

gory (B) and (C) and so far as category (A) and no industry district category are concerned, they get 25 per cent subject to a ceiling of Rs. 25 lakh, and other areas get Rs. 15 lakh and Rs. 10 lakh.

**MR. CHAIRMAN:** He only wants to know whether there is going to be a change this year.

**SHRI VEERENDRA PATIL:** That is why I said the present scheme is expiring on 31 March, 1985 and it is under active consideration of the Government what to do with regard to this scheme, whether it requires any modification or we should continue it as it is. Government has not taken any decision and we hope to take a decision shortly.

**MR. CHAIRMAN:** Next question.

**SHRI B. SATYANARAYAN REDDY:** Sir, I raised my hand first; I wanted to ask a question.

**MR. CHAIRMAN:** Everybody cannot get it; it is the discretion of the Chair. Next question.

#### Voting facilities to Indians abroad

\*162. **SHRI M. KADHARSHA:** Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government have recently received any representation from the Overseas Indians to provide suitable facilities to enable them to exercise their franchise in elections in this country;

(b) if so, by when such voting facilities are proposed to be extended to them; and

(c) if not, what are the reasons therefor?

**THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ):** (a) to (c) Suggestions are being received from some overseas organisations that Indian citizens residing abroad could be given voting rights. The question whether voting rights should be extended to such persons living abroad is under consideration of the Government. As the question has some special

features, it will have to be examined in considerable detail taking into account the various relevant factors.

**SHRI M. KADHARSHA:** This is a routine reply given by the Government all these years. It only shows lack of political will on the part of the Government. Article 326 of the Constitution clearly states that all adults are eligible to exercise their right of franchise. There are 12 million Indians living in 137 countries. But for a meagre 6 per cent, although most of them remain as Indian citizens, have Indian passports, pay taxes to the Government and make valuable contribution to the country by way of foreign exchange earning, they do not have a say in the decision-making process of the country; they do not have the right to vote. Is it not contrary to the provisions in the Constitution? Is it fair on the part of the Government to deny them the opportunity to participate in the Indian elections? Is it also not a fact...

**MR. CHAIRMAN:** You will have the second supplementary.

**SHRI M. KADHARSHA:** It is part of it. Is it also not a fact that wives of the male employees of the Embassies alone are granted postal ballot rights, and not the male spouses of the female staff of embassies. Is it also not a fact that apart from these male, the employees of Air India and other public sector undertakings are denied postal ballot right? If so, I want to know the reasons for this discrimination.

**SHRI H. R. BHARDWAJ:** There is no question that the Government does not want to give such voting rights. The question is taking into account the complex situation, there has to be consultation with the Ministry of Home Affairs, there has to be consultation with the Ministry of External Affairs and consultation with the Ministry of Finance as well.

So far as the Constitution is concerned, it does not deny such right. The question is any to make an amendment in the Representation of the People Act, sections 19 and 20. Then we have to see the complex situation because as the position today

is, one can only register a vote at a place where he is registered as a voter. So, the conduct of Election Rules have to be amended. We have an open mind on this issue; we will get in touch with the Opposition parties and take a decision. Government has not closed it, and we are sure that whenever this question is discussed and a decision taken, we are prepared to consider it.

**SHRI M. KADHARSHĀ:** Sir, this is only one side of the coin. There is the other side also. Even within the country, millions of genuine voters are forbidden from exercising their franchise, from going to the polling booths, by way of booth-capturing and other practices...

**MR. CHAIRMAN:** Not relevant.

**SHRI M. KADHARSHĀ:** Sir, even during the recent Lok Sabha elections...

**MR. CHAIRMAN:** No. Not relevant. Mr. Prashant.

**SHRI DHARAM CHANDER PRASHANT:** Sir, do the electoral rolls connected with the Parliament and Assembly elections contain the names of Indians living abroad?

**SHRI H. R. BHARDWAJ:** I do not think, they should contain, because, the law, as it is today, says that only a person who is ordinarily resident of that particular locality can be registered. As I said already, this has to be amended if this right is to be given to Indians residing abroad.

**SHRI K. MOHANAN:** Sir, as you know, out of the 12 million Indians who are working abroad, majority of them are from the Southern States, especially, from Kerala. More than 5 lakhs of Malayalees are working in Gulf countries alone. For example, in an Assembly constituency in Kerala, out of the 98,000 voters, nearly 17,000 voters are working in Gulf countries. This is a relevant point to discuss at this time—whether the Government is thinking on these lines—because, these persons, even though they are working abroad, are citizens of India. Hence, it is fair to discuss this issue and arrive at a decision as early as possible, to give a

chance to these citizens, when they are contributing in a big way for the country's development through acquiring valuable foreign exchange. We will have to give them a chance to express their opinion in regard to the future of the country. It is fair on the part of the Government to take an immediate decision in this background, I would like to know from the hon. Minister whether the Government would take a decision on this matter as early as possible.

**SHRI ASOKE SEN:** Sir, the question ignores the complexity and the enormous administrative problems which will be involved, if such a contingency is brought into the Act itself. If 17,000 voters for each constituency have to be registered...

**SHRI K. MOHANAN:** This is only an example.

**SHRI ASOKE SEN:** If 17,000 voters have to be registered for each constituency, persons who are residing abroad, the complexity of the problems will be such that somebody must enumerate them, somebody must find out whether they are still citizens, put them on the register and then later on set up polling stations for them. This has to be investigated. Where will the polling stations be in the Gulf countries?

**SHRI K. MOHANAN:** This can be done by postal ballots.

**MR. CHAIRMAN:** The point is, whether this cannot be done by postal ballots.

**SHRI ASOKE SEN:** This problem is still being investigated, the possibility of it, whether millions of voters will be able to vote through postal ballot. If it is so decided—as my colleague has said, the opposition parties will be consulted—if it is feasible, no doubt, this will be considered.

श्री रामानन्द यादव : सभापति जी, विभिन्न देशों में भारतीय लोग जा कर के फारेन एक्सचेंज अनं करते हैं और सरकार के पास भेजते हैं जिससे सरकार लाभान्वित होती है। मान्यवर, जिन देशों में हमारे भारतीय लोग जा कर काम करते

हैं वे यहां से थोड़े समय के लिए जाते हैं। वहां पर हमारे दूतावास हैं और दूतावास जो हैं एक ऐसी मशीनरी है जिसके माध्यम से बेल्ट थैपर को बाई पोस्ट भजने का प्रबन्ध किया जा सकता है। क्या सरकार इस बात पर विचार करेगी कि विभिन्न मन्त्रालयों जिनका सम्बन्ध वोटिंग से है फायनेंस डिपार्टमेंट, फारेन अफेयर्स डिपार्टमेंट या जो ला डिपार्टमेंट है इन सब डिपार्टमेंट्स के एक्सपर्ट अधिकारियों की एक कमेटी बनाएगी जो इस बात की जांच करके यह बताए कि फारेन में जो हमारे देश के नागरिक गये हैं टेम्पोरेरी रूप से गये हैं और इण्डियन सिटीजनशिप रिटैन करने हैं उनको वोट देने का हक कैसे प्रदान किया जाए। क्या इसके लिए कोई कमेटी गठित करेंगे ?

श्री हंसराज भारद्वाज : श्रीमान, जहां तक भारत के निवासी जो भारत से बाहर रहते हैं उनको वोटिंग राइट देने का प्रश्न है सरकार का यह निश्चय है कि यदि इलेक्शन कमीशन कोई ऐसा सिस्टम निकाल ले जिसके जरिये यह लागू किया जा सके तो सरकार को इसमें कोई आपत्ति नहीं है। लेकिन आप इस बात को मानेंगे कि इलेक्शन कमीशन जब तक ऐसी कोई मशीनरी नहीं बनाएगा जहां से वोटिंग करा कर उनका रिजल्ट यहां भारत में भेजा जा सके या पोस्टल बेल्ट के जरिये हो सके—आर्थात् यह सब इलेक्शन कमीशन के निर्णय पर आधारित है इस पर हम लोगों ने विचार नहीं किया है। हम यह कह चुके हैं कि जब अपोजीशन पार्टीज, इलेक्शन कमीशन और सरकार बैठ करके इस विषय पर बात करेंगी तो इस पर जरूर निर्णय लिया जायेगा। इसमें और भी बहुत सारे पहलू हैं। जब कोई भारतवासी देश से बाहर जाकर रहता है और वहां पर रहकर वह भारत की राजनीति में ज्यादा दिलचस्पी लेता है तथा जिस मुल्क में रहता है वहां की राजनीति में और धाराप्रवाह में ज्यादा नहीं रहता है तो उस मुल्क को भी आपत्ति होती है। ये सब सेंसिटिव इश्यूज हैं इसलिए सरकार सब बातों को ध्यान में रखकर निर्णय लेगी, ज्यादा हेस्टी डिजिजन नहीं लिया जा सकता है।

श्री राम नरेश कुशवाहा : माननीय मंत्री जी यह बताने का कष्ट करेंगे कि एक आदमी जो विदेश में इंग्लैंड का नागरिक था उसको उत्तर प्रदेश में विधान सभा का चुनाव लड़ाया गया और वह जीत गया ?

श्री रामानन्द यादव : यह सवाल कहाँ से उठता है ?

श्री सत्य प्रकाश मालवीय : सवाल से ही उठता है।

श्री राम नरेश कुशवाहा : : विदेशी नागरिकों का अधिकार देने का सवाल है यह आपसे कह रहा हूं। वह जीत गया। है (व्यवधान)

MR. CHAIRMAN: Other people don't comment on the question. Please let the Minister answer.

श्री हंसराज भारद्वाज : यह विदेशी नागरिकों का सवाल है। हम भारतीय मूल के निवासी जो बाहर रहते हैं उनकी बात कर रहे हैं (व्यवधान)

श्री राम नरेश कुशवाहा : : भारतीय मूल के ही आदमी को ही कह रहा हूं जो विदेश में नागरिक था।... (व्यवधान) भारतीय मूल का ही निवासी है, किसी विदेशी मूल का आदमी थोड़ी है...।

चुनाव पर खर्च

\* 163. श्री शंकर सिंह वाघेला :

श्री लाल कृष्ण आडवाणी :

क्या विधि और न्याय मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि देश में चुनाव बहुत खर्चीले हो गए हैं और थोड़े संसाधनों वाले उम्मीदवारों तथा दलों के लिए इस महत्वपूर्ण लोकतांत्रिक प्रक्रिया में भाग लेना बहुत कठिन हो गया है;

†The question was actually asked on the floor of the House by Shri Shankar Singh Vaghela.