

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:2829

ANSWERED ON:14.03.2013

ELECTORAL REFORMS

Nahata Smt. P. Jaya Prada;Rao Shri Nama Nageswara

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

(a) whether the three member Committee headed by Justice J.S. Verma in its report has stated that electoral reforms in India are integral to the achievement of gender justice and the prevention of sexual offences against women and suggested that the Representation of the People Act, 1951 be amended;

(b) if so, the details thereof and the steps proposed to be taken thereon;

(c) whether the Election Commission has been pushing for reforms and had sent a report in 1998 which was again repeated in 2004 but was ignored by the Government; and

(d) if so, the details in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

(a) Yes, Madam.

(b) The recommendations of the three member Committee headed by Justice J.S. Verma on electoral reforms alongwith observation of the Election Commission of India's thereon have been forwarded to the Law Commission of India, which is already examining the issue of electoral reforms in its entirety.

(c) and (d) The Government of India has been receiving suggestions on electoral reforms from the Election Commission of India from time to time and have taken certain measures including amendment in election laws. In July, 2004, the Election Commission of India had sent a set of 22 proposals on electoral reforms. Before the Government could take further action, the Chairman, Rajya Sabha on the 27th September, 2004 referred the entire matter of electoral reforms to the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for examination and report. The Government then forwarded the proposals received by it to the Hon'ble Committee for its consideration. In the meanwhile, 5 out of these 22 proposals have been implemented by amending the Representation of the People Act, 1950 and the Representation of the People Act, 1951 vide the Representation of the People (Amendment) Act, 2009. The Hon'ble Committee in its meeting held on 6th May, 2010 dropped the subject "Electoral Reforms" from its agenda.

A Core-Committee was also constituted on the 1st October, 2010 under the Chairmanship of Additional Solicitor General. The talking points of the Committee included

(i) De- criminalisation of Politics; (ii) Funding of Elections; (iii) Conduct and Better Management of Elections; (iv) Regulation of Political Parties; (v) Audit and Finances of Political Parties; (vi) Review of Anti-Defection Law. The Committee under the aegis of Legislative Department and in co-sponsorship of the Election Commission of India conducted seven regional consultations and views were gathered.

The issue of electoral reforms, in its entirety, has now been referred to the Law Commission of India with a request to consider the issue after taking into consideration the reports of various committees in the past, views of the Election Commission and other stake holders and suggest comprehensive measures for changes in the law. The Law Commission has been requested to give concrete suggestions by April this year. On receipt of the recommendation of the Law Commission, matter will be further examined in consultation with the stake holders.