

16.45 hrs.

CONSTITUTION (AMENDMENT)  
BILL

(Amendment of articles 19 and 326)  
by Prof. Madhu Dandavate.

MR. DEPUTY SPEAKER: Now  
Prof. Madhu andavate.

PROF. MADHU DANDAVATE  
(Rajapur): I beg to move:\*

"That the Bill further to amend  
the Constitution of India, be taken  
into consideration."

This Bill seeks to reduce the voting age limit from 21 years to 18 years. This is not a proposal that is quite new. In fact a very fruitful discussion had taken place in this country in various forums to see that the power of the youths is properly utilized in our legislatures; and that is why, as early as in 1970, this issue was actually referred to the Committee on Petitions; and the Committee on Petitions have already recommended that the Constitution should be suitably amended so that young people who are between 18 to 21, who had been deprived of the opportunity to cast their votes in elections to various legislatures, Centre as well as States, are afforded this opportunity. But, unfortunately, the problem remained pending. It was a matter of great satisfaction that one of the towering personalities of this country, Shri Jayaprakash Narayan had set up an expert committee for electoral reforms in the existing electoral law and that committee had already recommended that the youngsters of the age of 18 should have the right to cast their votes, exercise their franchise so that the youth power can be effectively reflected in the democratic process in the country. There are so many objections from certain quarters for reducing the voting limit from 21 years to 18 years. So, whenever it is convenient, the illustrations from a number of countries are quoted:

whenever it is inconvenient all those precedents are completely lost sight of.

With your permission I would like to give the names of those countries which have already accepted the voting age as 18 years. They are: United Kingdom, U.S., Italy, France, Portugal, Argentina, Brazil, Bulgaria, Canada, Costa Rica, Czechoslovakia, Finland, German Democratic Republic, Federal Republic of Germany, Hungary, Israel, Pakistan, Poland, Romania, South Africa, Sri Lanka, Sweden and some other countries have already reduced the age limit for voting from 21 years to 18 years. In some of the countries the youths had to carry on a consistent crusade in favour of changing the age limit for voting and ultimately they succeeded. In a country like America, for almost half a century, the struggle went on. We were fortunate. We were led by an eminent leader like Mahatma Gandhi. Therefore, in this country, some of the demands for which so many sacrifices were to be offered to get the adult franchise, franchise for women, those demands were achieved without any hesitation and without any struggle.

Our country became free in 1947 and the very first election was fought in 1952 under adult franchise, no matter what political party one might belong to. All of us in the House were proud that here was a country whose first election in free India took place on the basis of adult franchise; and I think women had the equal right with men. Now that is the experience that free India witnessed. One of the reasons was that there was the tradition of the Indian national struggle; there was the tradition of social reform movement in the country and as a result of that, adult franchise and franchise for women, that was an acceptable proposition in the country. Right from 1952, our elections were held not only on the basis of adult franchise but no discrimination was shown in the case of

\*Moved with the recommendation of the President.

women; and these are the issues for which a prolonged struggle had to be conducted. In a country like Switzerland, the right of franchise to women was given only recently after a prolonged struggle and consistent mobilisation of public opinion.

AN HON. MEMBER: In U.K. also.

PROF. MADHU DANDAVATE: I referred to that also. Therefore, I say what was achieved on the basis of a prolonged struggle was achieved in our country without struggle, on the basis of free consensus of the people, the national consensus in the country. What was the argument made against reducing the voting age from 21 to 18? We are told that administratively it will be an impossible proposition. We are told that if it is decided that youngmen between the age of 18 and 21 are added to the voting list, the original estimate was that 30 to 35 million, the next estimate was 42 to 45 million voters will be added and now it is estimated that there will be an addition of 50 million voters. If we go into the depth and if strict logic is followed and if the same logic is applied to the question of adult franchise, probably those who were in favour of restricted franchise in the country when the country become free, they could also argue, if adult franchise is accepted in this country, millions will have to be enlisted and the process will be cumbersome one. It will be an expensive process. We cannot forget the fact that under the British regime when the elections were held in his country, they were held under restricted franchise. The norms for voting were property and wealth and on the basis of that, on the basis of restricted franchise, the elections were held. But rightly and consciously free India decided to have the elections on the basis of adult franchise, not worrying about the administrative difficulties, not worrying about the expenses involved, not trying to draw a fine distinction between the elites in the country and the so-called

ignorant in the country. We were told that if in this country the ignorant masses are given the right to vote, in that case the democracy will be destroyed. I myself belong to the educational profession. I have seen so many graduates and post-graduates and I am not one among those who feel that necessarily one who gets the university degree is more politically conscious and one who is a villager and one who is ignorant, one who is uneducated is supposed to be less conscious. On the contrary, in this land of Mahatma Gandhi it has been established that those who have gone through the trials and tribulations of struggle, those who have gone through the channels of constructive service, those who have gone through social reforms movements, those who have taken concrete constructive activities. Very often they develop political consciousness of the order which is far ahead than the consciousness of political personalities who are supposed to be educated. That is the experience in this land of Mahatma Gandhi. Therefore, we rejected the proposition that education is co-terminus with political consciousness. A simple man in this country, the so-called ignorant man in the country the rural folk in this country have the common sense and they can always judge the political issue. They can judge the economic issue on the basis of the empirical knowledge that they acquire through their experiences in life. The same can be said about the youth. What is the objection of granting right of vote to youngmen of 18. We are told that youngmen are immature. They lack maturity. We are told that many of them are delinquents. We are told that many of them are cynical. But, this is not the characteristic of youth alone. We have seen in this country adult delinquency. We have also seen in this country cynicism of the old. We have also seen in this country the cynicism and scepticism some of the old politicians. Let us not put all that blame on the youth. Therefore, I am not prepared to accept this proposition that young

[Shri Madhu Dandavate]

men in 20 to 25 countries in the world, they are capable of moving forward with a sense of maturity, but only the young men and young women in this country are not capable of acquiring degree of maturity. That type of discrimination, I do not want to have. Therefore, I feel that young men and women of 18 must be allowed to vote. This is the rising youth power in the country. Jayaprakash Narayan led certain movements. Mahatma Gandhi led certain movements. Netaji Subash Chandra Bose led certain movements. Pandit Jawaharlal Nehru led certain movements and he was able to build up the youth power in the country. So, it is a fact that that youth power which was built up in the national struggles in 1920, 1930 and 1942 those cadres were able to play an effective role in the political life of the country. Those youngsters who had gone through the radical social reform movements in those days, they were able to have their imprint on the social and economic life of this country. After the dawn of freedom, for some time the springs of young men coming to Indian politics almost got dried up. Jayaprakash Narayan once again tried to rejuvenate the youth power and a new youth power was built up. We found that large cadres of young men came into the active politics in the country. You may differ with them. For instance, I would like to ask one question. Just as on the one side, we in the opposition have derived inspiration from Jayaprakash Narayan who built up a militant youth power in this country, only a few days ago, an hon. member of this House, Shri Sanjay Gandhi, passed away. I would like to ask the young men sitting on the side of the ruling party: Here was a young man who in his own way tried to reflect in his own manner the sentiments and aspirations of the youth and he wanted to wield the youth power. I ask, shall his followers, on some technical pretext when this Bill is put to vote, try to vote down this

Bill? I would like to ask this question. Therefore, my appeal to the members of this House is, don't allow this House to be divided on party lines as far as this Bill is concerned. This is a Bill that cuts across party lines. This is a Bill that cuts across ideological lines. This is a Bill that really represents the hopes and aspirations of the youth and I hope and trust that only from that angle, this particular aspect will be taken note of.

There is one more aspect to which I would like to draw your attention. In this country, as far as legal rights are concerned, as far as rights in a number of professions are concerned, as far as rights of property are concerned, all adults are treated on par. Why is it that in the field of politics alone we should try to discriminate? Whatever is accepted in the arena of law, I would like that the same should be accepted in the field of electoral law as well. What happens in the case of ordinary legal field, I would like the same judgment to be utilised in giving the political rights to the youth. From that point of view, there will be absolutely nothing wrong in accepting this Bill.

In some of the western countries, a number of sociological studies have been undertaken. Medical associations have undertaken the studies. Those engaged in psychological experiments have undertaken the studies. They have come to a very important conclusion. With the rise in tempo of technology, with the development of science in various parts of the world, it has been established that even the degree or maturity of the youth grows in society. For instance, if you look at the history of our country a number of years back and at the history of a number of western countries a number of years back and if you try to find out what exactly the intellectual understanding and grasp of the young men was at that stage and what is their grasping capacity now with the

advance of science and technology, you will find that definitely in the field of maturity, a tremendous progress has been made. And therefore, with the development of science and technology we find that as far as youngsters are concerned, even the degree of maturity has grown and thereby this particular argument that those who are below 21 are immature in their political judgment is completely nullified.

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In a number of countries, as I said earlier, struggles had to be carried on. Do you want the youth of this country to agitate and struggle for the simple demand which cuts across various party lines? The youth are bound to ask us this question. The people of the old generation always talk of experience. You always say that you have got certain inherited value. They always tell us that 'you talk about the traditions, but what about the new tradition that young people are trying to build up?' Therefore, you must respect the aspirations of the young people just as they must try to preserve some of the best of the old. We should be able to have and preserve some of the best achievements of the youth and one of the important aspects of youth is that their sentiments and aspirations must get reflected in our democratic processes. Then only the nation will be youthful. There will be thrust in our policies there will be dynamism in our actions and the nation will be able to go ahead to build up a new modern India and that is the reason why this particular aspect is absolutely necessary.

Sir, it is always said that there are few organisations, irrespective of their political affiliations, which are coming forward with this point of view demanding voting rights for the youth of 18. But it is not true. I may quote here one instance. As early as on November 2, Shri C. D. Deshmukh who, at one time, was the Finance Minister in the Government of India, was addressing the Poona

University Convocation and during that address, as early as on 2nd November, 1972, he strongly pleaded for right of voting to be given to young people of 18 and he quoted the illustration of a number of western and other countries and he said that the experiment has not failed, the experiment has succeeded in the country.

Sir, as a student of Physics, I have always believed that life is trial and error and therefore, we must also try to have trial and error in politics. Ultimately parliamentary democracy itself is a process of trial and error. Which countries have succeeded in parliamentary democracy? Only those countries where options are open, where various political parties are allowed to contest the elections. The electors have a free choice and they can choose one party or the other. On one occasion it may be the Labour Party that might rule the U.K., at some other time it may be the Conservative Party, and again it may be the turn of the Labour Party and that way the political opinion may also vary from one side to the other. When there is a possibility that people will give the feeling to the Ruling Party that 'if you do not rule properly, there is a likelihood of you being thrown away and the other party being voted to power' that itself will keep the Ruling Party on its toes. That is exactly what has happened in our country. In 1977 something happened and in 1980 also something happened. I welcome both the experiments because in 1977 those who suffered all the Emergency excesses told Mrs. Gandhi: "You will have to go". But when the Janata party due to internal quarrels and squabbles could not carry on the administration for 5 years, the same electorate told the Janata Government: "You must also quit." (*Interruptions*). Yes, you are clapping for myself and yourself.

MR. DEPUTY-SPEAKER: Both for 1977 and 1980. You have done very well.

**PROF. MADHU DANDAVATE:** Either the clappings are for both, or they neutralise each other.

So, let it be very clear that it is trial and error. Just as in adult franchise we give even to the villager who is uneducated the right to vote in this country. Young men must also be given full opportunity to see that they exercise their franchise, that they are able to play an effective role.

There are certain distortions in our political life, and they are not at all the contributions of the younger generation in this country. We have got the politics of defections, we have got the politics of piracy we have got the politics of corruption. All these distortions have been there. I do not want to bring in any vindictiveness. I do not want to make reference to any personalities, but it is a fact that if you look at the entire politics of the last two or three decades, you will find that all these distortions in politics have been there. Were these due to young men?

In the State of Haryana I am told one Member of the legislature had crossed the floor 13 times.

**MR. DEPUTY-SPEAKER:** That floor could afford only so much!

**PROF. MADHU DANDAVATE:** Somebody asked me why after 13 crossings and double crossings and treble crossings he was elected again. Probably the electorate wanted to find out whether he could break the highest record.

Anyway, these distortions were there, and they, cut across party lines. Even the Governments in which we were in the olden days, defections had taken place. In the Congress Party defections had taken place. In the Congress (I), the Congress (O), the Socialist Party, the Swatantra Party, the Janata Party take any party, it had taken place. Of course I may say with some exceptions in the leftist parties in this country, but whenever I refer to that, some people do not like it, but it is a fact. Probably it is due to their rigid discipline. Other-

wise, irrespective of the party, defections have taken place.

**SHRI SATISH AGARWAL (Jaipur):** Haryana has a history of its own. Now the whole Government has defected.

**PROF. MADHU DANDAVATE:** Just as in the economy there are small scale industries and heavy industries, in the case of defections also there are small scale defections and large scale defections. I call it the trade in political loyalty, and in it there is retail and wholesale trade.

So, you will find all these distortions and aberrations, but they have not been brought in by the younger people in the country. So, why try to put all the blame on the youngsters of the country and have some imaginary fear that if they are brought into the picture, the political climate, the political atmosphere, will be polluted, that there will be more immaturity, more damage will be done to politics? What more damage remains to be done now? There is no question of going down further, we are already in the godown. Let us not therefore suspect the youngsters in the country. Let us try to put more faith in them. As love begets love, confidence will beget confidence. If we try to put confidence in the youth, I am sure the young people of this country are capable of reciprocating it. If that is done, I have not the least doubt that we will be able to make the experiment in parliamentary democracy a great success in our country.

After all, when we think of the role of the youth, let us not forget that it is not only participation in the Parliamentary institutions. A number of fields are kept open to them—the field of science, the field of trade, the field of services, the army, research etc. In all these fields you will find that the doors are kept open for them. It has been my experience that whenever the doors are kept open for

young men, they find new avenues for their development, they have their own sense of responsibility and therefore. if the youngsters are given the responsibility of expressing by their free will their own choice of the Government, whether at the State level or at the Central level. I am sure that not only no damage will be done to the country but a positive service will be done and the hopes and aspirations of the youth will get reflected in the administration of the country and in the governance of the country. It is only in that perspective that I have brought forward this Bill.

In the aims and objects of the Bill, I have made it very clear that we seek to amend the Constitution, it is Article 326 which is basically to be amended as a consequential change, Article 19 will also have to be slightly amended. I am suggesting the addition of one more sub-clause. With this amendment in the Constitution, a new chapter will open and the youngsters will get the right to vote and for the first time in this country, the youngsters will feel just as the elder statesmen. In different parts of world some of them happen to be capitalist countries, some of them happen to be communist countries, socialist countries, and some of them happen to be countries which base their economy on cooperation,—irrespective of ideological considerations. a number of countries had taken the youth into confidence and have put confidence in their youth and I hope and trust that the same thing will be done in this country also.

I am just asked a question by one hon. member: 'Are you conscious of the fact that the West Bengal Assembly and enacted a legislation reducing the voting age from 21 to 18 years?' Not only West Bengal, probably in Kerala, Andhra Pradesh in Maharashtra and a number of other places, for elections to the local bodies the voting right has already been brought down from 21 to 18 years. I may tell you from

our own experience that wherever young blood has been infused into the local bodies, I do not think, anywhere. the local bodies have been spoiled. On the contrary, there is a new thrust, a new element of dynamism. When that has happened at the local level, if we cannot expect the same thing to happen at the Central and State level, all our talk of Gandhian values and Gandhian concept of decentralisation is meaningless. What has happened at the local level, in the lower echelons of administration is more important. If there our experience is very healthy, the same experience can repeat itself at the State level and Central level. Therefore, I hope and trust that the House will not divide itself on this Bill. I would make an earnest appeal, particularly to the hon. Minister, I know that at the end of the debate, he is likely to say that he accepts the spirit of the Bill, but rejects the Bill.

MR. DEPUTY-SPEAKER: Why do you pre-suppose that? (*Interruptions*)

PROF. MADHU DANDAVATE: I do not repeat the same phrase. But something that phrase smells of something else. (*Intrruptions*) Suppose, we had done something wrong, please do not follow us.

I will conclude by saying that I do not expect from the hon. Minister, when he intervenes, to say: "I accept the spirit of the Bill, but reject the bottle". I do not expect that remark at all. With that, I conclude.

MR. DEPUTY-SPEAKER: Motion moved:—

"That the Bill further to amend the Constitution of India, be taken into consideration".

SHRI M. M. LAWRENCE (Idukki): Mr. Deputy-Speaker, Sir, I strongly support the Constitution (Amendment) Bill moved by Prof. Madhu Dandavate. The citizens of India who

[Shri M. M. Lawrence]

attain the age of 18 years are mature enough for all other purposes except choosing their representatives. This is ridiculous. They are wise enough to share the responsibility to decide the destiny of this country.

Before Independence, in my State, Cochin, a princely State, the voting right was given only to those who were paying tax. The vast majority of people were denied the right of voting by the Maharaja. Likewise, now, the people who are in power are denying a considerable number of citizens of our country the democratic right of voting. I may say, this is a cruel discrimination shown to the youth of our country. This will only help to create unrest and fissiparous tendency among the youth of the country.

Already, some of the State Governments such as, West Bengal, Kerala, etc., as Prof. Dandavate pointed out, have accepted the voting age at 18 years for the purpose of elections to panchayats, municipalities, municipal corporations and district councils, etc. In Bihar also and in some other States, they have done it. Hence there is no meaning in barring this legitimate right further even though we have passed 33 years after attaining freedom.

Once again, I strongly support this Bill.

**SHRI BAPUSAHEB PARURLEKAR** (Ratnagiri): Mr. Deputy-Speaker, Sir, I stand to support the Constitution (Amendment) Bill moved by Prof. Madhu Dandavate. He has very exhaustively dealt with this particular subject.

Sir, I will not take much time of the august House. But I would like to add two or three points only. I feel that this Bill should have been brought much earlier by the Government. 33 years have now passed after Independence. I think, there will be no two opinions about this particular Bill. I

would, therefore, join with Prof. Dandavate making an appeal to all the hon. Members to let us rise above party labels and see that, as early as possible, we amend this particular article 326 before the youth of this country indulge in agitations on this particular issue. The hon. Members must be knowing that many youth organisations in the country have passed resolutions and have requested the Government to bring down the voting age from 21 to 18 years. I, therefore, feel that this Bill has been brought forward by Prof. Dandavate right in time and it is for us to consider whether we have to respect the wishes of the youth which have been repeatedly told to us through resolutions passed by them.

This particular Bill intends to amend article 326. In this article 326, the word "adult" has been used and the word "adult" itself has been explained in the subsequent part of this very article and the word "adult" is equated with a person who has completed 21 years of age.

I tried to go through the debates of the Constituent Assembly on this particular article which is article 189B. I find that the framers of the Constitution, in their wisdom, did not consider this issue of age, whether 21 or 18 years should be treated as the age when a person can be said to be "adult". Dr. Ambedkar moved this amendment and immediately, without any debate, that was accepted. It seems, for the reasons given by Mr. Dandavate, that it is high time for us now to accept the suggestion made by Mr. Dandavate in his Bill. He has mentioned various countries—countries in Europe, countries in Asia, capitalist countries, socialist countries, communist countries, where right to vote is given to a person who has completed 18 years of age. Not only that: I would like to emphasize three countries which are our neighbouring countries—Sri Lanka, Pakistan and

Bangladesh. If we take into consideration this particular fact that these three countries, two of which were part of this very country, give the right of voting to a person aged 18 and treat a person aged as an adult, why should we not treat a young man of 18 of our country as an adult? If we deny this right to him, I think we are insulting the youth of our country. Here is an opportunity for us to amend what we have so far done.

Let us take the case of a youth staying in Amritsar and another staying in Lahore—at a distance of 30 kilometres—or on the Bangladesh border, one on the eastern side and one on the western side. The one on the western side will not get the right to vote because, according to our law, he is not politically mature to cast a vote, whereas the person on the other side gets the right to vote. This, in my humble submission, is a matter which we have to take into consideration.

Apart from this, it was submitted—of course subsequently it was rectified by other Members—that it may be said that a person may not be in a position to make a political judgement unless he reaches the age of 21. But exceptions have been quoted in this very House. I may tell you about the law in my State of Maharashtra. In 1960 the Zilla Parishad and Panchayat Samiti Act was enacted and, prior to that, the Municipality Act was there and, in these Acts, the right to vote has been given to persons who have completed the age of 18. In my submission, if a person can, at the age of 18, politically decide who should be his representative in the Zilla Parishad or Municipality, I do not think there is any reason why he would not be in a position to make a judgement or decide who should be a Member of Parliament or who should be a Member of the Legislative Assembly. So, this is no good ground. We also have

evidence that our youth have shown their discretion by electing their representatives to local bodies.

Apart from that, in our country, from as long back as 1875 we have treated an adult as a person who has completed the age of 18. We have the Indian Majority Act which mentions that a person whose guardian has not been appointed under the Guardians and Wards Act and whose property has not been kept in the custody of a court of law shall be treated as an adult and a major when he attains the age of 18. There should be uniformity of law. For purposes of other things—for suing, for taking matrimonial decisions for operating bank accounts,—we say that a person is a major at the age of 18 but for taking political decisions—only for the purpose of selecting a candidate for Parliament or the Assembly—he is not politically mature! I submit that this does not stand to reason. Apart from this, it is discrimination.

So, in order to bring uniformity in the law of Central Government, I feel this amendment is absolutely necessary. In the circumstances I feel that, rising above Party levels, this Bill should be accepted by the House and I strongly support this particular Bill.

\*SHRI K ARJUNAN (Dharmapuri): Mr. Deputy-Speaker, on behalf of Dravida Munnetra Kazhagam, I rise to express my views on the Constitution (Amendment) Bill that has been moved by Prof. Madhu Dandavate, which seeks to introduce the much-needed amendment to Clause 326 of our Constitution for reducing the voting age from 21 years to 18 years. I wholeheartedly welcome this Bill.

Before the Courts of law and for judicial processes involving financial contentions, 18 years of age has been fixed for treating one as 'major'. The signature of one who has attained 18 years of age has been given legal recognition, since he is considered to be

\*Original speech was delivered in Tamil.

[Shri K. Arjunan]

a major. Under Article 326 of our Constitution, the fountain-head of all our laws, only those who attain the age of 21 years are enfranchised. In other words, 21 years has been fixed for getting the voting right. Is this not a real injustice perpetrated on the youth of our country? It is really a matter of condemnation that this injustice should also get constitutional sanction.

I will refer to certain statistics published after every general Elections. It is said that the population of our country is 65 crores, out of whom 36 crores are the voters. Out of this 36 crores of electorate, only 20 crores have exercised their franchise in the recent General Elections. This shows clearly that less than 30 per cent of our population exercised the franchise in the recent Elections. There is no time to go into detail about the apathy of the 16 crores of people who have not cast their votes. But it cannot be disputed that they have not taken interest in the electoral process of the country. If this situation continues, then democracy will not take deep roots in our country. Many times we have come across allegations that in the elections people below the age of 18 years have cast votes. The hon. Minister cannot refute such allegations because many responsible people in public life have come across such instances.

I would like to take this opportunity to what Arignar Anna used to say about the need for introducing proportional representation system in our elections. In the 1977 Elections, the ADMK secured 126 seats with 52 lakhs of votes and the D.M.K. got only 48 seats with 42 lakhs of votes. In the 1980 Elections, the AIADMK—Front got 92 lakhs of votes and won 165 seats; the D.M.K.—Congress-I Front got 86 lakhs of votes and won only 69 seats. The difference is just 6 lakhs of votes for 96 seats. Hence,

Arignar Anna used to stress the need for introducing proportional representation in the elections.

Shri Sanjay Gandhi was the inspirational force behind the recent successful Youth Movement in the country. In many States, many young men have become the Chief Ministers. With a view to translating his thoughts into action, with a view to concretise his dream into reality, the Government must accept the genuine demand for reducing the voting age from 21 years to 18 years. It will in fact be a fitting homage to the memory of Shri Sanjay Gandhi that this Bill of Shri Madhu Dandavate is accepted by the Government.

By the age of 18 years, the youth get background knowledge about our history, science etc. because they have entered by then the portals of University. It is not easy for anyone to entice them with political lollypops of assurances and promises. The D.M.K. leader Kalinzan Karunanithy is the first man pressing for a long time for reduction of the voters age from 21 to 18. The D.M.K. Members, Shri Kandappan, in 4th Lok Sabha and Shri Viswanathan in 5th Lok Sabha had emphasised the need for reducing the voting age limit from 21 years to 18 years. There is need as also justification for reducing the voting age limit from 21 years to 18 years. It is estimated that 7 crores of youth have attained the age of 18 years. It is very necessary to bring them on the mainstream of political life of the nation.

With these words I conclude my speech, thanking you for giving me an opportunity to participate in this important debate.

\*SHRI R. K. MHALGI (Thane):  
Mr. Deputy-Speaker, Sir, I rise to extend my wholehearted support to the Constitution Amendment Bill moved by Prof. Madhu Dandavate.

\*The original speech was delivered in Marathi.

Within the time at my disposal, I have to cover as many points as possible.

At the outset, I would like to point out three grounds on which I support this Bill. This Bill will put an end to the outdated ideas. In the second place, this Bill will give a firm foundation and a broad base to our democracy. In the political field the provisions of the Bill will be a motivating force by itself. It will generate an unprecedented enthusiasm resulting in the creation of a new vista of opportunities. The Constitution of India was formulated by the Constituent Assembly between 1947 and 1950. During this period the granting of adult franchise was the topic of discussion and debate of seminars on many platforms and forums! Those who advocated adult franchise were honoured as progressives! The framers of Constitution stipulated the age of 21 in view of the public opinion which prevailed at that time. A period of three decades has passed. The young generation has become politically conscious and insist that they must enjoy their due political rights and one can certainly understand their point of view. The efforts have been made in this direction in the world since long and we are for the first time thinking along these lines. There are more than 30 countries in the world who have granted franchise to the young men and women of 18. Many countries with whose names we may not be familiar have also given the power of franchise to the young boys and girls of 18. When this idea is accepted by the world, why should India alone lag behind? India is the biggest democracy in the world. She should not imitate other nations but should take the lead. The new ideas must be accepted, progressive ideas should be placed before the Indians. 30 countries are already ahead of us. We have to see seriously that no other country surpasses us in this regard by making the provision in the Constitution that franchise can be exercised at the age of 18. If this provision is

made, I am sure, Sir, that Indian democracy will stand on a firm foundation. If this provision is accepted, the names of 8 crores of youth voters will have to be added to the voters' list in 1985. But that will not cause a greater loss. Those who believe in a *status quo* and refuse to go ahead will not like my idea and the objective of Prof. Dandavate's Bill.

I don't think that addition of 8 crore voters to the voters' list will be a burden even if we have to bear some financial burden, it will not make much difference. Those who cherish the dream of revolution through democratic means, should not oppose this Bill and argue that the addition of 8 crore voters will impose a great burden on the public exchequer. Sir, young man and woman of 18 is given the right to cast a vote for Municipality, Zila Parishad and Corporation elections, in Karala, Maharashtra and Bengal. When a young man of 18 is entitled to exercise his franchise at Municipality or Corporation elections, it would not be proper to deprive him of this right for the Lok Sabha or the Legislative Assembly elections. It would only create psychological inferiority complex in the younger generation. It is our duty to see that the younger generation does not suffer from this complex. This provision is necessary to make young people aware of their responsibilities and to infuse enthusiasm in them. New schemes should be planned with this objective in view.

A young boy of 18 can join the Armed forces and can receive rifle training. He is permitted to shoot a rifle, but he is not entitled to cast his vote in a ballot box. Is the ballot more important or the bullet? In a democracy, ballot is more important, not the bullet. If you talk of maturity in the context, I would like to point out that a young man of the present generation has more political awareness and maturity than the old man. At the time of elections the

{Shri R. K. Mhalgi}

subject of choosing our representatives goes on in our houses and those young men who have not the right of franchise argue and discuss with their parents who cannot satisfactorily answer the questions asked by their wards. It is our common experience that those youths who do not have the right to vote are fully mature enough to grasp nineties of politics.

I would like to conclude my speech with one suggestion. Article 326 of the Constitution of India has prescribed a minimum age for a voter. I feel that the upper limit should also be fixed up for contesting elections. We find that people of 65 or 70 contest elections. I don't intend to insult anybody in this House who is advanced in age. Sir, the age limit of a Judge of the Supreme Court has been fixed at 65. Similarly, for a Member of Parliament the same age limit should be prescribed. After attaining that age, he must give up the membership to take up service of the people and educate them on the basis of his experience in politics. The age limit should be at 65 in case of Lok Sabha members and 60 in respect of members of Legislative Assembly.

I request in all earnestness that this provision be accepted. I once again extend my whole hearted support to this Bill.

**SHRI XAVIER ARAKAL (Ernakulam):** Sir, I am supporting this Bill in its full spirit—to the fullest extent. That is because, in the Evolution of voting rights in this country and abroad as well, there have been changes stage by stage both in the voting right as well as in the age.

As mentioned earlier by some of the speakers, formerly, the right to vote was confined only to the landholding people, the aristocrats. But, later, it was changed and that came to the commonman. In the same way there came the change in the voting right. This was all through a process of evolution. I am happy at this juncture that Professor Dandavate has brought forward this Bill.

In the Statement of Objects and Reasons, he has stated the reasons for it and has requested us to amend Articles 19 and 326. But I have one doubt in my mind. That is he has not mentioned anything in the Statement of Objects and Reasons for amending the Representation of the People's Act. I am told by Professor Dandavate that it may not be necessary once this is accepted or this article is amended. However, in submitting his valued strong reasons and grounds he has mentioned about certain previous movements which gave a boost and recognition to the youth. He also mentioned about late Jayaprakash Narayan's movement starting from 1971 which aimed at total revolution but brought the nation to total chaos. That approach and use of youth may not be contemplated here. Take them to the proper path. Of course, the right to vote ought to be given. The youth in our country have played an important and decisive role. There is no doubt about it. If you go through the Articles written by the Father of the Nation, Mahatma Gandhi ji, in *Young India* his appeal was to the youth and educated of that time. That is very pertinent at this moment. We want change. We want young people to come forward. The future of our nation is vested with the youth. There is no doubt about it. Youth played a decisive role in the last General Elections. Professor Dandavate pointed out how youth was dis-appointed and they were quite right to bring back the nation to a strong leadership. Youth has given an aim and an object in this country but we have lost its leader. Professor Dandavate paid glorious tribute to Sanjay Gandhi. He was an object and ideal for the youth of the nation to look at but he is gone. I pray his vision, the spirit and the power may survive and spread all over this nation.

Sir, I am proud of my State, Kerala. Our State for local elections has brought about this amendment and

the age-limit is eighteen. The phenomenon of many youngsters being in good positions discharging their public responsibility is rarely seen these days. It pricks our conscience. They are to be made accountable to society. That is why in full spirit I support this amendment. Youth is the moving spirit of India and the leading light of this nation. Therefore, I support this Bill in its full spirit. I hope the hon'ble Minister will consider this appeal and make an appropriate statement.

**श्री विजय कुमार यादव (नालन्दा):**  
 उपाध्यक्ष महोदय, मैं इस कांस्टीट्यूशनल अमेन्डमेंट बिल का पूर-जोर समर्थन करता हूँ लेकिन इस सिलसिले में एक बात मैं कहना चाहता हूँ और वह यह है कि प्रोफेसर दंडवते साहब ने यह जो अमेन्डमेंट बिल प्रस्तुत किया है इससे पहले जनता पार्टी की हकूमत थी तब मैं समझता हूँ उनके यह बड़ा अवसर हासिल था, उस समय लाकर इस बिल को आसानी से पास करा सकते थे। यही बात मैं कांग्रेस के बारे में भी कहना चाहता हूँ। प्रोफेसर साहब को तो बहुत कम समय मिला, कांग्रेस को काफी समय मिला था और अब फिर कांग्रेस का राज है। मैं इन बातों को इसलिये कहना चाहता हूँ कि नौजवानों की ओर से यह मांग इधर चन्द्र वर्षों से ही चल रही हो, ऐसी बात नहीं है, काफी लम्बे असें से नौजवान इसके लिये संघर्ष कर रहे हैं, इसके लिये लड़ाई कर रहे हैं और उनका यह आन्दोलन केवल लिखित मेमोरेंडम तक ही सीमित नहीं है, इसके लिये हजारों हजार नौजवानों ने अपने को जेल में रखा है, जो भी शासन रहा है उसके खिलाफ जुलूस, धेराव करके सरकार के दमन और जुल्म का मुकाबला किया है। जनवादी नौजवान संघ ने खास तौर पर इसमें लीड ली है। आज मुझे यह कहने में कोई संकोच नहीं कि जहाँ तक पार्लियामेंटल पार्टीज का सवाल है, कोई भी पार्टी ऐसी नहीं है जो इसका विरोध करती हो। तमाम पार्टियों के लोग इस सवाल पर एक साथ हैं लेकिन फिर भी जब कानून बनाने की बात आती है तब शासक दल इसे अटका देता है। दूसरी बात मैं यह कहना चाहता हूँ कि दंडवते साहब ने एक लम्बी फेहरिस्त कई मुल्कों की दी है जिन्होंने 18 वर्ष से वोट का

अधिकार दे रखा है। लेकिन उसमें उस मुल्क का नाम छूट गया जिसने दुनिया में सब से पहले 18 साल की उम्र में वोट का अधिकार दिया नौजवानों को, और वह देश है एक समाजवादी देश सोवियत संघ। जैसा कई दूसरे माननीय सदस्यों ने कहा, यह बात सही है, जहाँ तक मेम्बोरिटी की बात है, एडल्ट कान है और कान नहीं, यहाँ पर उसके लिये दूसरा मापदण्ड रखा गया है। इस देश में दूसरे क्षेत्रों के लिये जो कानून बने हुये हैं उनके मुताबिक कोई भी नौजवान 18 साल की उम्र में ही बालिय हो जाता है। आप सी आर पी सी या दूसरे कानून देखें उसमें यह बात बिल्कुल स्पष्ट है। जहाँ कहीं भी आप देखें, 21 साल से कम उम्र के नौजवानों को मिका मिला हुआ है चाहे वह वकालत का क्षेत्र हो, चिकित्सा का क्षेत्र हो, इंजीनियरिंग का क्षेत्र हो अथवा साइंस और टेक्नोलाजी का क्षेत्र हो 21 वर्ष से कम के नौजवान महत्वपूर्ण भूमिका निभा रहे हैं। अभी हमारे कई माननीय सदस्यों ने बताया, बिल्कुल ठीक बताया कि देश के कई सूबों में लोकल बाडीज के चुनावों में वोटिंग राइट के लिये 21 साल की उम्र को घटाकर 18 साल कर दिया गया है। वहाँ पर चुनावों के बाद चाहे पंचायतों के संचालन की बात हो या बलाकों में प्रमुख और उप-प्रमुख के पद जो सृजित किये गये हैं, उन पर उनके काम करने का जो तरीका है उसमें वे पूरी योग्यता और परिपक्वता से काम कर रहे हैं। कोई वजह नहीं है कि इस तरह का शक पैदा किया जाये कि 18 साल की उम्र में वोटिंग का अधिकार दिया जाएगा, तो उन के अन्दर मेम्बोरिटी नहीं आएगी। जब देश के अन्दर क्रान्ति की बात उठी, हिन्दुस्तान में जब अंग्रेजों का राज था, उस समय जब अंग्रेजों का भगाने का सवाल आया तो हिन्दुस्तान के नौजवानों ने, जिसमें कि 21 साल से कम उम्र के लोग भी थे, उन्होंने अंग्रेजों के सामने अपने सीने को खोल दिया था, हम तमाम लोग और जैसा अभी हमारे एक माननीय सदस्य ने कहा है कि भविष्य नौजवानों के हाथ में है और खास तौर पर हर जगह यह बात कही जाती है कि आगे आने वाला दिन नौजवानों का होगा। यह बात भी एक लम्बे असें से कही जा रही है पर इन्हें बाकिब राजनीतिक अधिकार नहीं दिया जा रहा है। मैं सबभ्रत

(श्री विजय कुमार यादव)

हूँ कि यह अपोर्च्युन टाइम है, इसका इस्तेमाल होना चाहिए और पूरी एक्ताबद्ध होकर यह जो एमंडमेंट आया है, हम सब लोगों को मिल कर एक राय से पास करना चाहिए और इसको कानून की शकल देने चाहिए।

इन्हीं शब्दों के साथ, यह जो एमंडमेंट बिल आया है, मैं उसका समर्थन करता हूँ।

श्रीमती कृष्णा साहू (बेगूसराय): उपाध्यक्ष महोदय, माननीय सदस्य प्रोफेसर मधुदण्डवतें ने जो बिल प्रस्थापित किया है, मैं उनके इस बिल की भावनाओं की कदर करती हूँ। यद्यपि, मौजूदा परिस्थिति इसके लिये उपयुक्त नहीं है, हमारे सामने बहुत सी चुनौतियाँ हैं, चाहे वह अधिक हों या राजनीतिक हों या सामाजिक हों, ऐसे समय में यह बिल हम लोगों की स्वीकृति के लिये आया है, मैं भावनाओं की तो जरूर कदर करती हूँ, लेकिन अभी यह उपयुक्त समय बिल की स्वीकृति के लिये नहीं जान पड़ता।

उपाध्यक्ष महोदय, हम यह सभी जानते हैं कि हमारा देश गुलामी की जंजीरों से जकड़ा हुआ था और हम विदेशियों के परधीन थे—प्रांतिकूल स्थितियों से जूझते रहे हैं सैकड़ों बरसों से, और जिस समय स्वतंत्रता की लड़ाई हमारे यहां छिड़ी, तो उस लड़ाई में हमारी युवा शक्ति का बहुत बड़ा योगदान रहा। उस स्वतंत्रता की लड़ाई में अनेक लोगों ने देश की स्वतंत्रता को प्राप्त करने के लिए अपने आप को कर्बान कर दिया।

1942 के आन्दोलन को हम आज भी स्मरण करते हैं और उस आन्दोलन में बहुत से ऐसे नाजवान थे, नवयुवक थे, जिनको जाने चली गईं। लोगों ने श्री प्रफुल्लचंद चाकी और खुदीराम बोस का नाम तो सुना ही होगा, ये सब जो नाजवान थे, उनकी उम्र 21-22 साल से कम की थी... (व्यवधान).....

मैं कह रही थी कि युवा शक्ति का बहुत बड़ा योगदान रहा है। इतनी कर्बानियों के बाद हमें हमारी स्वतंत्रता मिली, तो हमें हमारे मौलिक अधिकार मिले और खुशी की बात है कि हमारे हिन्दुस्तान में पुरुषों के साथ-साथ महिलाओं को भी मतदान का अधिकार मिला।

आज हम विज्ञान के युग में हैं और इस युग में भी बहुत से ऐसे देश हैं, जहां

महिलाओं को मत देने का अधिकार नहीं है। मैं कहना चाहती हूँ कि शक्ति का संतुलन करना बहुत आवश्यक है और उनका योगदान भी आवश्यक है। प्रजातन्त्र में इसका बहुत महत्व होता है और उसकी कीमत होता है। मतदान के द्वारा हम एक व्यक्ति का चयन करते हैं, चाहे वह मुस्लिम का चुनाव हो, चाहे विधान सभा का चुनाव हो या संसद का चुनाव हो। जब एक व्यक्ति का आम लोग चयन करते हैं, तो यह समझते हैं कि जिस व्यक्ति का वह चयन करने जा रहे हैं मतदान के द्वारा, वह हम लोगों का संसद में प्रतिनिधित्व करेगा और विधानसभा में प्रतिनिधित्व करेगा। तो जो लाखों-लाख व्यक्ति अपने प्रतिनिधि का चयन करके भेजते हैं, वे तो मूक रहते हैं और हम उनकी भाषा बन कर और भावना बनकर उनका प्रतिनिधित्व करते हैं। उन लाखों-लाख और हजारों लोगों का ही हम और आप प्रतिनिधित्व करते हैं, उनकी आशाओं और इच्छाओं के प्रतीक बनकर हम यहां बैठते हैं। ऐसे कार्य में जो इतना महत्वपूर्ण विषय है, युवाशक्ति का रचनात्मक काम में योगदान होना ही चाहिए।

अभी अभी कुछ देर पहले माननीय सदस्य, प्रो. मधुदण्डवतें, ने जयप्रकाश जी के आन्दोलन की चर्चा की, मैं उनसे सहमत नहीं हूँ। वह तोड़फोड़ की राजनीति थी, वह हमारे नाजवानों को गुमराह करने के लिए आन्दोलन था और राजनीतिक दलबन्दी से प्रेरित होकर वह काम किया गया था, जिससे लाखों लोगों एवं राष्ट्रीय सम्पत्ति की क्षति हुई। हमारे देश के बहुत से विद्यार्थी गुमराह हो गए और अपनी पढ़ाई छोड़ दी। उनका भविष्य अंधकारमय हो गया।

श्री मूल चन्द डागा: वह गुमराह क्यों हो गये?

श्री मूल चन्द डागा: वह आगे भी गुमराह किया था।

श्री मूल चन्द डागा: वह आगे भी गुमराह हो सकते हैं।

श्रीमती कृष्णा साहू: इस भावना से प्रेरित हो कर वे नाजवान लड़कों को गलत रास्ते

पर लाये। लेकिन जिन लोगों ने देश को आजाद कराया — उन के सामने एक आदर्श था, एक उद्देश्य था और उस आदर्श और उद्देश्य को लेकर उन लोगों ने अपने देश को गुलामी के शिकंजे से छुड़ाया।

इस लिये मैं कहना चाहती हूँ कि हमारी युवा-शक्ति को मतदान का मौका जरूर मिलना चाहिये, लेकिन ऐसे समय में नहीं जब कि हमारे सामने तरह-तरह की चुनौतियाँ हैं। मैं इस चीज को सरकार के ऊपर छोड़ती हूँ — सरकार इस सम्बन्ध में उचित निर्णय लेगी और इस के लिये अर्थ की व्यवस्था भी सरकार को करनी होगी। आज हमारे सामने आर्थिक-दिन तरह-तरह की समस्याएँ आ रही हैं, आर्थिक समस्याएँ हैं, जो भयंकर हैं, ऐसी स्थिति में सरकार को इस के बारे में प्रशासनिक ढंग से सोचना होगा कि इस के लिये अभी मौजूं समय है या नहीं है।

इन शब्दों के साथ मैं अपना स्थान ग्रहण करती हूँ।

MR. DEPUTY-SPEAKER: Shri Mool Chand Daga; but on one condition that when there is reply, you must be present.

श्री मूल चन्द डागा (पाली): उपाध्यक्ष महोदय, जो विधेयक आप ले कर आये हैं, मेरे ख्याल से आप का पूरा संकल्प और पूरा इरादा उस के साथ नहीं है। मैंने इस को अच्छी तरह से पढ़ा है। अगर आप ऐसा चाहते तो आर्टिकल 84 और आर्टिकल 173 में भी संशोधन लाते। मैं यह मान कर चलता हूँ कि आप लोग बड़ी होशियारी से इस बिल को ले कर आये हैं। आर्टिकल 84 और आर्टिकल 173 में भी एज 25 वर्ष है। मैं एक बात मानता हूँ — जवानों में बूढ़ों की संजीवनी चाहिये और बूढ़ों में जवानों की उम्रंग और उत्साह चाहिये। इन दोनों का मेल हो तो बहुत अच्छी बात है। मधु-दण्डवते जी यह बात मान लें — आप में जवानों की उम्रंग है लेकिन आप उन जवानों की जवानी को गलत रास्ते पर लगाते हैं। आप ने वोट देने का अधिकार तो उन को दे दिया, लेकिन आर्टिकल 84 में जो अधिकार है उस से उन को वंचित कर दिया। आप ने बड़ी होशियारी से कहा कि तुम पार्लियामेंट या विधान सभा के एलेक्शन

में वोट तो दे सकते हो, लेकिन उन के मैसेंजर नहीं बन सकते। . . . . .

SHRI R. K. MHALGI: You are suggesting an amendment to the Bill.

SHRI MOOL CHAND DAGA: I am just asking the mover to reconsider in the light of the observations which I am going to make.

SHRI R. K. MHALGI: You are not opposing it.

SHRI MOOL CHAND DAGA: Please just listen. There are certain Acts like Indian Succession Act, Indian Majority Act, 1875, Guardians and Wards Act, 1890 etc.

इन तमाम एक्ट्स में प्रावधान किया गया है।

मैंने फ्राएड की किताब पढ़ी है — उस में एक बात बड़े अच्छे ढंग से बतलाई गई है। उन्होंने उस का मनोवैज्ञानिक विश्लेषण किया है — जब 18 साल का युवक बनता है तो उस में मैजोरिटी आनी शुरू होती है। 18 साल से 21 साल का पीरियड उस के पूरे डवलप होने का पीरियड है। लेकिन इस बिल के द्वारा आप उस कली को फूल की जगह रखना चाहते हैं।

AN HON. MEMBER: That is for the cold countries.

SHRI MOOL CHAND DAGA: I am asking you to consider it.

श्री मूल चन्द डागा: 18 साल की उम्र के लड़कों को जे. पी. साहब ने आवाज दी। लड़के कालिज से बाहर आ गये। यहां पहले चन्द्रप्पन साहब मैसेंजर हुआ करते थे, वे भी इस बिल को लाये थे और इस बात को ले कर आये थे कि 18 साल की उम्र वाले को मताधिकार दे दिया जाय। लेकिन 18 साल के अन्दर आज कल के जो लड़के हैं . . .

MR. DEPUTY-SPEAKER: You may please continue next time. 18 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, June 30, 1980/Asadha 9, 1902 (Saka).