

1,100 workers only, which is not encouraging.

It is very much necessary to accentuate the efforts to further delineate the rocks and hasten the process of getting more minerals which can generate sufficient employment and revenue in this needy area.

I, therefore, urge upon the Central Government to take some serious steps in this direction.

- (vii) **Need for early completion of Gandak and Kosi Irrigation Projects, Bihar.**

[*Translation*]

SHRI SHIVA SHARAN SINHA (Vaishali): The main problem of northern Bihar is occurrence of devastating floods, water logging in nine lakh hectares of land and lack of irrigation facilities. As a result thereof, the condition of 4 crore people in this area has become very deplorable. The Government of Bihar has already expressed its inability to deal with the problem. As such, it becomes the responsibility of the Central Government to find an early solution to the problem. Effective steps should be taken to control flood and steps should be taken to clear out water logging in the area so that the farmers could produce fifty lakh tonnes of foodgrains every year easily. In the first phase the lower and upper Noon water drainage projects in Bhava Command area should be implemented so that local farmers could produce 66 lakh quintals of foodgrain every year. It will be a major step for increasing agricultural productions. Apart from this, the Gandak and Kosi Irrigation Projects, which remain half done, should also be completed during the Eighth Five Year Plan. Gandak project is an important inland and international irrigation project. I would like to draw

the attention of the Central Government towards this.

15.05 hrs

[*English*]

STATUTORY RESOLUTION RE:  
DISAPPROVAL OF REPRESENTATION  
OF PEOPLE (AMENDMENT) ORDINANCE  
AND  
REPRESENTATION OF PEOPLE  
(AMENDMENT) BILL

**As Passed by Rajya Sabha.**

MR. CHAIRMAN: Now we shall take up further discussion on items No. 11 and 12 together. Prof. Rasa Singh Rawat was on his legs. He is not present.

Dr. Sudhir Ray.

15.06 hrs

[*Translation*]

Translation of the speech originally delivered in Bangla.

[SHRIMATI MALINI BHATTACHARAYA in  
*the Chair*]

DR. SUDHIR RAY (Burdwan)\*: Mr. Chairman, Sir, I would like to oppose the bill as this bill casually approaches the problem of election and tries to solve them casually. Sir, there is no serious effort, whole-hearted approach to solve the election problem. When the first general election was held in 1952, a vast section of the population in India was illiterate and there had been apprehensions in many quarters that election would not be held smoothly. But that election was conducted by late Sukumar Sen in such a manner

\*Translation of the speech originally delivered in Bangala.

[Dr. Sudhir Ray]

that he received applause and appreciation from the whole world. But now as the days pass, elections are held with the help of muscle power, money power and capturing of booths by force.

[DR. MALINI BHATTACHARY *in the Chair*]

Now Madam, gradually election is being transformed into a farce. So in my opinion, this problem should not be approached in a casual manner. We should have some serious efforts and well-conceived action plan so that the problem of elections can be solved smoothly. First of all, I would like to know why proportional representation system is not introduced for electoral reform. Had this proportional representation alongwith the system of voter's list was followed even the small parties then would have been able to reflect their power rightly. We have to remember that the Congress got 38% vote in the first general election. But, they captured 62 seats because there was no proportional representation. Generally this is how the Congress used to capture greater number of seats despite getting less number of votes. Precisely for this reason the long-standing demand of my party has been the introduction of propotional representation alongwith the system of voter's list. My second submission is that instead of one Election Commissioner we should have three Election Commissioners. I do not want to make any adverse comment on Shri Seshan. Newspapers are coming out with all kinds of reports. But it can not be denied that had the President appointed the Chief Election Commissioner by consulting the Chief Election Commissioner by consulting the Chief Justice and the Leader of the Opposition, then Election Commission would not have become the target of criticism in the newspapers and reached this kind of farcical state. Secondly, it is urgently needed that

each voter is provided with a multi-purpose identity card before or during the time of election. This multi-purpose identity card is a must for electoral reform. Then only it will be possible to reduce the number of fake votes. Thirdly in the Panchayati Bill or Nagar Palika Bill proposed by the Government, seat-reservation for the ladies has been mentioned. Why there is no seat-reservation for the ladies in State Assembly and Parliament also? This reservation of seat and right to vote for women will definitely create a congenial atmosphere in a feudal and male-dominated society. I would further like to say that law and order does not function properly during the time of election in some part of India. So steps are to be taken so that law and order function properly during the time of election. Steps are also to be taken so that the political parties observe the code of conduct otherwise this farce in the name of election will continue and people will lose their confidence on election process and parliamentary democracy. It has to be remembered that it would be great injustice for independent candidates if election is not countermanded after the death of any independent candidate.

Many renowned persons like Acharya Kripalanj, Dr. Lanka Sundaram or Dr. Joy Suriya (Minister of State-Law) had been the member of this august House without being attached to any political party. They become the members of Parliament as Independent candidates. However this provision in the bill of not countermanding election in the event of death of any independent candidate, would violate the constitutional right to Equality mentioned in the XIVth Paragraph of the Constitution. I further feel that this would also violate the principles of natural justice because it is not proper that election will continue even after the death of an independent candidate whereas it will be countermanded only in the death of a candidate belonging to a recognised political party. Precisely the important thing is that if we

want to maintain Parliamentary democracy and keep the confidence of the people in Parliamentary and Assembly elections, we must pass an Act on electoral reforms. Effective measures should immediately be adopted so that muscle power and money power do not influence the election process and we are able to hear the voice of the people rightly.

So Madam in the end I would like to mention again that we must have proportional representation, system of list of voters, reservation of seat for women and instead of one Chief Election Commissioner appointment of three Election Commissioners. With these demands and once again thanking you for giving me an opportunity to participate in the discussion I conclude my speech here.

SHRI GOPI NATH GAJAPATHI (Bengaluru): Madam Chairperson, indeed there is a steady rise as well as growing incidence of terrorism and violence in certain pockets of our vast country. Side by side there is also tremendous increase in the number of Independent candidates contesting for political elections both for Parliament and the State Assemblies. As a result, the potential risk of disruption of election process has also increased.

Section 52 of the Representation of the people Act, 1951, provides for countermanding of a poll on the death of a candidate. In this connection, Madam, the situation causes in its wake several undesirable consequences and creates problematic situations. Firstly, it puts all the other contesting candidates into lot of unnecessary hardships by prolonging the election process. It also causes additional burden for the Election Commission as well as the future Government for conducting bye-elections. Further, even the general public are subjected to unnecessary harassment of participating

repeatedly in the election process for exercising their mandate.

It will not be out of place to mention certain other remedial steps connected with this subject and basically pertaining to poll reforms. Firstly, the duration of the polling campaign should be restricted to a maximum of two weeks. Secondly, a ceiling on the extent of funds to be spent for Parliamentary as well as for Assembly elections should be strictly observed. Thirdly, the free flow of liquor during election campaigning should also be strictly curbed. These suggested remedial steps assume special significance when so much influence is wielded by money power, muscle power and even violence during polls now-a-days.

Further, political parties should not be allowed to override the democratic process. As regards the age limit of 18 years, there have been lot of cases where people who are on the borderline and who are below the age limit of 18 years exercising their franchise. There should be some foolproof methods to rectify this defect. Also, with regard to border areas, particularly regions bordering Bangladesh there is always the possibility and the risk of impersonation. Hence, identification card for individuals is very essential. A candidate for political polls should not be allowed to contest from more than one constituency, in all fairness to the not so well to do candidates. The introduction of electronic voting machines, for improving the poll process efficiency, can also be consideral in future.

It was decided to hold general elections to the House of the people in the State of Punjab and also to the State Legislature on the 19th February, 1992. In view of the situation prevailing in the State and in order to curb the danger of the disruption process there, it became imperative to amend section 52 of the Representation of the People Act, 1951 so as to restrict the countermand-

[Sh. Gopinath Gajapathi]

ing of elections only in the event of the death of a candidate set up by a recognised political party. As the Parliament was not in Session at that time and the Presidential notification calling for elections in Punjab had to be issued in January, 1992, it became necessary to promulgate this Ordinance. I dare say, like me, this august House is fully convinced of the rationale behind the said sequence of events leading to the existing situation.

In conclusion therefore, I would appeal to my learned colleague Shri Girdhari Lal Bhargava to withdraw this Statutory Resolution moved by him in this regard on the 17th March, 1992. Simultaneously I wholeheartedly support the Bill brought by our dynamic Union Minister hon. Shri K. Vijaya Bhaskara Reddy on the 17th of March, 1992, to further to amend the Representation of the People Act, 1951 as passed by the Rajya Sabha.

SHRI SHOBANADREESWARA RAO VADDE(Vijayawada): Madam Chairperson, I express my thanks to you for giving me the opportunity to say a few words on this important Amendment Bill to the Representation of the People Act. We have no objection to the extent of the amendment which has been proposed by our hon. learned Minister of Law and Justice, because in fact, this amendment must have been brought long back. That is one of the important lacuna in our Representation of the People Act. Of course, in our parliamentary democracy, our freedom fighters and the fathers of our Constitution have given importance to the role of individuals also, apart from the recognised and other political parties.

The situation is interesting. There is no bar on a person to contest from any number of constituencies which he can contest. There are some people who are contesting till now in two or three or four constituencies. If by

chance one person who is having enough money to pay the deposit of Rs. 500, he can contest all the 520 constituencies in this country. If that great fellow, is killed or by chance dies, the situation is that the entire electoral process would be disturbed since the elections in all the 520 constituencies have to be countermanded. Therefore, this is a right step in the right direction.

Though the hon. Minister has taken steps not to countermand the election on the event of death of an independent candidate, you are still giving an opportunity for countermanding the election in the event of death of a candidate belonging to a recognised political party. The election process has become very very costly because of increase in fuel prices, posters, printing cost etc. Therefore, even in respect of a candidate from a recognised political party, in the event of death of the particular candidate, the concerned political party can nominate another name is such an event. Suppose for some unfortunate reason if that candidate dies, the entire election process need not come to a grinding halt. With the proposal of second candidate by that political party, the election can continue. It is because, the candidate is the one who is suggested by the same political party to which he belongs.

Then, we find, many a time, some candidates contest from two constituencies or three constituencies. If he wins from two constituencies, he retains one seat and resigns from the other seat. To again contest the election close on the heels of the general elections would be causing so much trouble not only to the political parties but even to the persons who support them. There are many people in this country who support their candidates. They spend a lot of money and a lot of energy also in the election campaign. For such people, this is becoming a very difficult situation. They are made to pay the price. If that candidate is a person who is loved and admired by all, there is no

point in contesting from two constituencies. Let him have the guts to contest from one constituency only. Why should he contest from two constituencies? (*Interruptions*). What I say, it applies to your leader and my leader also. I do not deny it. This is a question of policy, a suggestion which I am making to the Government. If you bring that amendment to the Act—no matter our leader or your leader—nobody can contest from two constituencies simultaneously.

SHRI A.C. CHARLES (Trivendrum): In your own interest, please be careful. You are not sent out of the party!

SHRI SOBHANADREESWARA RAO VADDE: We have no such fear.

I also suggest it to the hon. Minister. He was good enough to say that he is seriously contemplating to bring forward comprehensive electoral reforms before the conclusion of the Budget Session. In spite of all the Acts and the rules, electioneering is being on influenced by money, caste community and religion, whatever we may say on the platform or in this House. It is our practical knowledge.

To minimise the influence of these things, it is high time the Government should seriously think of introducing some seats to be elected by the people and some seats as per the list given by the political parties, the proportional list system which is in vogue in some countries. When that is there, this evil influence of booth capturing or inciting caste and religion and spending crores of rupees can be minimised—I do not say that it will come to an end completely.

So, I suggest this to the hon. Minister who is a very seasoned and very experienced man to examine that.

I wonder even in bye-elections, Government has not utilised the electronic voting

machines. They are there. Government has already spent lot of money on them. But why did the Government not think it fit to use them?

You are aware that Shri P.V. Narasimha Rao contested from our State in the bye-election there, from Nandyal parliamentary constituency. We are the main political party in the Opposition in our State. We have not put up a candidate against him (*Interruptions*) for definite reasons, whether you agree or do not agree, because we thought that for the first time a person from the South and, more so, from our State of Andhra Pradesh, a Telugu man has become the Prime Minister of this country. So, with all regards and respect to him, we did not put up a candidate against him, though some friends found fault with us.

But what I want to bring to your notice with agony is that in spite of the fact that the main Opposition party in Andhra Pradesh has not fielded a candidate, unfortunately rigging has taken place on a very large scale in Nandyal parliamentary bye-election. Booth-capturing has taken place. Several important leaders have vied with each other that they have got so much majority in their areas to the hon. Prime Minister. All have tried in their own way, in their own fashion. Unfortunately, the district top officials, all of them colluded. They all gave a helping hand to the politicians.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): Ask your party MLAs and party members whether they have tried or not?

SHRI SOBHANADREESWARA RAO VADDE: The hon. Minister can.

What I want to bring to your notice is that this type of things should be avoided at any cost if democracy is to survive in our country.

[Sh. Sobhanadreeswara Rao Vadde]

I suggest to the hon. Minister that all-purpose identity cards should be issued though it may be a little costly. Let that identity card be utilised for election purpose and for getting a bank loan or for putting a vote either in this parliamentary election or in Assembly election or even in our local body election. The cost may be shared by the Union Government and the State Governments. The Union Government need not alone spend the money.

I hope and wish that the hon. Minister for Law and Justice will consider all these suggestions seriously and come forward with comprehensive electoral reforms before the close of the Budget session which may make a good beginning in our electoral process.

SHRI K. VJAYA BHASKARA REDDY:  
Madam Chairman, I thank all the hon. Members who have taken part in this discussion. Nearly 13 hon. Members have taken part and have given their good suggestions on the electoral reforms.

As far as this Bill is concerned, broadly there is no opposition. This was introduced in the Rajya Sabha and was passed unanimously. The entire House starting from the initiator said: "If the Government assures Electoral Reforms at an early date, we will support." The same thing we see here also. Except one or two friends, all the others have no objection to this Bill. But everybody talked of the comprehensive Electoral Reforms and they wanted a comprehensive Bill to be brought forward before the House at an early date.

Sir, this Bill was first introduced in 1985 when the Punjab elections were considered. Again, an Ordinance was issued and it was allowed to lapse. In 1990, during the Janata Dal Government's rule, the then Minister for Law and Justice Shri Dinesh Goswami

wanted a comprehensive Electoral Reforms. He appointed a Committee under his Chairmanship and had gone certainly deep into the matter. This Committee also considered this and this is a part of the Bill that is pending before the other House because it was introduced in 1990 by him. Again, in 1991, the Election Commission discussed this with all the political parties and they had come to a decision that it should be passed. This Government issued the Ordinance. Because of holding the Punjab Elections, there was no alternative for us except to go in for this Ordinance. In the recent elections, the violence has taken the lives of so many people. In the entire country, out of the 13 Parliamentary constituencies, where elections were countermanded elections for four constituencies from Punjab were countermanded because of the death of the candidates. In the country, out of the 34 Assembly Constituencies, 28 were in Punjab. There were 31 deaths, out of which 25 were in Punjab Assembly elections alone. Taking into consideration the seriousness the Government had no alternative except to go in for an Ordinance which is before the House in the shape of this Bill. So, I request the House to pass it.

Shri, in the course of the debate, almost every Member starting from Shri Girdhari Lal Bhargava right up to Shri sobhanadreeswara Rao Vadde suggested that a comprehensive Bill has to be brought forward. The Government is also serious about it. We have gone into the matter thoroughly well. I must pay compliments to my predecessor Shri Dinesh Goswami who took a lot of interest and went deep into the matter. He had come forward with three or four Bills. Out of the four Bills which he had introduced in the Lower House, one has already been passed in both the House and that is about the service conditions of the Election Commissioner. The second one is about the 71st Constitution Amendment Bill meant for delimitation and rotation of Scheduled Caste

constituencies, which is pending. I have also introduced a Bill. The other one is about the 70th Constitution Amendment Bill which deals with the appointment of the Election Commissioner. That is also pending there. About this, I want to go along with a comprehensive Bill that we proposed to have. This will be first taken up. The main reforms will come after I consult all the friends from the Opposition.

The Dinesh Goswami Committee have gone into these things in a thorough way. They have suggested a number of reforms. They have suggested that the Election Commission should be a body of three Members; the appointment of Chief Election Commissioner to be in consultation with the Chief Justice of India and the Leader of the Opposition; the Chief Election Commissioner is to be consulted for appointment of other Members; a fresh delimitation on the basis of 1981 census. Now, we are going in for 1991 census. The elections are to be held. They have further suggested rotation of seats reserved for Scheduled Castes. So, these are the recommendations of the Dinesh Goswami Committee. They have further suggested introduction of multi-purpose photo-identity cards. It is a very costly item but still we have to think over it. The other recommendations are: No individual to be allowed to contest from more than two constituencies; non-serious candidates to be discouraged from filing of nominations papers... This is becoming a menace. It is taking a different turn also. In the recent elections, perhaps hon. Members have seen that the party candidates themselves got the support of 20-25 supporters and they contested as independent candidates. In the polling booth, there will be 25 agents. When they go for canvassing it does not look like election canvassing but like an army moving. We give about four Sub-Inspectors, one Head-Constable and two Constables for every individual candidate. With these 20 candidates, there will be about 80 police

people moving along with them. It cannot be said to be a fair elections. This is a very serious thing.

Non-serious candidates should be discouraged. There should be statutory backing for important provisions of model code of conduct. A series of legislative measures should be undertaken to avoid booth capturing. This is another serious matter which all of us have to consider.

State funding is another thing which we shall have to seriously think of.

Plying of automobiles, carrying of firearms, sale and distribution of liquor on poll day should be treated as electoral offences. Disqualification under anti-defection law should be restricted to voluntary resignation and voting or abstention against party whip. These are the things that the Committee has gone into. Most of these things we are also seriously thinking of bringing in the proposed Bill. I assure the House that we will consult all the opposition parties before the end of the session. If we can conclude other things, we can introduce it now. Otherwise, in the next session, I assure the House, it will be taken up.

In addition to that, we have gained some experience in the recent parliamentary elections and Assembly elections.

The CEC has sent us some proposals. One of the proposals mentioned by Shri Ramesh Chennithala, Shri Gajapathi and others is that in case a party candidate dies, the party should be allowed to nominate another candidate instead of countermanding the elections. This is also under consideration. We will take into consideration all these things - the Dinesh Goswami Committee Report, the CEC Report as also the experience gained from the recent elections. I have also started preparing a paper for the discussion with the leaders of the opposition

[Sh. K. Vijaya Bhaskara Reddy]

parties. It will be done either before this month or before the end of the next month. We will come forward with a comprehensive Bill after consulting everyone.

As far as this Bill is concerned, there is not much of a controversy. I request the House to adopt it unanimously. (*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY (Katwa): Will the Minister be pleased to state whether in the comprehensive legislation on electoral reform he will be considering the idea of not only not countermanning the elections in case of a death of a non-serious candidate but also to evolve a proper mechanism by which even the death of a serious party candidate would not cause for countermanning of elections?

SHRI RAMESH CHENITHALA (Kot-tayam): He has said that.

SHRI SAIFUDDIN CHOUDHURY: Did you say that?

SHRI K. VIJAYA BHASKARA REDDY: I said it. I again repeat that this is one of the recommendations which has been suggested by the CEC as also by some other Members. We will all sit together and come to some consensus decision. Then only we will come forward with a Bill. This is not a party affair. We want fair elections in the country. That is why I want to take the leaders of the opposition into confidence. (*Interruptions*)

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Chairman, Sir, the hon. Minister has agreed to introduce a comprehensive Bill either in the current session or in the next session. I raised the question of repeating this Ordinance because if we issue an ordi-

nance to make such a small amendment, it will lower the dignity of the President under whose signature ordinances are issued. In democracy the voice of people is regarded as the voice of God and at present we are sitting in the supreme institution of the country. In the country people are prevented from exercising their franchise, bogus votes are polled and money power plays a vital role in elections. If all the Members sitting here try to look into their hearts they will realize that elections now-a-days have become merely a drama. Elections are not held peacefully and fairly. Peaceful election is the basic thing for the Democracy which is not there. If one wins elections by raising caste issues and populist slogans, I think it is not a true democracy.

Mr. Chairman, it is the tenth general election of our democracy and so many elections have been held to Legislative Assemblies. We have seen many shortcomings in our election system. I would like to tell the hon. Minister that these shortcomings and weaknesses are still there and have not been removed. Now you say that a comprehensive Bill will be introduced in the next session. We don't know when the said Bill will be introduced. Elections to some Lok Sabha seats are still due. There is very grave situation in Jammu and Kashmir. You want to hold the elections to only Lok Sabha seats, not to Legislative Assembly, because you want to increase your strength in Lok Sabha. Therefore, I would like to say that it is better to hold elections after making necessary amendments in election laws. Your own future is uncertain. If the Congress loses the election, you will approach the President and advise him to dissolve the Lok Sabha. We think so because the previous Government had remained in power only for 11 months and now it is not certain as to how many days the present Government will run. There is no guarantee of running your Government for 5 years. We want election reforms because we have to face election

very frequently Members of all the political parties have expressed their views and all have demanded to introduce a comprehensive Bill on election reforms.

Mr. Chairman, Sir, I would like to conclude after giving a few suggestions. Many people are not enrolled as voters. Every person can't enroll himself a voter because he does not know the process. Who is responsible for it? I think the person whose name does not figure in the voters list will face many difficulties for getting himself registered as a voter. Therefore, it would be better if the Government takes this responsibility on to itself. A person comes from Pakistan and gets himself registered as voter you have no system to check it. Moreover your voter list is not authentic. Therefore, I suggest that identity card should be issued to each voter giving detail such as name, constituency and photograph. Photograph on the identity card will help prevent bogus polling. Therefore, the name of each person should compulsorily be there in the voter list only then there will be true democracy in India. It will check help bogus voting. Therefore, identity cards must be issued. It will also help the voters in getting admission for their children in hospitals and schools. He will be entitled to get facilities provided by the State and Union Government. alongwith this, voting should be made compulsory for the voters, so that voters may enjoy the true fruits of democracy. If identity cards are not issued the rich people will take undue advantage of that. For this reason too, it should be the responsibility of the Government to issue identity cards and this issue should not be politicised because the collector will join hands with the party in power. Therefore, the administration, specially during election, should be active. Administration should not be politicised. If administration is not politicised, I think fair and impartial election can be held and if administration is not competent, inspite of best arrangements fair and impartial elections can't be held. Secondly,

my submission is that it should be made compulsory that a candidate must secure more than 50% of total votes to win. Once or twice, there is no problem. But on the basis of caste and creed a person securing less votes will also be declared elected. It should be obligatory to secure a certain percentage of votes, I demand that a candidate should at least secure 50% votes to win the election. In this respect the Government will take suitable measures.

My another suggestion is that the Government should also consider the question of expenditure. The Government has fixed a limit of expenditure to Rs. 1.5 lakh for each constituency. I don't know but do the members sitting here have the courage to admit that they take false oath on the name of God for protecting the constitution and working honestly. Who can win the election by spending Rs. 1.5 lakh? (Interruption) I shall ask the people of your constituency about the collection you made there. My submission is that Rs. 25 lakh to 1 crore are spent in each constituency. Nobody spends only Rs. 1.25 lakh on an election. Therefore, the Government should increase the limit of expenditure on election. I think you have no objection on it. Either he would have made collection from different sources or taken from party or people helped him. If this limit will be increased he can state all this honestly. Other-wise the candidates will take false oath of the constitution of India. It means the person taking oath either does not give importance to an oath or while taking oath he might be crossing legs to make it in-effective. Increase the limit of expenditure so that people don't have to take false oath in the name of God, In my opinion Rs. 10 thousand crores were spent in the 1991 elections. The candidates put posters and hoardings and play the vodio cassetts. Mr. Chairman, Sir, please allow me to speak two minutes more. Either the Government should bring a Bill that the political parties should bear the expenditure of their candi-

[Sh. Girdhari Lal Bhargava]

dates or the Central or State Governments should bear the expenditure, I think only then the election will be fair and impartial.

After it, I would like to submit that violent methods like guns, bombs and lathis are used during elections and sometimes such representatives are elected for the Legislative Assemblies against whom cases of kidnapping and dacoities are registered. I would like to submit that Government should check this tendency. Government had announced in 1989, that the electronic machines would be used for conducting elections. If the electronic machines are put to use then all the election process would be properly regulated and by the evening, the results would be out, because the Ballot paper would go into the machine, the button would be pressed and the counting would be done immediately. I would urge the Government to start using this machine, sometimes many types of unworthy things are said against the Chief Election Commissioner by various political parties. Government wants that a person with the Chief Election Commission should be such a person as may not be impatient and many order the guards to shoot at the car which is not allowing his car to be overtaken. If you want to keep the Chief Election Commission impartial, his appointment should be in consultation with the Prime Minister, the leader of the Opposition in Lok Sabha and the Chief Justice of India. If the post is filled in the President on your recommendation alone then it would remain a topic of discussion among the common people. Secondly, when the person holding this chair get retires, he should not accept any post in any State or Central Government. In the same way once the elections are declared in the states or the Centre, their Governments should be caretaker Governments. Then they should not be allowed to use Radio and Doodarshan media also. In respect of independent candidates contesting the elections,

the misuse of code of elections should be declared a cognizable offence. In 1951, 1974 independent candidates contested elections for 489 Lok Sabha seats. It means an average of four independent candidate per seat. In 1991, 8609 independent candidates contested elections for 533 Lok Sabha seats. It means sixteen candidates per seat. I would conclude within few lines — Government should impose a ban on contesting the elections by independent candidates. Only persons belonging to Political parties should be allowed to contest the elections, because generally the candidates contest the elections for the sake of fulfilling their selfish ends like getting quota or other facilities available to the candidates. Therefore the Government should put a check on the rising tendency of independent candidates contesting the elections. Or the Government should increase the security deposit from Rupees five hundred to Rupees ten thousand for independent candidates. Then no independent candidate would dare to contest the elections. At present if he belongs to SC/ST, he will deposit only Rs.250 and if he is a general candidate, he will deposit Rs.500 for contesting the elections. In the same way more strict rules should be made for the independent candidate, under which they should be required to get their nomination from duly signed by 1000 voters, 10 Legislators and two M.Ps. Only then, they should be allowed to contest the elections. I feel that I have given some constructive suggestions in this regard. I have no ill will against this Ordinance being repealed. My party has supported this Ordinance. A Electoral Reforms Committee under leadership of Shri Lal Krishna Advani had been constituted. I was also member of that Committee. It had been constituted during the Ninth Lok Sabha. Now it has been dissolved. I suggest that a Committee of the M.Ps should again be constituted so as to bring a Comprehensive election reforms Bill including the issue of identity cards, issue of independent candidates, use of electronic machines etc. You

should assure the House once again —  
(*Interruptions.*) It should be once again. I  
have moved a resolution on the same lines  
as were given in the Ordinance. You your-  
self should assure the House that a bill would  
be introduced during this very sessions. With  
these words, I conclude and thank you for  
giving me an opportunity to speak.

SHRI SOMNATH CHATTERJEE  
(Bolpur): Now, you confirm in Telugu. (*Inter-  
rptions*)

MR. CHAIRMAN: Shri Bhargava, are  
you withdrawing your Resolution?

(*Interruptions*)

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA: Let  
the Hon. Minister give some reply to my  
queries? Only then I can say something.

[*English*]

SHRI SOMNATH CHATTERJEE: Now,  
you say in Telugu.

SHRI K. VIJAYA BHASKARA REDDY:  
What is it that you wanted?

THE MINISTER OF STATE IN THE  
MINISTRY OF PARLIAMENTARY AFFAIRS  
AND MINISTER OF STATE IN THE MINIS-  
TRY OF LAW, JUSTICE AND COMPANY  
AFFAIRS (SHRI RANGARAJAN  
KUMARAMANGALAM): He wanted it in  
Telugu.

SHRI SOMNATH CHATTERJEE: Your  
statement in English is not acceptable to  
them.

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA: I  
know English and I can speak in English

fluently but since Hindi is our national lan-  
guage and the person who knows Hindi and  
even then speaks in English insults our na-  
tional language Hindi.—(*Interruptions*)

SHRI RAMESH CHENNITHALA (Kot-  
tayam): That is why we all speak in Hindi.

[*English*]

SHRI SOMNATH CHATTERJEE: That  
is your view. (*Interruptions*)

SHRI K. VIJAYA BHASKARA REDDY,  
Sir, most of the points that Shri Bhargava  
has referred to were answers. As I told you  
in my speech, this is almost acceptable to  
everybody. But everybody talked about the  
comprehensive electoral law, that is needed  
at this juncture. The same points were  
referred to by all the Members. Most of the  
points that are referred to are also under the  
consideration of the Government. When the  
Bill is passed it becomes an Act and only  
some rules are to be made for the electronic  
voting system: and the rules are also going  
to be notified very soon. All the other points  
will be comprehensively considered not only  
by the Government, but also by all the lead-  
ers of the political parties. We will try to come  
to some understanding and come before the  
House with a Bill. That will be done later—  
if not in this Session, in the next Session.

One thing I must tell Shri Bhargava that  
those who discussed in this, did not bring  
politics in it, but he was saying whether this  
Government continues here or not. The  
opportunity that they gave us the other day,  
on the Motion of Thanks on the President's  
Address, has proved to the country that this  
Government is going to be stable for five  
years and there is no doubt about that.

I am going to call for a meeting of all the  
opposition leaders and discuss; again I am  
sure that before the end of April a Bill will  
come — in this Session or in the next Ses-

[Sh. K. Vijaya Bhaskara Reddy]

sion. I hope the hon. Member will withdraw his Resolution. (*interruptions*).

SHRI SOMNATH CHATTERJEE: They are jointly hands (*Interruptions*)

[*English*]

SHRI K. VJAYA BHASKARA REDDY: No. We are never. They gave the opportunity the other day. You are going to come to us soon. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: You want us? (*Interruptions*)

SHRI K. VJAYA BHASKARA REDDY: How many times you had been with us? (*Interruptions*)

MR. CHAIRMAN: Shri Bhargava, are you withdrawing your Resolution?

(*Interruptions*)

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA: Hon. Chairman, Sir, I would like to submit that the Bill must be introduced in this very session Hon. Minister has just now said amidst clappings that this Government would remain for five years. But the Hon. Minister should keep the fact in mind that even Ravana could not force his ego on this country and nobody knows what will happen tomorrow. That is why I again urge that you should do the good work as early as possible and the people will keep your good deeds in mind. If you live on the hopes that you will remain in power for the next five years, you cannot do any work. The hon. Member has already accepted my suggestion that he would bring the Bill in the next session but not in this session. In view of the Hon. Minister assurance I have moved this reso-

lution for the cancellation of the Ordinance. If the House permits me to withdraw the resolution, I am ready to withdraw the same.

SHRI RANGARAJAN KUMARAMANGALAM: We have said that we would try our best to bring it in this session itself. (*interruptions*)

SHRI GIRDHARI LAL BHARGAVA: After the assurance given by the Hon. Minister, I withdraw the resolution with the permission of the House.

[*English*]

MR. CHAIRMAN: Has the Hon. Member leave of the House to withdraw his resolution.

SEVERAL HON. MEMBERS: Yes, Yes.

The resolution was, by leave withdrawn

MR CHAIRMAN: Now, I shall put the consideration motion to the vote of the House. The question is:

"That the Bill further to amend the Representation of the People Act, 1951 as passed by Rajya Sabha, be taken into consideration".

*The motion was adopted.*

MR. CHAIRMAN: The House will now take up clause by clause consideration of the Bill. The question is:

"That clauses 2 and 3 stand part of the Bill".

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

MR. CHAIRMAN: Now the question is:

465 **Statutory Resolution PHALGUNA 28, 1913 (SAKA) and Indian Red Cross 466**  
*Re. Disapproval of Indian Red Cross Society (Amendment) Ordinance*  
*Society (Amendment) Bill*

"That Clause -I that Enacting formula and the long title stand part of the Bill".

*The motion was adopted.*

*Clause 1, the Enacting Formula and the long title were added to the Bill.*

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): I beg to move:

"That the Bill be passed":

MR. CHAIRMAN: The question is:

"That the Bill be passed."

*The motion was adopted.*

15.58 hrs

STATUTORY RESOLUTION RE: DISAPPROVAL OF THE INDIAN RED CROSS SOCIETY (AMENDMENT) ORDINANCE, AND INDIAN RED CROSS SOCIETY (AMENDMENT) BILL

MR. CHAIRMAN : Shri Lokanath Choudhury, not present. Shrimati Geeta Mukherjee.

SHRIMATI GEETA MUKHERJEE (Panskura): I beg to move:

" That this House disapproves of the Indian Red Cross Society (Amendment) Ordinance, 1992 (Ordinate No. 3 of 1992) promulgated by the President on the 23rd January, 1992".

Madam Chairman, it is my proud privilege to move the resolution when you are in the Chair and for your sake, I shall try to be as brief as possible. I move the statutory resolution because we disapprove of the

idea of Ordinance *raj*. But I also oppose the Indian Red Cross Society (Amendment) Bill, 1992 because of its contents. This Bill is an attempt to turn the Indian Red Cross Society into a department of the Health Ministry at the Centre and total abolition of the autonomy of the Indian Red Cross Society.

[RAO RAM SINGH *in the Chair*]

16.00hrs.

In the Statement of Objects and Reasons, it is stated that this Bill is necessary because of the internal wranglings of the Indian Red Cross Society for which they could not discharge their statutory responsibilities. In my opinion, this is a poor argument. Tell me please which organisation today does not suffer from internal wranglings as well as corruption. But must one throw the baby with the bath water? Sir, I am happy that you have occupied the Chair... (Interruptions)... Sir, Indian Red Cross Society used to be guided by their own rules, including the rules for electing their Chairman since its inception. But during the tenure of late Shrimati Gandhi, a provision was made that the President of India would appoint the Chairman of the Indian Red Cross Society and that is how the then Health Minister was appointed as Chairman. Thus began the erosion of autonomy of the Indian Red Cross Society. But this Bill puts the final nails in the coffin of autonomy with ominous consequences. This Bill provides for supercession of the managing body and other standing committees of the Indian Red Cross Society by the Chairman.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI M.L. FOTEDAR): It should be 'by the President'.

SHRIMATI GEETA MUKHERJEE: But it should be read 'by the Chairman'. It is a fact that I have got great respect for the President. Sir, who does not know that the President acts and has to act on the advice of the Government? Now, which is that Government? It is the Central Government. Which is that Department? It is the Health Depart-