

**An hon. Member:** Why should old men be interested?

**Mr. Speaker:** Order, order.

**Election Expenses**

\*617. { **Shri Surendra Pal Singh:**  
**Shri Yashpal Singh:**

Will the Minister of Law be pleased to state:

(a) whether it is a fact that the Union Government have decided to abolish the present statutory limit on election expenses; and

(b) if so, the reasons therefor?

**The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):** (a) No, Sir.

(b) Does not arise.

**Shri Surendra Pal Singh:** In view of Parkinson's very correct observation that a "person's expenditure rises to catch up with his income", may I know how far the contributions of the business-houses to the election funds of various political parties in the country are responsible for pushing up the election expenses?

**Shri Jaganatha Rao:** The Election Commission has no information about this.

**Shri Surendra Pal Singh:** If such a recommendation is made in the future, would not the acceptance of the recommendation be taken as.....

**Shri Jaganatha Rao:** I could not hear the question.

**Shri Surendra Pal Singh:** If such a recommendation is made in the future by the Election Commission, would not that step be taken to mean.....

**Shri Jaganatha Rao:** It is hypothetical.

**Mr. Speaker:** The answer has come already that it is hypothetical.

**Shri P. R. Chakraverti:** May I know whether Government have got infor-

mation that in these elections, the expenditure limit is always exceeded by four or five times the prescribed limit, and if so, how Government propose to take a realistic view of the picture and do the needful?

**Shri Jaganatha Rao:** Government are aware that the maximum limit of election expenses is not being observed. That is why the Election Commission in the month of September last requested the representatives of various political parties in Parliament to attend a meeting, and invited their suggestions. The leaders who attended the meeting wanted time, and they said that they would give their suggestions in November; some of them have given their suggestions while some have not. I understand that the Election Commission is going to meet representatives of various political parties some time in January or February and evolve a code.

**Shri Jaipal Singh:** There is just one ordinary point that I would like to raise with you. Sometimes, in reply to questions, the hon. Ministers say '(a) No', and '(b). Does not arise'. I suggest that you should take a decision that it should be a two-way traffic. The reply should be that Government have decided not to abolish it, and so, the reasons therefor might also be given, indicating why they have decided not to abolish it.

**The Minister of Food and Agriculture (Shri C. Subramaniam):** It is an existing thing.

**Shri Gauri Shankar Kakkar:** Since it is almost an admitted fact that invariably the expenses are going up beyond the limit, may I know whether there has been or there is going to be any scrutiny of the election returns submitted so far, either by the Election Commission or by any other authority in regard to the breach of the maximum limit, and if such a scrutiny has been made, whether any prosecution has been launched with regard to wrong submission of election returns?

**Shri Jaganatha Rao:** If the maximum limit of the expenses is transgressed, it amounts to a corrupt practice and the election is liable to be set aside.

**Shri C. K. Bhattacharyya:** Has the Government received any suggestion that the system of submitting election returns should be abolished?

**Shri Jaganatha Rao:** No, Sir.

**Shri J. P. Jyotishi:** Is there any check to see that the expenses do not go beyond the limits prescribed by the Government?

**Mr. Speaker:** It has already been answered.

**Shri A. P. Sharma:** When the Government has got no machinery to exercise any check in respect of the expenses of the election being exceeded beyond the limit fixed by Government, what is the good of keeping this limit?

**Mr. Speaker:** He is arguing.

श्री मधु लिमये : क्या चुनाव खर्च पर जो सीमा है उसको हटाने की बात इसलिए की जा रही है कि मुंगेर के लोक-सभा के उप-चुनाव में कांग्रेस टिकट का नीलाम हुआ था और इस खर्च की सीमा के कानून को तो पहले ही कांग्रेस द्वारा तोड़ दिया गया है ?

अध्यक्ष महोदय : वह तो कहते हैं कि यह हो नहीं रहा है ।

**Shri Nath Pai:** May I know whether the Government has taken into consideration that a legislator, before he takes the oath of upholding the Constitution, has already under pressure of circumstances, violated the law with regard to the law on the limits—a thing which may be denied here orally but in practice it is there and you, Sir, would also have witnessed what has happened—may I know whether the Government is thinking, so that we all keep to the law, of taking into consideration such constructive proposals like hav-

ing mobile booths so that one of the pressures for incurring a higher expenditure is relieved?

**Shri Jaganatha Rao:** As the law stands today, the returns of election expenses are required to be filed by the candidate within 30 days of the declaration of the results and the accounts are open for inspection, by any person interested, in the office of the returning officer. It is for anyone to see the accounts, scrutinise them and know whether they are true or not.

**Shri Nath Pai:** Sir, I am afraid he did not follow my question. I asked whether, in view of these things, there was any proposal—

**Mr. Speaker:** The question was whether there were proposals to have a mobile booth.

**Shri Jaganatha Rao:** As I said earlier, several proposals were made at the meeting convened by the Election Commission. No decisions have been taken. The Election Commission is going to call the representatives of various political parties again.

#### Risk Fund for the Construction of Roads

\*618. **Shri D. N. Tiwary:** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that a sum of Rs. 42 lakhs has been provided in the Central Sector of the Third Five Year Plan for covering the losses, if any, occurring as a result of the failure of the roads constructed according to new techniques or to meet the extra expenditure, if any, involved in the adoption of new techniques; and

(b) if so, the amount so far utilised out of this fund and the purpose or purposes for which it was utilised?

**The Minister of Transport (Shri Raj Bahadur):** (a) Yes, Sir.

(b) No amount from the fund has been utilised so far as it has not yet been necessary to cover any losses