

LOK SABHA DEBATES

LOK SABHA

*Friday February 28, 1992 /Phalguna 9,
1913 (Saka)*

*The Lok Sabha met at
Eleven of the Clock*

[MR. SPEAKER *in the Chair*]

[*English*]

OBITUARY REFERENCE

MR. SPEAKER: Honourable Member, I have to inform the House of the sad demise of one of our former colleagues Shri Rajagopala Rao Boddepalli.

Shri Boddepalli represented Srikakulam constituency of the then State of Madras and later of the State of Andhra Pradesh for six terms during First to Third and again Fifth to Seventh Lok Sabha during 1952-67 and 1971-84 respectively.

Shri Rao rose from Panchayat level to the highest forum of democracy. During his long parliamentary career, he successfully drew the attention of the House to the problems faced by the tribal and other weaker sections of the society. He also served on various parliamentary committees.

A dedicated political and social worker, he took keen interest in the development of co-operative societies.

Shri Rajagopala Rao Boddepalli passed away on 22nd February, 1992 at Visakhapatnam at the age of 68 years.

We deeply mourn the loss of this friend, and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may now stand in silence for a short while as mark of respect to the deceased.

The Members then stood in silence for a short while

11.02 hrs.

ORAL ANSWERS TO QUESTIONS

[*English*]

Electoral Reforms

*61. SHRI MUKUL BALKRISHNA
SHRI N. DENNIS:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Government propose to amend the Representation of the People (Amendment) Act, 1950 to bring in electoral reforms;

(b) if so, the details thereof and the time by which the legislation is likely to be introduced;

(c) whether it is proposed to set up a committee also on electoral reforms; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJJAN KUMARAMANGALAM): (a) and (b). Yes, Sir. A Bill, namely, the Representation of the People (Amendment) Bill, 1990, further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951 introduced in Rajya Sabha in May, 1990 is pending consideration of that House. Meanwhile, Section 52 of the Representation of the People Act, 1951 was amended by an Ordinance issued by the President on 4th January 1992. A Bill to replace the Ordinance has already been introduced in the Rajya Sabha on the 26th February, 1992. An indepth study of the entire gamut of electoral reforms is also being undertaken.

(c) No, Sir.

(d) Does not arise.

SHRI MUKUL BALKRISHNA WASNIK: Mr. Speaker, Sir, the hon. Minister in his reply has stated that a Bill, namely the Representation of the People (Amendment) Bill, 1990 was introduced in Rajya Sabha in May, 1990 is pending consideration of that House. In the last general elections, the nation has witnessed a large scale use of religion as means to garner votes by certain political parties while certain political parties notwithstanding of all the existing legal provisions were successful in using booth capturing as a means to win election in certain States.

Keeping this in view, may I know from the hon. Minister, whether the Government will re-consider to introduce a comprehensive legislation to curb malpractices like

misuse of religion, practice of booth capturing? And if so, the details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAY BHASKARA REDDY): Sir, it is a fact that some Bills were introduced in 1990. We are not pressing for them because we want to have a comprehensive Bill to be brought before the House. For that, we had made lot of exercise. We have also got the report of the Election Commission. We also have the experience of the last Parliamentary elections. We are considering all these and we are going to come with a comprehensive Bill before the House. About the two points mentioned by the hon. Member particularly about religion, I had already answered in the last session that this also will be taken a serious view. I reiterate that we will consider how best we can prevent these things in the coming elections.

SHRI MUKUL BALKRISHNA WASINK: Sir, the hon. Minister, in his reply, has also stated that an in-depth exercise is being conducted by the Government and already a lot of work has been done in this regard. I would like to know from the hon. Minister whether the Government has any plans to call an all-party meeting in this regard and the time-frame in which the exercise of electoral reforms would be completed by the Government

SHRI K. VIJAY BHASKARA REDDY: Sir, we are seriously thinking about this aspect also. Now that the exercise is over, I propose to call a meeting of the leaders of the Opposition, before the end of the session, so that we can evolve a consensus on the electoral reforms which will be acceptable to everybody. We are going to call such meeting very soon.

SHRI N. DENNIS: Sir, various proposals of electoral reforms are suggested by this House and outside for a clean election, free from money and muscle power. Apart from the proposal which face difficulties for imme-

diate implementation of some of the proposals, the steps that have to be taken for the implementation of the proposals are like introduction of identity card, introduction of electronic voting, elimination of non-serious candidates by increasing the security deposit, delimitation of constituencies and also changing the reserved constituencies.

MR. SPEAKER: Please put a pointed question.

SHRI N. DENNIS: I want to know whether all these proposals would be taken up for consideration and also what action is proposed to be taken. I also mention about one serious irregularity that is often found in the election. Which is not generally pointed out is that on the date of election, voters are taken by the vehicles arranged by the candidates. In some States this practice is discontinued, but in some States it is still being followed. Instead of replying that it is the responsibility of the State Government, may I know from the hon. Minister what uniform approach for discontinuance of such practices is being adopted, and...

MR. SPEAKER: Please, you have to conclude now.

SHRI N. DENNIS: Whether the Government would adopt any comprehensive proposal in this regard at the earliest?

SHRI K. VIJAYA BHASKARA REDDY: I have already stated that all the points raised by the hon. Member Shri Dennis are under our consideration. As far as the last point is concerned, there are provisions in the existing law itself to prevent this type of use of vehicles by the candidates.

SHRI G.M.C. BALAYOGI: Sir, Though elections are regularly conducted to Parliament and Assemblies, the local bodies are without elections for 10-15 years. Elections are not conducted for a long spell. I want to know whether the Government is going to bring out any reform in the Central act in this

respect for the smooth functioning of the local bodies and the co-operatives and also for the timely conduction of elections to these bodies.

SHRI K. VIJAYA BHASKARA REDDY: Sir, this does not concern this question.

MR. SPEAKER: Yes.

SHRILAL K. ADVANI: Mr. Speaker, Sir, the hon. Minister has referred to just one single Bill, which is the Representation of the People (Amendment) Bill, 1990. Firstly, there is no mention in his reply as to whether the Government proposes to pass this Bill in this session or not or to keep it as introduced since two years back.

Secondly, apart from this Bill, there are two other Bills pending in the Rajya Sabha, both Constitution (Amendment) Bills, one relating to delimitation of constituencies and rotation of Scheduled Castes seats, and the second relating to the Election Commission. What is the Government's approach in regard to these two and what is the Government's decision in respect of this particular Bill which has been mentioned? (*Interruptions*)

SHRI K. VIJAYA BHASKARA REDDY: No, I am going to give some positive reply. About the latter part which the hon. Leader of the Opposition mentioned, we have already introduced in the Rajya Sabha the Constitution (Amendment) Bill. About delimitation and rotation of Scheduled Castes seats, that will be gone through in this Session.

As far as the other Bills are concerned, the hon. Member has indicated to you that we will come forward with all these things after consulting all the Leaders of the Opposition. That consultation also will be over before the end of the Session.

SHRIMATI CHANDRA PRABHA URS: I would like to know from the hon. Minister

whether these three important factors will be considered during the consideration of modifying or reforming the electoral process: (a) the number of parties to be nationally recognised under the Constitution to be limited to avoid lot of Independents or unwieldy electoral process; (b) the delimitation of the constituencies in accordance with the proportion of the population and rotation of the reservation seats; (c) Is there any thinking on the part of the Government to make compulsory the right of the people to exercise their votes? What we have seen is that generally the polling is only 30 per cent to 40 per cent in the election. So, we have to consider that the responsibility will be shouldered by the elected Government to look into the needs and interests of the other 70 per cent of the people.

MR. SPEAKER: You need not explain. The Minister has understood — compulsory franchise.

SHRIMATI CHANDRA PRABHA URS: So, may, I know this from the hon. Minister?

SHRI K. VIJAY BHASKARA REDDY: Sir, at this stage we are not thinking of compulsory franchise. I think the voters have realised that they will come and vote.

As far as delimitation is concerned, the census of 1991 is the basis on which delimitation will take place and the number of constituencies will be as they are today. The number of constituencies will not increase. Only, the boundaries of certain constituencies will change depending on the growth of population and the rotation of Scheduled Castes seats. The first question was about the (*Interruptions*).

MR. SPEAKER: Somnathji.

SHRI SOMNATH CHATTERJEE: Sir, we are quite used to the Congress Government's approach to the matters of electoral reforms. Whenever the issues come, either from a Committee or call a Leaders; meet-

ing. Reports of the Committee are never looked into and what happens within the Leaders' meeting we all know. Therefore, the question is that of political will. Does the hon. Minister or do the hon. Ministers know that during the National Front Government a Committee was constituted under the Chairmanship of the then Law Minister, late lamented Dinesh Goswami, in which also the Congress Party was represented by Mr.H.K.L. Bhagat, who is not here at the moment for good or bad, and that Committee made recommendation, almost unanimous recommendation, on various aspects, because those which require Constitutional amendments, those Bills were brought. Now at least on one Bill the hon. Minister has agreed that it will be passed. At least he will try to get it passed. What is the difficulty in bringing forward legislations and passing them when there are unanimous recommendations? Sir, in 1971 a Committee was formed by the then Speaker, I had the privilege of being a Member, it gave unanimous recommendations. Mr.Vajapayee was there, Mr. Advani was there in that Committee, but nothing was done. The whole approach is to form a committee and delay the matter. Therefore, I reacted when you said that a meeting of the leaders will be called and another committee will be formed for the purpose of going into this issue. Kindly give a time table or time limit as to when you will bring them and what are the proposals which you have already accepted?

SHRI K. VIJAYA BHASKARA REDDY: There is no question of postponing the issue. I know that Dinesh Goswami Committee had done a good job and most of the decisions of the Dinesh Goswami Committee had been accepted. Subsequently, a number of things had happened, the last Parliamentary elections and the by-elections. We have to take cognisance of them also and bring a comprehensive Bill.

SHRI SOMNATH CHATTERJEE: Every year there are elections in this country.

Therefore, the proposals will never be finalised.

SHRI K. VIJAYA BHASKARA REDDY:

Now, the elections will be only after 31/2 years. I assure that we are not going to have another committee at all. We are going to have only the meeting of the leaders of the Opposition before the end of the Session; perhaps towards the end of the Session or in the next Session we are going to come with a comprehensive Bill.

Dearness Allowance to Central Government Employees

*63 **SHRI K.H. MUNIYAPPA:**
SHRI C.P. MUDALA GIRI-
YAPPA:

Will the Minister of FINANCE be pleased to state:

(a) the number of Dearness Allowance instalments due for payment to the Central Government employees as on January 1, 1992;

(b) the reasons for not releasing the same;

(c) the number of Dearness Allowance instalments due for payment to the officers drawing basic pay above Rs. 3500/-; and

(d) the time by which these are likely to be released?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SHANTARAM POTDUKHE): (a) and (b). As per existing instructions, an additional instalment of Dearness Allowance has become due w.e.f. 1.1.92 to all Central Government employees. This instalment will become payable only in April, 1992.

(c) and (d). The question of grant of additional instalment of Dearness Allowance due from 1.7.91 to employees drawing pay

above Rs. 3500/- p.m. is still under consideration of the Government.

SHRI K.H. MUNIYAPPA: Sir, the salary of officials who draw a pay of Rs. 3,500/- and above appears to be a big amount. Is the Minister aware of the fact that these officials' take-home salary after deduction of Income-Tax will be less than the salary of an Upper Division Clerk? and if so, what are the steps being taken by the Central Government to avoid delay in making the payment of Dearness Allowances to these employees? Then, very often, the DA is merged with the GPF contribution in the case of officials drawing pay of Rs. 3,500/- and above. So, will the hon. Minister explain the rationale behind the move to pay less percentage of DA and merging it with the GPF contribution?

SHRI SHANTARAM POTDUKHE: There is a writ petition in the court regarding the DA of the employees who are drawing pay of Rs. 3,500/- and above. One Shri V.K. Ahluwalia, an employee of Delhi High Court had gone to the court and the Government is constituting a committee in this regard. That committee will examine the entire issue because the DA is being asked by the employees of public sector undertakings also. The banks have a different way of giving DA. So, committee is being constituted by the Government.

SHRI K.H. MUNIYAPPA: Will the hon. Minister clearly state whether the Government is passing the buck to future Governments by way of accumulated commitments and interest payments? Will it not be feasible to pay the Dearness Allowances as and when they are due with Income Tax rebate atleast for that financial year during which they are paid?

SHRI SHANTARAM POTDUKHE: Their due will be paid with the pay of March and it will be paid in the month of April.

SHRI C.P. MUDALA GIRIYAPPA: Sir, in the reply, the Minister has stated that an