam, in 1969 when the amendment was effected banning political donations, the feeling at that time was by banning political donations we will help in eliminating corruption from public life. I put this question to your conscience whether by amending this Act in 1969 we have been able to eliminate corruption from public life. I agree with Mr. Advani when he says—he admitted frankly—that today every political party is collecting donations. It is a fact and there is no question of disputing it. Every political party is collecting donations and particularly at the time of elections. Madam, I am in politics for the last 30-35 years. Not only the office bearers of political parties, not only the President or the main functionary of the Political parties, but every Tom, Dick and Harry starts collection of donations in the name of the political party or in the name of some office bearer of the party. As this collection is under the table, there is no question of rendering any account to anybody."

Now I am not disputing what he said at all. All that I say is, this is a very general and sweeping statement. It disturbed me. Bill was passed, I did not feel happy about it and I had expressed my unhappiness, but I was more unhappy with the cynicism that underlies this statement; that political life, elections in India are corrupt; they are corrupt right from top to bottom; all parties are corrupt; all office bearers of parties are corrupt; the rank and file is corrupt; and that we have to live

with it. This is the undertone of the whole statement.

SHRI CHIMANBHAI MEHTA (Gujarat): He said not say that.

SHRI LAL K. ADVANI: He did not say that specifically but the underlying cynicism does remind me of a very interesting episode that I once read. It may interest you. When I was in the Government I had occasion to go through some scripts of the BBC. The BBC did a series, a very excellent series, on the working of the House of Commons, the history of the House of Commons. And going through that, going through those scripts I came across a very interesting episode. The episode related to a member of the House of Commons of the 18th or 19th century. His constituents, his voters, wrote to him that this particular excise in the budget he must oppose. And that Member replied to his constituents who had written to him that he must oppose this particular provision of excise—I quote from the letter that this Member of the House of Commons wrote to his constituents:

"Gentlemen,

I have received your letter about the excise and I am surprised at your insolence in writing to me at all. You know and I know that I bought this constituency. You know and I know that I am now determined to sell this constituency. And you know what you think I don't know, that you are now looking for another buyer, and I know what you certainly don't know, that I have found another constituency to buy."

Now, this is the letter written by a Member of Parliament to his constituents.

SHRI SANKAR PRASAD MITRA: Which party did he belong to?

SHRI LAL K. ADVANI: These days the parties also there, Whigs and Tories, were quite interchangeable.

I am pointing this out because, up to the middle of the 19th century politics and elections in Britain were absolutely corrupt and stinking. Compared to politics and elections in Britain in the middle of the 19th century even our own elections which we very often deplore, about which, as everyone has said, we feel concerned even Indian elections today are as pure as Ganga water—quite pure. Therefore, I say, that cynicism must be shed. There in U.K. at least, the principal parties, the principal Members of Parliament came to the conclusion that if you want to save democracy then the electoral process has to be cleansed. Step by step they persisted in this direction. Of course, there were movements also. Just as we had a movement here of Jayaprakash Narayanji—in which one of the principal planks was electoral reform, in U. K. also there was the Chartist Movement. One of the principal planks was electoral reform. During the 19th century there were several reform laws. Gradually U. K. has attained a position where, Madam, from 1911 right up to this day--1985--there has been not a single election petition in England on grounds of corrupt practice. Now this is remarkable. This sea-change has come about because of the determination of the political parties, because of the determination of most Members of Parliament, that they shall have democracy and in order that democracy survives vigorously elections must be cleansed.

About that period during the 18th and 19th centuries, I was going through a Hansard publication by name, *Our Parliament* by S. Gordon. He says that in the middle of the 19th century or before 1832 there used to be public auctions of seats of Parliament, and the price of one seat of the House of Commons used to be between dollar 5,000 and dollar 6,000. And very often, those feudal lords who controlled a particular constituency used to announce, "No, this time I have decided that I am not going to sell it outright; I am going to

lease it out on an annual basis,"--four years four different Members of the House of Commons representing a certain constituency; This was the kind of corruption which existed in England. As I said, I am convinced that if we set our mind on it, if we decide "No, we shall do it," it is possible, it is quite feasible.

Sahuji was saying that small countries can do it, how can we do it, small countries can think of election funding, how can we do it? I don't see any difficulty whatsoever, and I believe that there is no other way to deal with this problem of money power except what the Parliamentary Committee on Election Reforms or as it was called, the Joint Parliamentary Committee on Amendments to Election Law suggested. The Chairman was Mr. Jagannath Rao and one of the distinguished members of the

Committee was Mr. H. R. Gokhale. There were members from almost all political parties on that committee. That committee came to the conclusion that this problem of money power in elections can be solved only if it is accepted in principle that all elections expenses shall be regarded as a legitimate charge on the public fund. This was the recommendation made by the Parliamentary Committee which said that the expenses borne by the candidate or by the party should be progressively shifted to the State. This is the recommendation. It did not say that the expenses being borne by the candidate or the party should be progressively shifted to companies. Indeed, what you have done by passing this company law amendment is, trying to cleanse the process by increasing the cost of elections. I do not say that this particular Bill that you have passed just now is going to increase black money by itself. I have not said that. My stand is one of the objectives and a very salutary objective that has been mentioned by Shri Dhabeji in his Resolution is to drastically cut the election expenses to bring them within the reach of the poor. How do you cut election ex-

(Shri Lal K. Advani)

penses? The Government says that they want to make the corporate sector play its legitimate role in public life in elections, therefore, they are going to lift the ban on the company donations. That is what they have said. I feel this is not going to cut the expenses. It is going to increase the expenses. If the expenses are increased... (*Time bell rings*)...

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: please try to conclude. The Minister also wants to intervene.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): After your speech I would like to intervene. Because I want some suggestions rather criticism of a Bill.

SHRI P. N. S. SIKUL (Uttar Pradesh): He should be free to criticise.

SHRI LAL K. ADVANI: It is not a criticism of any party. It is a criticism of the system under which we are working. After all, I think, Shri Kalpnath Rai was very right when he pointed out to the fact that today under the law every person who contests a seat in the Lok Sabha or who contests a seat in the Assembly has to file an election return. We in the Rajya Sabha do not have to file any election return. Therefore our conscience is clear. But what to say about the Members of the Lok Sabha?

In my dissenting note in the Joint Parliamentary Committee, I had said it must make everyone think that here is a system, here is an election set-up in which almost every Member of Parliament has to start his legislative career without a lie. Now, this should make one think. Therefore, the right course is to see that the persons do not have to indulge in lies. If you have the right at the outset you have...

THE MINISTER OF FOOD AND CIVIL SUPPLIES (RAO BIRENDRA SINGH): It is not our own

money. But it is others who spend for us.

SHRI LAL K. ADVANI: That means one has to be very careful to attribute all this to others or attribute all this to the party.

Today, of course, the Supreme Court has shown a way to everyone how to be formally honest, even while being actually dishonest. They have fixed the limit at Rs. one lakhs. If a person wants to spend Rs. ten lakhs he can contribute Rs. nine lakhs to the party, which spends that amount in his constituency, he will be all right. The matter will be over. It is such a sick situation that I think this by itself should make us think.

Now, I have tried to study the matter. I find that almost the world over, the trend is in favour of public funding. I can read out the list of countries Argentina, Australia, Austria, Belgium, Canada, Denmark, Federal Republic of Germany, Finland, France, Ireland, Israel, Italy, Japan, Norway, Sweden and so many other countries where some form of public funding has been accepted. The trend is towards the election expenses being borne by the State in some form or the other. In some countries it is partial; in some countries it is complete. In some States they provide only vehicles. In some others they provide only the posters and pamphlets. In some countries they subsidise the TV and radio broadcasts, where the TV and radio are not necessarily with the Government. Even in the U.K. which is very conservative in these matters since 1974 instead of doing it in a straight way, they have introduced a scheme of grants paid to parliamentary opposition parties. Even a party which has only two members is entitled to it. And they have spent an enormous amount during the last one decade giving this grant and there is no bar on this grant being used for election purposes. Even in America, since 1976 candidates for Presidency are provided

State finance on condition, of course, that they accept certain restrictions such as limits on expenditure and audit of accounts.

So, Madam, I hold that this problem of money power can be tackled only by accepting a system of election grants. The mechanics of how these election grants are to be paid has to be worked out. It is not very difficult. In some countries they funnel it through political parties. In some countries it is given direct to the candidates. I personally favour that it be funnelled through recognised political parties not directly given to the candidates, particularly in a country where the Election Commission is already worried about the number of candidates who are contesting.

Now I move on to the next problem, ministerial power, or abuse of governmental machinery. In the "Vamachar" of Tantrik practices there used to be "Pancha Makaras". Here we have "chatush makaras" the four M's of electoral corruption—money power, Ministerial power, Media power and Muscles power. Now about ministerial power, all that I would say is that the Election Commission has already made certain recommendations. They have framed a code of conduct and that code of conduct today is observed many times only in the breach. So they have recommended that the Representation of People Act be amended so as to make violation of this code of conduct a corrupt practice. I am not asking for anything more because ministerial power or many of its abuses would very much depend on the Government, upon the parties, upon the general morality of the political world, etc. But what has to be done under law the Election Commission has already recommended. I would strongly commend that.

I now come to media power. Let political scientists or political analysts realise that after the expansion of

TV, the continued use of TV to project the leadership of the ruling party or the ruling party's view-points, makes the election battle absolutely unequal. I am not using any harsh words on this occasion because we are discussing a matter on which I would like to establish a consensus. But in the last elections of December, 1984, if anyone were to ask me to what were the principal factors which had contributed to this result, to this verdict, I would say that the most important factor or the biggest single factor that had contributed to this verdict was TV's projection of Mrs. Gandhi's assassination. This is how I would put it. This is the single most important factor which has contributed to the 1984 verdict...

SHRI JAGESH DESAI (Maharashtra): How many people see TV? The other media is controlled by capitalists and they are doing it for the Opposition.

SHRI LAL K. ADVANI: Well, I beg to differ on that. My own assessment is that of all the various factors, this is the most important factor that has contributed to the result.

SHRI H. R. BHARDWAJ: But you are insulting the Indian electorate when you say that this victory was because it was focussed on the media and they were befooled.

SHRI LAL K. ADVANI: No. I have never said that. I chose my words very carefully. A number of factors have contributed. I would not ignore the shortcomings of the Opposition. I am conscious of it. Therefore, if the people have an Opposition in disarray which has failed earlier, it is not going to inspire confidence. But, as I said, if I were to enumerate the various factors and if anyone were to ask me which is the most important single factor, I would say that the tributed was the TV's projection of Mrs. Gandhi's assassination. Three months later when another election took place what happened? How dif-

(Shri Lal K. Advani)

ferent were the results? Because, the TV projection of Mrs. Gandhi's assassination was not there. The TV was there. It was there very much... (Interruptions)

SHRI HANSRAJ BHARDWAJ: You said TV has been able to befool the nation...

SHRI LAL K. ADVANI: I have never used the word 'befool'. Just as so many things happened...

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: Please continue your speech.

SHRI LAL K. ADVANI: I have never used that word. You are putting words into my mouth which I never used. But people do respond to a certain situation. And my view is that radio and TV should not be Government organisations. They should be autonomous corporations and there is no other way. There is no other way. I wish the Select Committee's Prasar Bharati...

SHRI P. N. SUKUL: Why did you not do it during the Janata regime?

SHRI HANSRAJ BHARDWAJ: You used it only for projecting the Shah Commission and we were a witness to it. And you as Minister filed an FIR against us. The Kissa Kursi Ka case was started by you.

SHRI LAL K. ADVANI: Even then I introduced the Prasar Bharati Bill and that Prasar Bharati Bill—even today it is on record—gave the AIR and the Doordarshan much greater autonomy than that enjoyed even by the BBC. BBC directors can be removed by the Government but the directors of the Prasar Bharati as proposed could not be removed by the Government. Similarly, I can point out so many other factors. Until autonomy comes, I expect this Government to have a new look at its media policy... (Time bell rings)

Next I come to the muscle power. Mr. Kalp Nath Rai referred to it and Sahuji and others from this side also said, Bihar is the worst State from this point of view. Some very salutary recommendations have been made by the Election Commission in the report that it has submitted only a few days back and which was placed on the Table of the House earlier this week. Today even when the Election Commission is informed that in a given constituency five booths have been captured and its observers there confirm that this has happened, it cannot do anything about it. So the Election Commission wants certain powers in this regard. I think that there should be no hesitation in regard to amending the law to empower the Election Commission to intervene in a situation of this kind if it is satisfied that there has been booth-capturing. Booth-capturing should be viewed very seriously and the election in that entire constituency should be annulled and there should be a fresh poll.

Madam, these recommendations that I have just now suggested, are all within the present system. In respect of quite a few of these there is a broad consensus. But I strongly hold that this system that we have today, namely, the majority system of election, this system itself needs a second look. Of course there is no general consensus on that. Mr. Babul Reddy spoke about the list system. I am also in favour of the list system. Even better I favour what is known as the mixed system which combines the list system and the majority system and which is in vogue in West Germany. The Targunde Committee also recommended this. So did Shri Shakh-dher. I am aware however that on this there is no consensus as yet. But the Government should have an open mind. A Parliamentary Committee, constituted in 1972 had recommended that a Special Experts Committee should be constituted to examine the feasibility of adopting the List System in India and the minimum

that I expect from the Government is the setting up of this Experts Committee.

To sum up, Madam, within the present system, I would favour twelve broad points.

(1) A scheme of election grants;

(2) Violation of the Code of Conduct should be made a corrupt practice;

(3) AIR and Doordarshan should be made autonomous;

(4) The Election Commission should be armed with effective powers to act against booth-capturing;

(5) Voting age should be reduced from 21 to 18;

(6) The Election Commission should be a multi-member body;

(7) The Election Commission should be made still more independent than what it is now. For example, today, the Chief Electoral Officers and the Deputy Chief Electoral Officers in the States are under the State Governments. I favour the idea that they should be directly under the Election Commission. Similarly, the Election Commission set-up here should be as independent...

SHRI GHULAM RASOOL MATTO: As I have already stated the other day here, Madam, the Home Secretary in the State of Jammu and Kashmir is the Chief Electoral Officer.

SHRI LAL K. ADVANI: The set up of the Election Commission here should be as independent as the Parliament Secretariats.

(8) Similarly, the expenses on the Election Commission should be "Charged expenditure" and not "Voted".

(9) The long-pending electronic voting machines should be intro-

duced immediately and necessary amendments to the law should be made for the purpose. This would also help in the process of curbing booth-capturing.

(10) I am strongly in favour of the Lok Sabha and the Assembly elections being held simultaneously. Now the gap is only two months in the case of a majority of the Assemblies and the Lok Sabha elections. There should be no difficulty in holding the 1990 elections together.

(11) Identity cards must be introduced. Let us make a start in respect of the urban areas where impersonation is the maximum. These identity cards would help in curbing impersonation and would be helpful in other matters also.

(12) This is a point on which I may be in a minority. But I am of the view that if voting can be regarded as a right, voting can be regarded as a duty also. If you regard it only as a right then the present situation will continue. But if we really think that in the Indian situation democracy has to be strengthened, then let us accept that voting is a duty. If voting is a duty, then what follows is a provision for compulsory voting. Everyone must vote and no one can be excluded. If he fails to vote then he may be subjected to a small fine, say, of two hundred rupees. A very few people only will pay two hundred rupees and so, everyone would go and vote. That would enable the Government to compel everybody to vote and I note that quite a few countries have gone in for compulsory voting like Australia, Austria, etc.

Madam, with these recommendations, within the system, I would plead with the Government to have a second view even on the majority system and adopt the West German model of mixed system for India. Thank you.

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: There are five more Members to be accommodated and, therefore, I would request the Members to be brief.

SHRI S. W. DHABE: Let the Minister of State for Law intervene so that we may know the views of the Government. Mr. Bhardwaj, you can intervene now so that we know your views.

SHRI HANSRAJ BHARDWAJ: I have no objection. If the House wants, I would intervene.

SHRI SANKAR PRASAD MITRA (West Bengal): Madam, we have also some submissions to make and we will not take very long. After that, if the honourable Minister wants, he can intervene.

SHRI S. W. DHABE: But there won't be any time.

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: There are five more speakers now.

SHRI S. W. DHABE: Madam, let the Law Minister speak. (*Interruptions*).

SHRI HANSRAJ BHARDWAJ: Mr. Chimanbhai Mehta wants to speak. Let him speak. I will speak later.

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: Yes, Mr. Chimanbhai Mehta.

SHRI CHIMANBHAI MEHTA: Madam Vice-Chair-person, I would like to make one or two points, because I know the hon. Members are quite learned and they do not require a thesis on elections.

My major point is: Have the elections during the last 3½ decades in India strengthened secularism or not? This is one of the points which must be taken into account. I think the forces of casteism and communalism have been strengthened much more

compared to pre-freedom days. This is the point which we must tackle when we discuss about electoral reforms.

Now, what is the net effect of casteism? Political parties are compelled to put candidates, keeping in view the strength of the candidates on the basis of the caste. Then the candidates are elected on the basis of the caste. Then they come in the Assemblies or the organs of people's power and then Ministers are also selected to an extent, sometimes to a large extent, on the basis of the caste. So when this is election system which has strengthened casteism to such an extent that even Ministries are also being progressively formed on the basis of castes, how can such Ministries or such Ministers tackle the problems of this country which are becoming more and more complicated; and can the Ministers be expected to control the bureaucracy which is sometimes much more powerful than the Ministries or a particular Minister? From this angle you look at the election process.

Then, I will come to the second point casteism is producing a new set of leaders, and the caste war also. I would say that in States some of them are mafias, because once in the Assembly, they become the leaders in their castes and the castes come under their domination. Booth capturing also comes from this caste phenomenon. Are we going to think in terms of electoral system that will counteract this growing menace of casteism. I would approach the election from this way not what expenses should be there or who should fund it.

The election has to be approached from a totally different philosophy. The question is whether it is going to subvert democracy and also the independence of this country if it is allowed to go on? Election is also for strengthening the country. When I was here, my friend from Telugu

Desam, Andhra, was speaking, and I found some common points between me and him also. (*Interruption*). He was, I know, speaking from a different angle. Today the Assemblies are federations of castes. Superficially they look that political parties are representing. But can a powerful political party also put up a candidate of a very small caste in a different kind majority caste dominated consistently? No parties are going to take that sort of risk. Essentially the risk is in rural areas. Urban areas are totally different. India is largely rural. Therefore, I say that I want the list system of Indian type. Our present-day electoral system is also a British legacy. As we are a comparatively modern democracy, we have been getting ideas from different countries in the name of accepting fresh ideas which should be done. But we have our own conditions. Casteism is not there anywhere in the world. Therefore, we must have a unique system. Caste should not be allowed to play any role because that role is reactionary and not progressive. I think that the elections should be contested in such a way that in that process a candidate is eliminated. It should be a personless party-based election. This is my major suggestion. (*Time Bell rings*)

Madam, others have taken 35 minutes. I am making a new point. When I say something new, please allow me a little more time. When a person comes into focus in the elections the first discussion is about his party, the second about his money power, the third about his muscle power and the fourth about his connection in the Administration. If he does not have all these four things, he may suffer. If he has all the four points, then he is bound to win. Therefore a party-based minus a person elections at least will be able to transform the caste psychology, which is percolating in our country today, and the elections will be fought by a party against a party and the performance of the parties in

past and its future programme be discussed.

We are suffering because they look at the caste, religion, communal interests, etc. of a candidate. The very process of election hampers the spirit of development and national consciousness. I am submitting my views from that angle. I know that there is a danger here.

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJ'NI MAHISHI]: I would request the hon. Member to conclude.

SHRI CHIMANBHAI MEHTA: There is a danger here and I know it. Sometimes it may happen when the elections are over, the party may break because we have a tendency to break. I will say that it is a tragic state of affairs. In that particular area where the party which was elected on personless party based contest, has broken, you can revert to the system of single-member constituency. But do not punish the entire country. The elections will be there on personless party based system. Only the individual-based parties which are not able to sort out their differences will behave like this. But the parties based on ideologies will continue. This system will make the parties ideological. In future after a few years or a few decades, this danger of breaking the parties will not arise as we are facing it today. Therefore, this should be considered.

I think that a suggestion has been made that an electoral committee or some sort of committee should be formed by the Ministry to go into the whole aspect of the question. I feel that they will certainly take up this kind of exercise. This Government is very serious about electoral reforms. There is no doubt about it. After so many years, the Anti-

[Shri Chimanbhai Mehta]

Defection Bill was passed and we have done it with the cooperation of all the parties. It is not the question that the Congress Party has done it alone. This party is very serious about doing all these things. This should be done. I know my suggestion is not going to be implemented tomorrow because there are so many hurdles and so many arguments have come. In the meanwhile I would suggest that the Upper Houses in the States where they are abolished should be restored back because in the Upper House that sort of casteism that is played at a lower level would not operate. So, there should be Upper House in all the States. Till the time you adopt this reform of a personless election contest and party-wise election contest, till that time have Upper Houses in all the States because there casteism will have a lesser role to play.

SHRI B. SATYANARAYAN REDDY: Our Constitution provides for the abolition of the Upper House.

SHRI CHIMANBHAI MEHTA: I am saying that the effect of casteism is comparatively less there. (Interruptions) I know that they have been abolished for a different purpose. You had no majority in the Upper House. Therefore, you abolished it.

SHRI B. SATYANARAYAN REDDY: That is not correct.

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: No interruptions please.

SHRI CHIMANBHAI MEHTA: When the AP debate will come and if I am given an opportunity, I will certainly endorse the Bill. But I would certainly say what the history is about the abolition and what the

Study Electoral Reforms

role is of the Assemblies and the Upper House. The Upper House is being made a play thing in the hands of the politicians. Certain august institutions should not be made play things in the hands of the political parties...

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: You conclude now.

SHRI CHIMANBHAI MEHTA: I am concluding now. Madam, they have reservation for Scheduled Castes and Scheduled Tribes. But I consider women as the most backward class. You conclude now.

SHRIMATI KANAK MUKHERJEE: They are not a class. They constitute a section of the society.

SHRI CHIMANBHAI MEHTA: I stand corrected. Therefore, if somebody has to think about them, then some percentage should be reserved for women also so that they can come forward. Then there is the question of identity cards. I agree with what the other hon. Members have suggested on this. Now, the last point is that again and again we are reminded that we have legalised corruption.

SHRIMATI KANAK MUKHERJEE: (West Bengal): Madam, I want to remind the hon. House of one thing. As early as in 1919, a group led by Sarojini Naidu and others made a representation to the Government that there should be no reservation for the women as women and that they should be given equal chance and they should be treated equally with men. Sarojini Naidu and other made this representation at the time of the Montagu-Chelmsford Reforms. I just wanted to remind the House of this thing.

SHRI CHIMANBHAI MEHTA: If you do not want, I am not insisting on that.

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: The hon. Member may please conclude now.

SHRI CHIMANBHAI MEHTA: Thank you, Madam.

THE VICE-CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]: Now Shri Sankar Prasad Mitra you may please take five minutes only.

SHRI SANKAR PRASAD MITRA: Madam Vice-Chairman, you are aware that by reason of my legal training, I am used to making short speeches. I will try to confine myself within five minutes. But if I exceed by two minutes, please do not ring the bell.

Madam Vice-Chairman, I am particularly supporting the last paragraph of this Resolution. In this last paragraph Mr. Dhabe has suggested the formation of Parliamentary Committee under the Chairmanship of the Union Law Minister which will submit its Report within three months and it would have four terms of reference for electoral reforms. The first one is to make democracy truly representative of the people, the second one is to curb the evil effects of money power in election, the third one is to eliminate corrupt practices, and the fourth one is to maintain the purity of elections. I respectfully submit to the hon. Minister that he should seriously consider whether this last paragraph of the Resolution should be accepted and I give my reasons in support of this statement. I came to this House in July 1981. My maiden speech was on electoral reforms. And I have heard numerous speeches here as well as in the Consultative Committee of the Minister of Law by my esteemed friend, Mr.

Advani, who has been a crusader of electoral reforms for a very long time. He has made 12 points and personally speaking I am inclined generally, kindly note the word 'generally', to agree with the first eleven points. But with regard to his twelfth point, namely, the list system or the combined system, I have some reservations because up till now, as far as I am aware, this system has been tried in small countries having small electorates. I do not know that this system has been tried as yet in any large country with a huge electorate like ours. But these 11 suggestions which he has invited the Union Law Minister to consider would require not only certain amendments of the Representation of the People Act but also of the Constitution.

[The Deputy Chairman in the Chair.]

While introducing the Anti-Defecation Bill, you amended the Constitution, introduced the Tenth Schedule. Particularly in view of the differences of opinion expressed by the Kashmir High Court Judges, and the matter was pending before the Supreme Court. To obviate all those difficulties you introduced a constitutional amendment. Some of these suggestions may require a constitutional amendment. I cannot go into all those details having regard to the length of time given to me. But my point is that in July 1981, Mr. Shiv Shankar was the Union Law Minister. He said in Parliament that electoral reforms were under consideration by a Cabinet Sub-Committee. From the Cabinet Sub-Committee they would go to the Cabinet and then when the Cabinet had given its approval, leaders of the political parties would be consulted and thereafter reforms introduced. The same assurance was given by his successor, Mr. Jagannath Kaushal. Then

[Shri Sankar Prasad Mitra]

electoral reforms were promised in the month of January this year in the President's Address. And we are coming practically to the end of May. Up till now, what you are proposing to do we have not been clearly told. We are anxiously waiting to hear you. That is why I was saying that instead of waiting any further having regard to the commitment made in the President's Address, perhaps it is advisable to accept the last part of Mr. Dhabe's Resolution. Of course, it is known that I have differences of opinion with Mr. Advani on the political contributions question. When I addressed the House on the Company Amendment Bill, I gave expression to my views but unfortunately some newspaper reporters did not perhaps properly appreciate what I was trying to say. What I did say was that an evil was sought to be eliminated. The evil existed in spite of the attempt. And, therefore, let it be curbed as far as possible. There were proposals for curbing it, like 5 per cent of the net profit resolution by the Board of Directors, publication in the balance-sheet, and so on and so forth. But one suggestion I forgot to make when I supported the Companies Amendment Bill. I am very glad that the hon. Industry Minister is also present now. I have differences of opinion with Mr. Advani on this question and that is why I am raising it. And that suggestion which I forgot to make then was that in the 1976 amendment Bill, you had said: "5 per cent of net profits, or Rs. 25,000 whichever is lower". You omitted to mention the maximum amount. If you think Rs. 25,000 is too small, specify a sum; take it Rs. 5 lakh, or Rs. 10 lakh, whatever you like; I don't mind. That is your business. But now we are entering the age of multinationals and unless you fix a maximum amount of contribution it may run into crores. This

very point. I missed on that occasion, and an hon. Member reminded me and so I have made this point now. Kindly make a note of it also.

However, Madam, since not more than five minutes have been given to me, I would like to have Mr. Bhardwaj's opinion on the last portion of the resolution because the picture is very dismal nowadays. Take for instance the allegations regarding voters' list, voters list containing bogus names, names of dead persons, premises in existence but no voters, and premises not in existence but a large number of voters. We have allegation of booth capturing, rigging, terrorism, and in one State alone, in the last election, the Election Commission had to countermand several elections in several booths in order that re-election could be held in the proper manner. Therefore, the picture at the moment is very gloomy and electoral reforms have become an urgent and immediate necessity, and because of this immediate necessity, the previous assurances given by the Government may be kept in the cold storage for some time and kindly concentrate, if possible on the last part of this resolution and take this up immediately. These are my submissions.

THE DEPUTY CHAIRMAN: Would you like to intervene?

SHRI H. R. BHARDWAJ: Madam Deputy Chairman, I am grateful to my friend Shri Dhabe for having brought this resolution on such an important issue. This resolution contains several things on which there is absolutely no controversy in any section of the House. We wanted them; they wanted them and everybody else wants it. Therefore, I am very hopeful that we shall have no problem in looking into these several things. But Madam, before I proceed to answer various hon. Members, I thank all the speakers who have contributed a good deal, in regard to understanding the problem and the electoral process. We have also to look into the several

recommendations, to which I would be making reference, which have been given to us by the Chief Election Commissioner. But I would like to make one thing clear here. So far as democracy in India is concerned, it is very strong. There can be no doubt about it. Those who say that there is any weakness in our democracy, do not understand the reality. You won the elections in 1977. Our party was defeated. It was not defeated because you used the media and focussed a particular thing. There was inherently something wrong. People understood it and they threw the Congress out of power. But I would also draw your kind attention to what happened in 1980. We never accused anybody that the media was used and that is why, such and such party lost power. Here I would like to put the record straight. If ever there had been a gross misuse of media, it was during Mr. Advani's regime. People have not forgotten it how boring, how tasteless, the media had become those days. It was purely used for vendetta and nothing else. I just want to put the record straight because he referred to it and he insulted the Indian electorate that they voted the Congress to power in 1985 only because of a particular issue, namely, Mrs. Gandhi's death, was focussed on the media. I would have been happy if he had put the truth before the nation. People voted the Congress to power not because the media was misused. You know it very well. You know your weakness. But you are not prepared to accept that. Because, in that eventuality, you will be exposed completely.

SHRIMATI KANAK MUKHERJEE: People may have voted you to power. But the media was misused. It is a fact.

SHRI H. R. BHARDWAJ: Madam you should have the patience to

listen to me. If somebody misquotes something, it is my duty to set it right. If I say something wrong, in the same way I will correct myself. You did not suffer in 1977. You did not suffer between 1977 and 1980. We suffered and we know how the media was misused, in regard to Shah Commission and so on. Even in the court rooms, TV cameras were projected. Such a thing had never been done in this country in the past. I have been practising law for the last twenty three years. But I have never seen TV cameras being projected into court rooms. This was done in the Janata period.

SHRI GHULAM RASOOL MATTO: Do two wrongs make one right?

SHRI H. R. BHARDWAJ: When you appreciate the submission made by the hon. Member, you should remind him about his past history also. This is what I am doing. When clever words are used, there is always a rosy picture painted about one's self. The difficulty with somebody is he thinks he is the most intelligent man and the others are fools. Even I consider myself as the most wise man, but it is not so. We cannot say that we are always right and others are not. This should not be our attitude. We should have some circumspection.

What is the reality? The reality today is, we are under a public pressure, that there is something wrong with the electoral process. We all know that with booth-capturing, excessive spending and interference of so many other factors, the electoral process has been largely polluted. Every party accepts it. But why don't they stop it? Everybody got an opportunity to come to power. They should have done it then and there. We have started it. We have adopted this measure. We have consulted you. We are in the process of con-

[Shri H. R. Bhardwaj]

sulting the Opposition on every issue. How can you blame us straightaway that we are not doing anything? You know, it cannot be done in a split second. There has to be consultation. This has to be done in consultation with all the opposition parties. You blame us. We accept the blame because our blame is that people have voted us to power which you are not going to accept. A democratic election has been held in the country and people have voted us to power democratically. You want to taint it. You want to taint it by saying that the Congress has come to power not on democratic principles, that the elections were not fair. You can say so, but the people are not fools. They defeated the Congress when there was something wrong with the Congress. And we never accused you when you came to power with a combination of parties which had no ideological community, no ideological oneness. You only had an opportunity to defeat the Congress and you grabbed power. What did you do during that period? Did you establish any healthy norm? I would like Mr. Advani to point out one single instance of a healthy norm established during 1977-80. That is why people threw you out of power. That is they did not expect from you that you would restore any norm in the country. The Congress was defeated and the people thought that it had been sufficiently punished; so they brought Mrs. Gandhi back to power. Mrs. Gandhi was not brought on the media. Mrs. Gandhi was on the media, not after her death; she was on the national horizon throughout her life since her childhood till the time of her death. And you are mistaken in understanding it. Her life from her childhood was a life of sacrifice and dedication to the nation and she cannot be forgotten any time and you note it.

Now so far as the question of electoral reforms is concerned, we have brought a very major measure--the

Anti Defection Bill. People suspected that it would never come. We have brought it. Now there are certain things about which there is no unanimity in the Opposition. I have listed the arguments of various speakers and I can point out from one speaker to another how leftists want a different type of electoral reforms and rightists want a different type of electoral reforms and there are some centrists, who want a combination of both. What do we do?

This is a structure which has been made after a lot of thinking. There is a quasi-federal structure in this country. You are talking of proportional representation. It can be done, but how do you decide about the question of leadership? You will have to simultaneously decide that also. Suppose you give proportional representation to various parties in the Lok Sabha, how do you elect your leader? How do you elect your President? That also will have to be gone into. And the moment this question will be touched, you will come upon us: "Oh, they are disturbing the basic structure of the Constitution" and the very Parties which want it now, will go to the Supreme Court. It has happened in the past, whenever there a progressive legislation brought forward by the Congress, they have filed writ petitions. We have never gone into these issues. They have always opposed these. We are prepared to discuss with you. You give your suggestions. We are prepared to sit even tomorrow. You fix a date with the Election Commission. We have discussed it already. The question was how to give a unanimous view to the nation.

So far as booth-capturing is concerned...

SHRI N. E. BALARAM (Kerala): What is the difficulty in introducing proportional representation?

SHRI H. R. BHARDWAJ: The difficulty is, if you cannot understand, I

cannot make you understand. The difficulty is this: how do you elect your leader? How do you elect the Prime Minister? If you do not understand, why do you ask me? Proportional representation will make your whole system topsyturvy.

SHRI N. E. BALARAM: I can explain to you.

SHRI H. R. BHARDWAJ: You cannot explain to me because you do not understand the basic mechanism.

SHRI SANKAR PRASAD MITRA: His point is, proportional representation will not bring stability of government.

SHRI H. R. BHARDWAJ: Not only that, suppose you give proportional representation, how do you elect the Prime Minister of the country or the President?

SHRI N. E. BALARAM: The Prime Minister will be taken from the people. Your understanding of the system itself is wrong. By proportional representation, they are electing the Prime Minister.

SHRI H. R. BHARDWAJ: I cannot understand you.

SHRI N. E. BALARAM: That is the difficulty.

SHRI H. R. BHARDWAJ: You have no capacity to make me understand. I know what you mean. You do not have that capacity to make me understand. I do not want to understand your mechanism. Please listen to me.

SHRI M. KALYANASUNDARAM (Tamil Nadu): A few minutes before you were preaching humility that no one should think that he is the only wise man. Now you are yourself claiming that you are the only wise man in this House.

SHRI H. R. BHARDWAJ: I am telling you, I want the Opposition to be one. You tell me that and I will accept it. I want to accept it.

SHRI N. E. BALARAM: I am prepared to convince you provided you argue reasonably.

SHRI H. R. BHARDWAJ: I am accepting we are prepared to discuss with you. But you think that you have lost because of this particular thing. That is you are making me a fool. I cannot be fooled.

SHRI M. KALYANASUNDARAM: In Gujarat you had won such a wonderful majority. Why then within 15 days most of the people are against you?

SHRI H. R. BHARDWAJ: I tell you, Mr. Kalyanasundaram, you know it very well: people who have lost have not reconciled to their defeat. This is the reply.

SHRI M. KALYANASUNDARAM: Inside your own party?

SHRI H. R. BHARDWAJ: What are you talking about? You purify everybody. We are pure.

THE DEPUTY CHAIRMAN: We have had a long discussion and at five o'clock we have to wind it up... (Interruptions)... Please sit down, I will not allow... (Interruptions)...

SHRI H. R. BHARDWAJ: No. ... (Interruptions)...

THE DEPUTY CHAIRMAN: Mr. Minister, please conclude within five minutes.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : मान्यवर, मेरा व्यवस्था का प्रश्न है। मेरा व्यवस्था का प्रश्न यह है कि यह सदन कैसे चलेगा, यह तय करना किसका काम है? अभी जब माननीय रसूल साहब बोल रहे थे तो माननीय मंत्री जी ने कहा कि आप बैठ जाइये।

उपसभापति : उन्होंने नहीं कहा, मैंने कहा।

श्री सत्य प्रकाश मालवीय : माननीय मंत्री जी ने कहा कि आप बैठ जाइये। मेरा व्यवस्था का प्रश्न... (व्यवधान)।

SHRI H. R. BHARDWAJ: Let his point of order be cleared.

श्री सत्य प्रकाश मालवीय : मान्यवर, मेरा व्यवस्था का प्रश्न यह है कि जब कोई सदस्य बोल रहा हो तो यह सदन किस तरीके से चलेगा यह बात चयन तय करेगी या कोई मेम्बर तय करेगा।

उपसभापति : मैं तय करूंगी, इसलिए आप बैठ जाइये।

SHRI H. R. BHARDWAJ: It is entirely up to you, Madam. . . (Interruptions).

श्री गुलाम रसूल मट्टू : मेरी अर्ज यह है कि भारद्वाज जी ने यह अरग्यूमेंट पेश किया है कि अपोजीशन पार्टीज ब्रलन-अलग हैं, वे एक साथ नहीं होती हैं। मेरे कहने का मतलब यह है कि मेरी जैसी छोटी पार्टी अगर अपोजीशन से मिले तो क्या गवर्नमेंट कोई कदम उठाने के लिए तैयार है और अगर वे इस बारे में एक नहीं होती है तो गवर्नमेंट क्या इस मेलेडी को खत्म करने के लिए तैयार नहीं है ?

SHRI H. R. BHARDWAJ: Madam, I know what they have at heart. I want to tell the people of India that presume that they are the purest parties and this is the only party which is not pure. This is the fallacy which I want to remove from the minds of there people of India. Because, they always suggest things... (Interruptions)... I am only drawing your kind attention to a particular thing (Interruptions)... If they can't listen, that is a difficulty.

PROF. C. LAKSHMANNA (Andhra Pradesh): There have been occasions when Opposition parties themselves had said, "We are not all pure, we are not all clear as it is claimed." But the only point is, being a majority party it has a moral responsibility to lead the country—because it is a majority party.

THE DEPUTY CHAIRMAN: Prof. Lakshman, you came half way and you don't know what is being discussed. It is better to let him finish.

SHRI H. R. BHARDWAJ: Madam, I am only requesting that on any

issue that requires a national debate or discussion, we will be prepared to sit with the Opposition and decide it. The question is, they don't find certain things very useful to them. They have criticized the company donations—I am surprised. The Janata Party survived on company donations from the beginning of 1977 to 1980. If anybody can challenge me on this point, I can tell you that they thrived on it. They had absolutely no source of donations except the larger companies from 1977 to 1980. But why go into it. Certain measures we are taking, certain measures we will take, and if they are not liked....

SHRI P. BABUL REDDY: They collected from small people.

SHRI H. R. BHARDWAJ: Mr. Babul Reddy, you joined the Janata Party much later, when they lost power. I know it. You came only recently. You were not in the Janata Party in 1980. And you came with Congress help—I know it.

SHRI N. E. BALARAM: What is the solution?

SHRI H. R. BHARDWAJ: The solution is, you come to the table. We will discuss things with you and unanimously we will decide. But the question is, should the Government fund elections? We can discuss this issue. If the funding can make a solution, we can discuss it. Then there is a constitutional question. An individual will come up and say, "How do you finance a party? I want to contest an election; it is my funds mental right. Why don't you finance me?" Then everybody in India will fight elections because you are giving the money. All these issues are not as simple as they are made out to be. They need discussion with Opposition leaders with the various parties. What to say of parties, one leader is defeated today and tomorrow he forms another party. This has happened everybody knows it and there is

another party of two individuals, three individuals. What sort of a party you want? You first get this issue decided from the Election Commission. Only parties which are recognized by the Election Commission should be allowed to participate in the mainstream. Otherwise, so many factors even outside factors, will step into the soil. Because you form a party and everybody is prepared to fund, even if it is an anti-national party; they can do so. So, you have to recognize only parties which are recognized under the Symbol Reservation Rules and those parties can be associated with this type of discussions. We are prepared 5.00 P.M. to discuss this subject with you. I can assure you on the floor of this House that the Government is sincere and whatever electoral reforms are needed they will be brought forward. But the statutes cannot decide the fate of the nation. It is the people who decide the fate of the nation. It is the conscience, the wisdom the vision, the purity of thought that will decide the fate of the nation. There are innumerable problems we are facing today about these reforms. Who did obey the directives of the Election Commission? The candidates may have spent more. There are reports about the booth capturing. Although the law prevents it, still they do it. A national debate is required on this issue where the personal ethos and personal differences should not be reflected that this party has come to power by using this method. When a party wins or losses it is a success of democracy. If some party wins the elections it should be allowed to discharge its responsibilities. If some other party losses it should utilise this opportunity to improve itself. In that spirit we can function, not that if you win tomorrow we will start pulling your legs. If you start pulling our legs we cannot make our contribution to the nation. This is a national

question and it has been agitating the minds of the people since 1971. For this purpose various committees have been formed and all those documents are with me. If the hon. Members on that side fix up a date the Government is prepared to sit and discuss with them. The question of funding election expenses is a very, very important issue and amendment of several statutes will be required.

THE DEPUTY CHAIRMAN: Private Members' Business time is over. Now, we will take up the Andhra Pradesh Legislative Council (Abolition) Bill, 1985.

**THE ANDHRA PRADESH LEGIS-
LATIVE COUNCIL (ABOLITION)
BILL, 1985**

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA): Madam Deputy Chairman, by consensus in the House the Leaders of all the Opposition parties have also come forward that the Andhra Pradesh Legislative Council (Abolition) Bill, 1985 could be passed without discussion. It was done like that in the other House also yesterday. If all are agreeable, then we will finish that item first.

THE DEPUTY CHAIRMAN: Now, we will take up the Andhra Pradesh Legislative Council (Abolition) Bill, 1935, Shri H. R. Bhardwaj.

THE MINISTER OF STATE IN
THE MINISTRY OF LAY AND JUSTICE (SHRI H. R. BHARDWAJ):
Madam, I beg to move:

“That the Bill to provide for the abolition of the Legislative Council of the State of Andhra Pradesh and for matters supplemental, incidental: