

House that I have been thinking whether it is advisable to have departmental catering in all the places when the railway is running in the red and we have been incurring huge losses in catering in the departmental side. Therefore, wherever we are making profits, I want to continue departmental catering and in places wherever we are having losses we would like to auction it and improve the finances of the railways.

If we have to improve the quality of food at a higher price, it can be experimented upon. We can have two or three classes of food. But I do not think it will be befitting our present policy when we have abolished one class of passengers to have two or three varieties of food.

SHRI S. M. BANERJEE: But what about variety? Now the Members of Parliament are charged Rs. 4.20. Could it not be Rs. 5.20?

श्री एल एन मिश्र : उनके लिये तो आसान है सबों के लिये आसान हो तब तो साढ़े पांच करूँ ।

अध्यक्ष महोदय : थोड़ा सा एक पैसा कम कर दीजिये या ज्यादा कर दीजिये ।

श्रीमती सहोबरा बाई राय : मुझे पन्द्रह साल का अनुभव है रेलवे की जो आप ने समिति बनाई है वह समिति तो कुछ देखती नहीं है । भोजन जो आता है वह बिल्कुल कंडम आता है जैसे तीन दिन का बना हुआ बासी भोजन हो और चाय जो मिलती है उसमें मालूम नहीं कुछ होता है या नहीं बिल्कुल पानी ही पानी होता है न शक्कर होती है न चाय होती है, तो क्या आप इसको देखेंगे और इस का उचित बन्दोबस्त करेंगे ?

श्री बूदा सिंह : हर कोशिश की जाती है कि जहां भी खाना पका दिया जाय वह गरम हो और नजदीक से नजदीक स्टेशन से लेकर दिया जाता है । फिर भी सफर में जैसा घर में खाना मिलता है वैसा तो मिल नहीं सकता । बाकी चाय की जो शिकायत है उसके बारे में सोच सकते हैं यदि माननीय सदस्य लिख कर दें ।

चुनाव कानून संबंधी संसदीय समिति की सिफारिशों का लागू किया जाना

* 203. श्री भाबाबराव सिधिया : क्या विशि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या चुनाव कानून संशोधन संबंधी संसदीय समिति की सिफारिशों को गुजरात तथा संसद के आगामी चुनाव होने तक लागू कर दिया जायेगा ; और

(ख) चुनावों के जिन पहलुओं का इन सिफारिशों में उल्लेख है उनके बारे में अगस्त से अक्टूबर, 1974 के बीच उच्चतम न्यायलय द्वारा दी गई राय संबंधी मुख्य बातें क्या हैं ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) The Report of the Joint Committee, placed on the Table of the Houses on the 13th March, 1972, was examined by Government and a Bill, namely, the Representation of the People (Amendment) Bill, 1973, to amend the Representation of the People Acts, 1950 and 1951, was introduced in the Lok Sabha on the 20th December, 1973, and is now pending consideration in that House. Implementation of the law, would come up after the Bill receives the approval of Parliament.

(b) Some of the important observations of the Supreme Court in the judgments rendered between August and October, 1974, generally relevant to the subject-matter of the Question *inter alia* relate to huge expenses incurred by candidates, political parties and others and also the evil of communalism which go to affect free and fair elections.

SHRI MADHAVRAO SCINDIA: Shri Gokhale was a member of the Joint Parliamentary Committee, as we all know, and the principal recommendation of the Joint Parliamentary Committee was the formation of an experts committee to go into the matter of the feasibility of List System or any other system of elections in this country. This was a unanimous recommendation. I repeat that Shri Gokhale was a member of this Joint Committee.

Yesterday, in the Rajya Sabha, Shri Gokhale categorically rejected the List System. I quote him—a rather meaningless sentence:

“Under the present system, this is the only way in which democracy functions not only in India but wherever a similar system is operating.”

If I may illustrate the point—no offence is meant to the Minister—it is like saying, “I am Hari Ram Chander because I was named Hari Ram Chander and all the Hari Ram Chanders call themselves so because they were named so.”

I do not understand the meaning of this sentence. It is not for Shri Gokhale to accept or reject it. It is for the experts Committee to go into it. I would like to know from the Government why the experts committee has not been set up and when the Government propose to set up the experts committee.

DR. SAROJINI MAHISHI: The Joint Committee made certain recommendations. But many of them were

not unanimous. There were dissenting voices also there. On the basis of the recommendations of the Joint Committee, a Bill was framed and it was introduced on the 20th December, 1973. The Bill is before the House...

SHRI MADHAVRAO SCINDIA: It was a unanimous recommendation.

DR. SAROJINI MAHISHI: There are many recommendations which were not unanimous. The Minister also assured that there will be some deliberations with the leaders of the Opposition regarding the electoral reforms. This may be considered at that time. But, as the House knows, the Bill which was introduced in 1973 was on the basis of recommendations made by the Joint Committee. The List System was also considered. Taken into consideration the colossal expenses incurred and also the social and economic conditions existing in our country today, it was not considered feasible at a certain stage. Of course, that does not mean that the deliberations may not include a discussion over this thing.

SHR MADHAVRAO SCINDIA: This was a unanimous recommendation. The Minister has not said that. Do I assume that whatever goes on in the Joint Committee is always wrongly recorded? The record shows that it was a unanimous recommendation. I did not ask the Minister whether the List System was feasible or not. That responsibility was given to the experts committee. It is for the experts committee to recommend or not to recommend. Why was the experts committee not set up?

DR. SAROJINI MAHISHI: This may be taken up at the time of deliberations with the leaders of the Opposition regarding electoral reforms.

SHRI INDRAJIT GUPTA: She is evading the question asked by the hon. Member. She is talking about the merits of the question. She is saying that it may be taken up at the time of

the deliberations with the leaders of the Opposition regarding electoral reforms. His question was as to why the experts committee was not set up.

DR. SAROJINI MAHISHI: The Joint Committee consisted of experts. It was appointed in 1971. After the dissolution of Lok Sabha, the Committee ceased to operate. After that, again, a similar Joint Committee was constituted. The constituted Committee consisted of experts from both the Houses. They studied the whole situation. If that is one of the recommendations, certainly, that can be taken up when electoral reforms are discussed with the leaders of the Opposition.

MR. SPEAKER: We are all experts on elections. Those who succeed are always experts.

SHRI MADHAVRAO SCINDIA: If I may seek your protection, I still have not received a reply to my question. Why was the experts committee not set up and when is it going to be set up. Surely, they are going to honour the Joint Committee's recommendation.

DR. SAROJINI MAHISHI: The experts committee as he means was not set up. The Joint Committee which consisted of also experts submitted the Report and the deliberations are going to take place with the leaders of the Opposition on electoral reforms.

SHRI MADHAVRAO SCINDIA: Another principal recommendation was the formation of the Election Commission from a single member body to a multi-member body. And from the Constitution of India it is quite clear that we do not have to amend any law to make it a multi-member body. Article 324(2) says:

"The Election Commission shall consist of the Chief Election Commissioner and such number of other Election Commissioners, if any, as the President may from time to time fix..."

Why has the Government not accepted at least this recommendation of the Joint Committee of Parliament? Is it

because Mr. Sen Varma opposed this when he was the Election Commissioner?

DR. SAROJINI MAHISHI: Earlier the Election Commission made certain recommendations. Later on, a Joint Committee was appointed of both the Houses. Again a similar Committee in 1972 submitted their report in 1972. A number of recommendations have been made by the Joint Committee and on the basis of this only, a Bill was introduced in the House on 20th December, 1973. What I mean is that certain recommendations have been put in the form of a Bill, and when the Bill comes up for discussion, these things can be taken up. The hon. Member is just picking up one or the other of the recommendations. There are a large number of recommendations and on the basis of those recommendations only, the Bill has been introduced.

SHRI JAGANNATHRAO JOSHI: She has not replied to his specific question as to why a multi-member body of the Election Commission is not formed.

MR. SPEAKER: Her reply was very clear.

Mr. Naik.

SHRI B. V. NAIK: More than once the hon. Minister has mentioned about electoral reforms. May I know from the hon. Minister whether the canard that is going on in this country regarding electoral reforms has been swallowed by the Government hook, nail and sinker and whether the Government does not think that the disorganized opposition needs to be given a sort of boost in its morale by changing over the party system as well as regulating and legislating, for that sake, the party system in this country so that it is put on a more organized basis? Are we not missing the wood for the trees? I want to know whether reform in regard to regulating the

party system also is not equally important as the electoral reforms. I hope the pith and substance of my question is understood.

SHRI K. LAKKAPPA: I could not understand him, Sir. As a member I have a right to understand the question of the hon. Member.

MR. SPEAKER: If the Member and the Minister understand each other, both of us do not come into the picture at all.

DR. SAROJINI MAHISHI: I have tried to understand what the hon. Member said. Electoral reforms is not a slogan. It is a matter which is very seriously being pursued and it has come in the form of a Bill which has been introduced in this House. Therefore, it is not that the Government has swallowed it, as he said, hook, nail and sinker. That is not the correct way of saying.

The electoral reforms are quite large in number. Some have been recommended by the Election Commission and some by the Joint Select Committee. All these have been taken into consideration by the Government while formulating the Bill which has been now placed before the House. Now, when the discussion stage comes, it may be accepted in the form it has been placed or with some changes. Therefore, finally that will emerge as consolidated electoral reforms which the House wants to incorporate.

SHRI B. V. NAIK: I submit she has not understood it.

SHRI K. LAKKAPPA: I appreciate the decision of the Government in bringing forward a comprehensive Bill to change the election laws.

I would like to know whether the reforms consist of revolutionary changes. We have observed for many

years that in the elections communal parties and fascist organizations in the name of political parties are operating in this country and scuttling the entire democratic system. Taking this fact into consideration

I would like to know whether any reforms have been incorporated in this Bill in order to see that such political parties are not permitted to participate in the elections by introducing communalism, fascism and reaction to scuttle the democratic set up.

DR. SAROJINI MAHISHI: Part (b) of the hon. Member's question deals with some of the observations made by the Supreme Court in this connection and the hon. Member must have come to know about these observations. All these evils of communalism and casteism are to be eradicated as early as possible. But the observations of the Supreme Court by themselves will not be able to do that job. It is for this House, for the country, for the people and for different organizations to have a continuous process of tackling these evils. Whatever reforms that are going to be introduced have been put into the body of the Bill which is before the House and the hon. Members can go through it and suggest changes also if they want to put some specific things. That can be considered when the Bill is taken up for discussion.

SHRI ERASMO DE SEQUEIRA: It is no secret to any of us that less than half the vote of the people of this country has produced more than two-thirds of the representation in this House. This in any language cannot be called representation.....

SHRI N. K. P. SALVE: It is a matter of opinion.

SHRI VASANT SATHE: That is all over the world, in any democracy.

SHRI ERASMO DE SEQUEIRA: In view of this, I wish to ask the Government whether any thought is being given to the evolution of a system where the wishes of the people through the ballot box are going to be closely represented in the composition of the legislature.

DR. SAROJINI MAHISHI: That is an opinion expressed by the hon. Member but the existing system of the simple majority has been considered to be quite effective in electing the proper candidates to the representative body.

SHRIMATI T. LAKSHMIKANTHAMMA: I want to know whether the Select Committee has recommended the lowering of the age limit to 18 for voting and whether the Government will consider it.

SHRI S. M. BANERJEE: How do you know my question?

DR. SAROJINI MAHISHI: As I told you, there are many recommendations and the Government did take into consideration most of the recommendations and only on the basis of that, brought forward the Bill before the House.

श्री जगन्नाथ राव जोशी : मैं स्पष्ट रूप से जानना चाहता हूँ कि क्या संयुक्त समिति ने सूची पद्धति के बारे में विशेषज्ञों की राय जानने के लिये यह मामला उनबे सुपुर्द करने का निर्णय किया था, यदि हाँ, तो सरकार ने उस पर विचार किया है और किया है तो वह किस निर्णय पर पहुँचा है ।

डा० सरोजनी महिषी : इसका जवाब दे दिया गया है ।

SHRI JAGANNATHRAO JOSHI: I asked whether it was the recommendation of the Select Committee to hand it over to a body of experts—I wanted to know yes or no.

DR. SAROJINI MAHISHI: The same question was asked. The Joint Committee itself consisted of experts and another expert committee has not been formed—I have made it very clear.

SHRI JAGANNATHRAO JOSHI: Whether it was the recommendation of the Joint Committee or not, that was what I asked. I am putting a specific question.

अध्यक्ष महोदय : इतना क्यों झगड़ते हैं । यही रीजन है कि बैचलर हैं ।

श्री एस० एम० बनर्जी : दोनों हैं ।

DR. SAROJINI MAHISHI: The Committee consisted of experts and if this question is to be taken up that can be taken up at the time of discussion of the subject, when this Bill comes up for discussion and at the time of deliberation by the leaders of the opposition.

SHRI M. RAM GOPAL REDDY: I want to know whether with the minority, both the individual members and parties are getting elected to the Lok Sabha and Assemblies, and to avoid this whether Government contemplates reducing opposition parties to one or two so that parties which do not get 15 or 10 seats to Assemblies or Parliament are not recognised; are you going to de-recognise them?

DR. SAROJINI MAHISHI: It is a matter of opinion.

SHRI KRISHNA CHANDRA HALDER: At the time of amending election laws, is the Government going to amend it in such a manner that a proportional representation would be provided for in the amendment?

MR. SPEAKER: This question has already been put. Two Members have already asked and she has given the reply. I think we can go to the next question now.