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Title : Need for suitable legislation to facilitate voting rights to NRIs.

SHRI ANTO ANTONY (PATHANAMATHITTA): Madam Speaker, I would like to take this opportunity to address a serious issue faced by the non-resident Indians regarding their voting rights. It is a pity that Indian democracy has turned a Nelson's eye to the reasonable democratic rights of NRIs for voting rights.

As per 2001 census, the number of NRIs who earn foreign exchange is 39 lakhs. It is estimated that their number reached 50 lakhs now. Among them 21 lakhs are Keralities. According to a study conducted in 2006, there exists at least one bread-winner abroad in 15.8 per cent families in Kerala. Naturally, the issues related to NRIs become a significant political and economic issue in Kerala.

Despite their contribution, the overseas Indians are denied voting rights. The Representation of People Act, 1950 says that 'a citizen, to avail voting rights, should be an ordinary resident in his constituency (Section 19).' Section 20 further defines 'ordinary resident'. Accordingly, a citizen shall not be entitled to vote just because he has a residence. It is based on this clause that the NRIs are continuously denied voting rights because this section disqualifies a non-resident Indian (NRI) from getting his/her name registered in the electoral rolls.

It would be better to insist for the passport and the permanent address in India shown in the passport as the condition to identify the constituency where the person concerned could get himself enrolled in the voter's list. It consequently prevents a non-resident Indian from casting his/her vote in elections to the Parliament and to the State Legislatures. Interestingly, Section 20 also stipulates that voting rights shall not be denied to a person who temporarily vacates his residence; a patient, who undergoes treatment in mental asylum; or prisoners who are undergoing imprisonment, etc.

This Section, in fact, emphasizes the truth that an NRI shall not even be treated at par with a prisoner. This is against all cannons of political propriety and democratic principles, for they are denied the basic right to participate in the democratic process of the nation.

However, efforts were taken in 2007 by introducing an amendment in the Representation of People Act. The Amendment Bill was presented in the Parliament on 17<sup>th</sup> February, 2006. Subsequently, it was referred to the Standing Committee. Despite positive response from the concerned Standing Committee, the legislative inertness keeps the Bill still in limbo.

Section 20 of the Representation of People Act, 1950, disqualifies a Non-Resident Indian (NRI) from getting his/her name registered in the electoral rolls. ...(*Interruptions*)

MADAM SPEAKER: Hon. Member, please conclude.

SHRI ANTO ANTONY : Madam, I am going to conclude.

The Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice, which presented its Report to the Rajya Sabha and the Lok Sabha on the 4<sup>th</sup> of August, 2006 has agreed with the letter and spirit of the amendment.

Globalization has made the entire world a village. Countries all over the world have acknowledged the great mobility of their citizens to other parts of the world, their economic contributions to the motherland.

In the process the nations have gone to the extent of protecting their social, economic, cultural and political rights. They have also accorded voting rights.

Indians living abroad are taking keen interest in the affairs of the country. They are participating in the nation-building through various methods and are also helping in mobilization of the resources for the country. These issues could be sorted out by including voting rights in the multi-purpose National Identity Card. This will enable them to cast their voting rights as well. As the card does biometric mapping too, the question of bogus voting could also be adequately addressed. ...(*Interruptions*)

MADAM SPEAKER: It is very lengthy. Please conclude. You have already taken more than five minutes. Please conclude.

SHRI ANTO ANTONY : Therefore, Madam, I would request you to get rid of this legislative inertness and accord voting rights to the NRIs. This will also enable them to keep abreast of the issues in India, participate in the nation-building process, contribute to the economic growth of the nation and strengthen the bond of solidarity with their motherland, India.

**श्री सैयद शाहनवाज़ हुसैन (भागलपुर):** मैडम, मैं स्वयं को एंटनी जी की स्पीच से सम्बद्ध करता हूँ।

MADAM SPEAKER:

Shri P.G. Thomas,

Shri N. Peethambara Kurup,

Shri Charles Dias,

Shri Madhu Goud Yaskhi,

Shri Arjun Ram Meghwal,

Shri M.B. Rajesh,

Shri P.K. Biju,

Shri Jayant Chaudhary,

Shri K.C. Venugopal are allowed to associate on this issue.