

Member which he is trying to impress upon. These are the aberrations and we must have interaction and these malpractices cannot be removed only by law. Unless there is a determined effort by the political parties to do away these malpractices, they cannot be removed by law alone. This is the reason why we will inter-act amongst ourselves because these malpractices may affect somebody on that side and somebody on this side and ultimately it will affect the whole system.

**SHRI SAIFUDDIN CHOUDHURY:** Mr. Speaker, Sir, though this question is related to State funding of election expenses, the question of muscle power has come and money also makes muscles. In this context, I want to know about what I heard some days ago that the Chief Election Commissioner has suggested that of those who will be proved to be involved in booth capturing and rigging the Ministers and the responsible M.Ps. will be debarred from contesting elections for 10 years. I want to know from the Minister whether in the package of electoral reforms this suggestion will be included or not.

**SHRI DINESH GOSWAMI:** Every suggestion that the Election Commission has made would be very seriously considered and on those suggestions I will interact with my friends of the Opposition and therefore, I can assure you that the comprehensive Bill that we intend to bring before the House at the earliest will include all these points.

**MR. SPEAKER:** Next Question—Q. No. 3—Shri Surya Narayan Singh.

[Translation]

**SHRI SAMRENDRA KUNDU:** Mr. Speaker, Sir, may I put The question in your name?

**MR. SPEAKER:** The question was in my name, which stands deleted.

[English]

**SHRI SAMARENDRA KUNDU:** If you

allow me...

**MR. SPEAKER:** How can I allow?

(Interruptions)

**MR. SPEAKER:** Mr. Kundu, you are a very experienced Member of the House. That question, you know, is deleted. You know why.

**SHRI SAIFUDDIN CHOUDHURY:** Please allow a Calling Attention on that. (Interruptions)

**MR. SPEAKER:** Shri Surya Narayan Singh.

### Booth Capturing and Rigging Incidents during Ninth Lok Sabha Elections

\*3. **SHRI SURYA NARAYAN SINGH:** Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of incidents of booth capturing and rigging during the recent Lok Sabha elections held in November, 1989 in Uttar Pradesh, Bihar and other States;

(b) if so, the details thereof;

(c) whether there are any proposals under consideration of Government to prevent booth capturing and rigging; and

(d) if so, the details thereof?

**THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI):** (a) to (d). According to the Election Commission, in the recent general elections to the House of the People and Legislative Assemblies of certain States, repoll had to be ordered due to booth capturing and other irregularities in as many as 1599 polling stations spread over different States. Though certain provisions exist in the Representation of the People Act, 1951, a study is being made to see whether there are any more loopholes to be plugged for preventing booth capturing and rigging. In fact the efficacy of any law lies

in its proper enforcement. This matter would be discussed shortly with various political parties and suggestions are being obtained in this regard from other informed persons also.

[*Translation*]

SHRI SURYA NARAYAN SINGH: Mr. Speaker, Sir, the hon. Minister has not given complete reply to my question. I do not know about the whole country but I know about Bihar where the Government had declared 15,500 booths as sensitive and highly sensitive. The Government had declared that it was committed to check booth capturing, but in practice it has been totally the other way round. Not only 70 people were killed in Bihar, but there was booth capturing also on a large scale. Two Government officials on duty and an independent candidate were also killed. These incidents took place on a large scale. It is a matter of concern that especially the influential leaders of Congress(I) in the state patronised gang of goondas, pressurised the Government officials, and indulged in booth capturing on a large scale.

MR. SPEAKER: Please put your question.

SHRI SURYA NARAYAN SINGH: In Vidhya Panchayat of Bhojpur district alonge, 24 people were killed when they were returning after casting their votes. The dead included children of as small an age as 3 to 4 years. Even septuagenarians were also not spared. You are aware of the incidents that took place in Amethi. If this type of incidents take place in the constituencies of the former Prime Minister and the wife of the Chief Minister of Bihar, and if the Goonda elements capture booths under the protection of Government officials, how will it be possible to check booth capturing? Despite all commitments of the Government, these incidents took place on a large scale. The Assembly elections are at hand. I would like to know as to what effective steps Government is going to take to check booth-capturing?

[*English*]

SHRI DINESH GOSWAMI: Sir, it is known to everyone; of course I did not have the opportunity of fighting the election and therefore I do not have any personal experience. Luckily, this phenomenon of booth capturing is unknown in my State. But, it has become known that this election has seen violence and booth capturing and this phenomenon is growing. When this Parliament agreed certain amendments in the Representation of the People Act were made, particularly for disqualification of persons convicted for the offence of booth capturing for six years. Then provision was also made that the Election Commission can postpone the polling and in extreme cases countermand the polling if the candidates are involved in booth capturing and other malpractices. It has been realised by everyone that these laws are not adequate enough to deal with the situation. In 1984, the Election Commission made about six recommendations and in the amendment to the Representation of the People Act which we carried out in 1988, we accepted only some of these recommendations. Therefore, we are examining these recommendations. As I said earlier, I will be interacting with my friends of all the Parties, the Chief Election Commissioner, the former Chief Election Commissioners and persons who are in the know of things to improve the situation. But my own feeling is that by law alone we cannot tackle this problem unless we all make a concerted effort, irrespective of the political parties to which we may belong to deal with this situation and our exercise must also be in that direction.

[*Translation*]

SHRI SURYA NARAYAN SINGH: Mr. Speaker, Sir, I agree with what the hon. Minister has said. But it is not the law that matters, but as to how effective the law enforcing agency is. As regards the elections in Bihar, the Election Commission have pointed out that the administrative machinery is not competent enough to conduct peaceful poll in a democratic way. The Elec-

tion Commission have also pointed out that if the people at the helm of affairs in Bihar utilise the services of law enforcing agencies and the administrative machinery for capturing booths in violation of law, how is it possible to check this malpractice? Will the hon. Minister please deal with these points?

[*English*]

SHRI DINESH GOSWAMI: Sir, we made an amendment in the Representation of the People Act to the effect that in the election process, those who are dealing with it will be on deputation to the Election Commission. In some cases, there are reports that the administration also was not fully free. There are cases where action has been taken against some senior administrative officers. We will examine this aspect as to how we can deal with the situation. But, at the present moment, I have no concrete proposal.

SHRIMATI VIDYA CHENNUPATI: Sir, I would like to know whether the Government is ready to introduce Identity Cards with photographs to stop the rigging. In the recent election, many MLAs and MPs have captured the booths and nobody was allowed to vote in those booths and sometimes the signature of the Presiding Officer was not there in the ballot papers, but we have not taken any account of it at that time. However, we have made a written complaint to the Presiding Officer. So, I would like to know what are the measures taken by the Government to stop the rigging.

SHRI DINESH GOSWAMI: I do not agree with the hon. Member that in the recent elections, most of the MLAs or MPs indulged in booth capturing. I must pay compliments to the people of India that in spite of the fact that there have been cases of electoral malpractices, the people of India have exercised their right of franchise without fear or favour. That is why, change of Government has taken place not only at the Centre but the States also.

It is also heartening to note that even in

a State like Bihar, people came forward to resist booth capturing in some places. I believe if the people decide to resist, these electoral malpractices can be met to a substantial extent by the people themselves. But we must give them the support through the law and through administrative machinery. As I said, what type of support we can give through law and administrative machinery is a matter which is in our deep concern because unless we do it, the democratic process will be at strain.

SHRIMATI VIDYA CHENNUPATI: You must introduce photo system also.

SHRI DINESH GOSWAMI: I have answered that question earlier. We are examining that proposal also.

[*Translation*]

SHRI LALOO PRASAD: Mr. Speaker, Sir, during the Congress rule, a circular was issued in respect of Bihar that in case more than 80 per cent votes were polled at any booth, it will be construed as booth capturing. No such provision or mention is there in the Act. This circular was issued in 1984 by the then Government of Bihar to serve their own interests. I want to know whether it will be taken as booth capturing if more than 80 per cent polling is reported anywhere? There is no such provision in the Act in this regard. No circular can violate the provisions of the Rules. Since this circular is defective, will the hon. Minister withdraw it? If not, it should be provided in the law that in case more than 80 per cent polling is reported from a polling station, it would be construed as booth capturing and this provision should be made applicable to the entire country. They had acquired this weapon just to suit their interests. I would like to know as to what the Government intends to do in this regard?

[*English*]

SHRI MADHAVRAO SCINDIA: Sir, Gwalior is a city which is very rich in history and culture. It is also very well-known because of the personality of a gentleman by

the name of Madan Lal Dharati Pakar. This gentleman specialises in lighting all elections for the last 15 or 20 years. If I remember rightly, he has fought every Presidential election including that against Mr. Giri, Mr. Sanjiva Reddy, Mr. Giani Zail Singh and Mr. Venkataraman also. In the recent elections also, he filed his nomination papers, I believe against our leader, Mr. Rajiv Gandhi in Amethi, against Mr. V.P. Singh in Fatehpur and in Balia against Mr. Chandrasekhar and at various other places.

**SHRI KALKA DAS:** He contested against me also.

**SHRI MADHAVRAO SCINDIA:** He has also filed many times nomination papers against me also. As a matter of fact whenever I go on an election rally, he always welcomes me outside his house with a huge Mukut on his head and big Ghanta in his hand.

My question to the hon. Minister is, we are at present talking about booth capturing by the entry of unauthorised persons into the polling stations. All candidates are authorised to appoint their polling agents. The right of such non-serious candidates are sometimes misused. To ensure that authorised people entering into polling booths are prevented from committing malpractices and corrupt practices inside the polling booths, I would like to know through you from the hon. Minister whether he is considering measures that could be taken to prevent the entry of non-serious candidates into the electoral fray so that their misuse could be totally eliminated. The hon. Minister has been talking about legal and administrative measures. A suggestion I could give, for instance, is that in respect of any person who would like to contest the election, who does not belong to a recognised political party, may be some norms could be changed by which the proposers and seconders names should be much larger in number so that at least it is assured that there is some minimum support to that person. This sort of measure could be considered. I would like to have the Minister's comments on this as to how he is going

to prevent electoral malpractices which are conducted through numerous non-serious electoral competitors by the appointment of their authorised polling agents in the polling booths.

**SHRI DINESH GOSWAMI:** This question of non-serious candidates has been indeed a serious problem in the electoral process and in the 1988 Amendment, this issue was also debated and various suggestions also were made. But it is very difficult to tackle this situation and ultimately I have not been able to come across any proposal in which there is total agreement. For example, one of the suggestions was to increase the security deposit. But the counter-argument was given that in that case we will only put premium to people who can spend more money. I would definitely like to have suggestions from my hon. friends because when there are ballot papers by 165 to 200 candidates, it becomes extremely difficult for the Election Commission and, in some cases, it becomes a farce. Therefore, I would like to have suggestions and definitely this will be taken into account whether to increase the number because in the Presidential and in the Vice-Presidential elections, a different kind of procedure has now been adopted. *(Interruptions)*

*[Translation]*

**MR. SPEAKER:** Please take your seat. I understand that it is a very wide subject and you people are deeply interested in it. Now we have to end it here. You can express your views while speaking on President's Address. Now I am calling the next question, Shrimati Geeta Mukherjee...

*(Interruptions)*

*[English]*

**MR. SPEAKER:** I have called Shrimati Geeta Mukherjee to put the next question.

*(Interruptions)*

**MR. SPEAKER:** You should have some

respect for the lady member.

Shrimati Geeta Mukherjee, please put the question.

*(Interruptions)*

**Spurt In Prices of Essential Commodities**

\*4. SHRIMATI GEETA MUKHERJEE: Will the Minister of FINANCE be pleased to state:

(a) whether the attention of Government has been drawn to the spurt in the prices of essential commodities during the last few months;

(b) if so, the month-wise, details of the fluctuation in the prices of essential commodities during the current year; and

(c) the steps proposed to be taken by Government to control the prices?

THE MINISTER OF FINANCE (PROF. MADHU DANDEVATE): (a) to (c). A statement is given below.

**STATEMENT**

(a) and (b). The requisite information is given in the annexure below.

(c) The price situation is being given the highest priority by the government and the monitoring mechanism is being strengthened. The steps taken/proposed to be taken to control rise in prices include removing imbalances in the demand and supply of essential commodities, mopping up excess liquidity in the economy and vigorous enforcement of existing laws against hoarding and profiteering.