

shortage and wastage involved in storage and transportation. May I draw the attention of the hon. Minister to the recent study of the Reserve Bank which indicates that in India the total amount of shortage and also the wastage in transportation and storage is to the extent of 7.2 million tonnes? May I know in what manner the Government of India propose to improve on this situation so that the total availability of foodgrains may improve and the shortage reduced on account of wastage?

SHRI JAGJIWAN RAM: This is a perpetual question. I would like to inform the House, specially those who have any idea of rural India, that foodgrain is produced by millions of farmers.

SHRI D. N. PATODIA: That is everywhere in the world.

SHRI JAGJIWAN RAM: I think, anybody who has any idea of rural India will agree with me that there is a large-scale wastage in storage in the farmer's house. There is no dispute about that; that is known. Therefore, unless we provide on a large scale containers to the farmers where they can store their foodgrains, these wastages will take place. So far as the Government godowns and the new warehouses are concerned, they have been constructed properly for storing foodgrains. But still there are some godowns where wastages take place on account of rats and insects and we are taking steps to improve them. Unless we are in a position to provide a large number of containers, small and big, in the rural areas, these wastages cannot be completely eliminated. I have a scheme to manufacture a large number of silos and containers and provide them to farmers so that the wastage can be avoided.

ELECTORAL REFORMS

*753. SHRI R. K. AMIN: Will the Minister of LAW be pleased to state:

(a) whether there is any proposal to make electoral reforms for the next General Elections; and

(b) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW (SHRI M. YUNUS SALEEM): (a) and (b). The Election Commission is considering the question of changes and reforms in the laws of elections to Parliament and the State Legislatures and to the offices of President and Vice-President; the details, however, will be worked out only after Part I (the narrative part) of the Report of the Election Commission on the Fourth General Elections is finalised.

SHRI R. K. AMIN: May I know from the hon. Minister whether he will ask the Election Commission to prepare such electoral reforms as to remove these defects, namely, by getting only 38% of the votes the Government gets more than 50% of the seats in the Lok Sabha; when the Government remains in power, the power is abused at the time of elections; and when elections take place at the same time for Assemblies as well as for Parliament, the considerations which are different at the State level as well as the national level are mixed up and people get confused while electing the representatives. These are the three defects. How can these be removed?

THE MINISTER OF LAW (SHRI GOVINDA MENON): One of the questions is whether a new system of representation can be introduced in India; the second question is whether the elections to the State Assemblies and the Parliament can be held on different occasions. All that....

SHRI R. K. AMIN: Abuse of power also.

SHRI GOVINDA MENON: All that I can say is that there is no such proposal.

SHRI R. K. AMIN: Does he propose to remove the abuse of power at the time of elections? As you know, Sir, no less a person than Acharya Kripalani has complained time and again about the way in which powers are abused, particularly those who are in power abuse the power at the time of elections. What does he propose to do to remove that?

SHRI GOVINDA MENON : I do not concede that use of power can affect the process of election. The provisions in the Representation of the People Act are so elaborate in this respect that by and far pure elections are taking place.

SHIMATI SUSHILA ROHATGI : Seeing that the defections and floor-crossings have sometimes changed the results which were achieved in General Elections, does the Government propose to introduce reforms in the Representation of the People Act so that it becomes absolutely necessary for those who cross the floor to re-seek the mandate of the electorate again ?

SHRI GOVINDA MENON : I hope, the hon. Member is aware that recently the Lok Sabha passed a Resolution requesting the Government to set up a Committee to look into this matter. That Committee will be set up. Before that, I can say nothing.

श्री गुलाम मुहम्मद बरशी : मैं आनरेबल मिनिस्टर से जानना चाहता हूँ, उन्होंने अभी कहा कि गवर्नमेंट इन पावर एलेक्शंस के साथ कोई इंटरफेयर नहीं कर सकती है और न ही अपनी एथारिटी को अड्रूज़ कर सकती है। यह ठीक है, होना भी ऐसा चाहिए। उसके लिए पीपुल्स रैप्रेजेंटेशन ऐक्ट मौजूद है। लेकिन जम्मू और काश्मीर में 140 नामिनेशन पेपर्स रिजेक्ट हुए और तमाम के तमाम जो भी रिजेक्ट करने वाले थे, वह गवर्नमेंट आफ जम्मू और काश्मीर के नौकर थे। उसके बाद हमने प्रश्न उठाया। एलेक्शन कमिश्नर खुद वहां गए। एलेक्शन कमिश्नर ने भी माना कि दिस इज ए सीरिअस थिंग, 140 नामिनेशन पेपर्स आफ अपोजीशन हैव बीन रिजेक्टेड। उसके बाद क्या होता है कि 26 अनकन्टेस्टेड सीट्स रूलिंग पार्टी को मिल गईं बिकाज आफ दोज रिऐक्शंस और पार्लियामेंट में भी एक नहीं, दो नहीं, तीन मेम्बर उनके आ गए। यह वहां की पोजीशन हुई। यह जो कुछ हुआ वह पार्टी इन पावर ने किया। तो उसके बारे में

आपने क्या सोचा है? इस वक्त तक जम्मू एंड काश्मीर का जहां तक ताल्लुक है कोई रेमेडी नहीं मिली है लेकिन आपने इसके बारे में सोचा क्या है?

[میں آنریبل منسٹر سے جاننا چاہتا ہوں انہوں نے ابھی کہا کہ گورنمنٹ ان پاور ایلیکشن کے ساتھ کوئی انٹرفیر نہیں کرتی ہے۔ اور نہ ہی اپنی ایٹھارٹی کو ایوز کر سکتی ہے۔ یہ ٹھیک ہے۔ ہونا بھی ایسا چاہئے۔ اس کے لئے پیپلس ریپریزینٹیشن ایکٹ موجود ہے۔ لیکن جموں اور کشمیر میں 140 نامینیشن پیپرس ریجیکٹ ہوئے اور تمام کے تمام جو بھی ریجیکٹ کرنے والے تھے وہ گورنمنٹ آف جموں اینڈ کشمیر کے نوکر تھے۔ اس کے بعد ہم نے پرنس اٹھایا۔ ایلیکشن کمشنر خود وہاں گئے۔ ایلیکشن کمشنر نے بھی مانا کہ

This is a serious thing, 140 nomination papers of opposition have been rejected. Because of these rejections.

اس کے بعد کیا ہوتا ہے کہ 26 ان کنٹیسٹیڈ سیٹیں رولگ پارٹی کو مل گئی اور پارلیامینٹ میں بھی ایک نہیں دو نہیں تین میمبر ان کے آگئے یہ وہاں کی پوجیشن ہوئی۔ یہ جو کچھ ہوا وہ پارٹی ان پاور نے کیا۔ تو اس کے بارے میں آپ نے کیا سوچا ہے۔ اس وقت تک جموں اینڈ کشمیر کا جہاں تعلق ہے۔ کوئی ریویڈی نہیں ملی ہے لیکن آپ نے اس کے بارے میں سوچا کیا ہے۔]

SHRI GOVINDA MENON : Except from Jammu & Kashmir, no allegations regarding misconduct on the part of the Returning Officers have been received....

SHRI JYOTIRMOY BASU : Also Tripura.

SHRI GOVINDA MENON : Now an improper rejection of a nomination paper has been held to be a ground for setting aside an election and the remedy in such cases is to move the High Court to set aside the election. All the election petitions in this respect are now pending in the High Court of Jammu & Kashmir.

श्री भोलानाथ : अध्यक्ष महोदय, असेम्बलियों के रिजल्ट का असर पार्लियामेंट के चुनाव पर पड़ता है और पंचायतों की वजह से असेम्बलियों के चुनाव पर असर आता है। इसलिये क्या मंत्री महोदय, इस पर विचार करेंगे कि इनके चुनाव इस प्रकार कराये जाने चाहियें जिनसे पंचायतों का असर असेम्बलियों पर न पड़े और असेम्बलियों का असर लोक सभा पर न पड़े। लोक सभा पर असर पड़ने का नतीजा यह होता है कि देश की राजनीति पर असर पड़ता है। इस लिए लोक सभा का ऐलक्शन अलग कराने पर विचार करेंगे ?

SHRI GULAM MOHAMMAD BAK-SHI : My point has not been made clear...

MR. SPEAKER : It has already been cleared. Now he is answering a question put by Mr. Bohla Nath.

SHRI GOVINDA MENON : The Panchayat elections are entirely the responsibility of State Governments. Elections to Assemblies and to Parliament are conducted under the responsibility of the Election Commission which is a Central body. I do not think there is need for any arrangement under which these elections are held separately.

SHRI GULAM MOHAMMAD BAK-SHI : He has not made the point clear. Whatever I have asked him, he has not said anything about that. We

know the remedy. The High Court is there, but as far as Jammu & Kashmir is concerned, the High Court has start functioning after 9 months. It may go right upto the next elections. They have on hand 60 election petitions.

MR. SPEAKER : He has answered the question. What do you want? This is not a debate.

SHRI GULAM MOHAMMAD BAK-SHI : He is talking about remedies. My question is ...

MR. SPEAKER : You wanted the remedy. He has suggested that. What else can I do?

SHRI GULAM MOHAMMAD BAK-SHI : Please give me time to explain.

MR. SPEAKER : But it is not a debate.

SHRI GULAM MOHAMMAD BAK-SHI : The hon. Minister knows that by giving the States authority to print ballot papers, six lakhs ballot papers were printed in that State. I have produced them before the Prime Minister and everybody. What are you going to do about that?

SHRI GOVINDA MENON : When the elections were conducted probably the conduct of the elections in Jammu & Kashmir was done by the State authorities. Now the Election Commission of India has taken up the responsibility of conducting the elections in Jammu & Kashmir also. Regarding the...

SHRI INDER J. MALHOTRA : No, No. The elections took place under the authority of the Central Election Commission.

SHRI GULAM MOHAMMAD BAK-SHI : 1962 elections were held under the Central Election Commission and 1967 elections also were held under the Central Election Commission. It will be a new thing...

MR. SPEAKER : It is a serious matter, I agree, but during question time Kashmir election problem cannot be solved. I agree with you that

that is a serious matter, but I do not think during a supplementary question it can be solved.

SHRI GULAM MOHAMMAD BAK-SHI : Whatever has happened, has happened....

MR. SPEAKER : But this is question hour. Mr. Kundu.

SHRI S. KUNDU : I would like to know from the hon. Minister about the position regarding the limit placed in the People's Representation Act about the expenditure at the time of elections by the candidates. That limit generally always is crossed by many of the affluent candidates. Now, is the hon. Minister thinking of bringing forward any stringent provision in the People's Representation Act so that anybody who crosses that limit will be caught and penalised?

Secondly, the Fourth General Elections have shown that people have voted in larger numbers in the polls and the present restriction that elections would take place once in five years makes it too long a period. Is the hon. Minister thinking of suggesting changes in the Constitution to limit this election time to 4 years instead of 5 years?

SHRI GOVINDA MENON : Regarding that matter of reducing the period of our legislatures from five to four years, this was discussed in the Constituent Assembly, as you know, Sir, and it was settled that five years would be the proper period of a legislature in India. There is no proposal with the Government to effect a change in that by amending the Constitution.

Regarding the expenditure in elections it is well known that many candidates oversteps the limits. I shall be very happy to receive constructive suggestions as to how this can be checked.

SHRI KARTIK ORAON : The basis of all elections, whether they be Assembly or Parliament elections, is the election to the panchayats. It has

been observed that in many cases where Assembly and Parliament seats are reserved for Scheduled Castes and Scheduled Tribes, the nominations of scheduled castes and tribes are rejected by some sort of circumventive designs. May I know whether the hon. Minister considers it expedient to find out ways and means to ensure the reservation of all the panchayat seats for scheduled castes and tribes, for the Assembly and Parliament seats?

SHRI GOVINDA MENON : That is not a matter for the Central Government.

श्री महाराज सिंह चारती : गरीब लोगों के वोट हासिल करने के लिए जिस तरीके से रुपये का सहारा अभी लेते हैं और हमने उस को नाजायज़ करार दिया है ठीक उस तरीके से श्रीमन्, जिन लोगों की लाठी में तारकत है वह गरीब आदमियों के वोट पड़ने नहीं देते हैं और जो पुलिस मौजूद होती है जब उसमें कहा जाता है तो वह कहती है कि जहां पर पोलिंग हो रही है वहां पर झगड़े आदि के लिए तो हम जिम्मेदार हैं लेकिन घर के ऊपर गरीब लोगों को जो लाठियों से रोक लिया जाता है उसके लिए हम जिम्मेदार नहीं हैं और मैं बतलाना चाहता हूं कि मेरठ जिले में एक ऐसी सीट है कि जब से हिन्दुस्तान आज़ाद हुआ है आज तक वहां के लोगों ने यह नहीं जाना कि वोट कैसा होता है और वह तड़पते हैं उम वोटिंग के लिए। लेकिन चूंकि एक बहुत बड़े आदमी की यह सीट है इसलिए वह लाठी के जरिए वोट नहीं पड़ने देता। एक कम्प्यूनिटी के जोकि 40 परसेंट वहां पर बसी हुई है तो मैं जानना चाहता हूं कि जहां हम नई तबदीली करने जा रहे हैं तो क्या उसमें कोई ऐसी व्यवस्था भी होगी कि गरीब आदमियों को लाठी के जरिए वोट डालने से बंचित न किया जा सके।

SHRI GOVINDA MENON : Bribery has been defined as a major corrupt practice under the election law, and one single instance of bribery by or at

the instance of the returned candidate would be sufficient to set aside the election.

SHRI SHRI CHAND GOEL : This is not because of bribery.

SHRI GOVINDA MENON : Payment to a voter in order to influence the exercise of his vote is a case of bribery. That was the first issue raised by the hon. Member. The second is forcible prevention of poor voters from going and voting. This is a matter for the police and the State Governments to look into. Perhaps, there may be certain places where this has happened. I am not aware of it. Even in that matter, I would like to get any constructive suggestions which hon. Members may be in a position to give and they will be considered.

श्री महाराज सिंह भारती : उसको भी आप करप्ट प्रैक्टिस बनाइये ।

SOME HON. MEMBERS : Rose—

MR. SPEAKER : Today, we have spent about 50 minutes on only three questions. I do not mind if hon. Members want to spend another ten minutes on this question, but that is not going to solve the problem of checking the election irregularities. I do not mind if hon. Members want to spend some more time on this. Now, let Shri Sheo Narain ask an important question.

श्री मोलहू प्रसाद : अध्यक्ष महोदय, खाद्य समस्या पर किसी न किसी रूप में हाउस में रोज ही बहस होती है लेकिन तो भी यह खाद्य समस्या हल नहीं हो रही है तो यह एक बेकार में दुकान लगी हुई है

MR. SPEAKER : No hon. Member has been allowed to put a second supplementary question. Would hon. Member point out the case of any Member who has been allowed to put a second supplementary question? I give only one chance to any Member to put a supplementary question. If any hon. Member did not get a chance that only shows that so many people are getting up and everybody gets

chance to ask one supplementary question only. I have not called anybody for a second time to put a supplementary question. So, no Member should complain that he has not got a chance to ask second supplementary question. Even the top leaders of groups have not got a chance to ask a second supplementary question.

SHRI HARDAYAL DEVGUN : But Shri Sheo Narain gets many chances.

MR. SPEAKER : No, he is putting his first supplementary question today.

श्री शिव नारायण : अध्यक्ष महोदय, मैं सरकार से यह जानना चाहता हूँ कि बोगस बोट न पड़ें उस के लिए क्या गवर्नमेंट आइडेंटिटी कार्ड्स इश्यू करने को तैयार है ?

(ख) जो वोटर गांव में रोके जाते हैं उन के लिए सरकार क्या प्रबन्ध करेगी, और

(ग) जो 140 के करीब काश्मीर में इनवैलिड कर दिए गए

श्री इन्द्रजीत महहोत्रा : कहां इनवैलिड कर दिए गए ? काश्मीर की बात मत करो, यू.पी० की बात करो ।

श्री शिव नारायण : अच्छा, मैं इस को छोड़ता हूँ (ब्यवधान) काश्मीर में जो बोगसपना हुआ, इतने रिजेक्ट हुए बह डेमोक्रेसी के खिलाफ है या नहीं ? यह मैं जानना चाहता हूँ । और हमारे लायक दोस्त मेरठ के जो हैं, उन्होंने एक सवाल उठाया, बड़ा जेनुइन सवाल है, मैं सरकार से जानना चाहता हूँ इसकी रुकावट के लिए क्या विचार किया है ?

SHRI GOVINDA MENON : As I said, this complain regarding large-scale prevention of certain classes of voters from coming to the polling booths to exercise their franchise has come from a few places. By and large, no such thing is possible in India today; the people have become so enlightened that that is not possible. But where such things take place, that will be a ground for setting aside the

election. Secondly, this is a matter in which the Central Government can do nothing. The State Government must be on the alert.

Regarding identity cards, that question has not been considered. There would be about 25 crores of voters in India and I am not sure whether a scheme to supply identity cards to every voter will be practicable I am however not ruling it out.

SHRI J. B. KRIPALANI: May I suggest that in India there are only problems and no solutions?

श्री बलराज मधोक : क्या माननीय मंत्री का ध्यान एक अन्य केन्द्रीय मंत्री श्री अशोक मेहता का जो बयान आया है उसकी तरफ गया है जिसमें उन्होंने कहा है कि प्रदेशों में पार्लियामेंट्री फार्म आफ गवर्नमेंट की जगह प्रेसीडेंशियल फार्म आफ गवर्नमेंट कायम की जाय ताकि पार्टियों के फ्रैगमेंटेशन को रोका जा सके क्या इस तरह का सुझाव माननीय मंत्री जी के नोटिस में आया है ? यदि आया है तो उसके बारे में उनकी प्रतिक्रिया क्या है और दूसरे जो लोग चुने जाते हैं असेम्बलीज में या पार्लियामेंट में उन कैंडीडेट्स की भी कोई क्वालिफिकेशन निश्चित करने वाले हैं ?

SHRI GOVINDA MENON: I am not sure whether that arises out of this question. I myself read about that statement of Shri Asoka Metha. That is a question which can be considered not during this question here but elsewhere.

SHRI BAL RAJ MADHOK: It is a reform of the system.

SHRI THIRUMALA RAO: In view of the fact that there has been considerable public discussion among MPs and among the public with regard to the filing of election expenses by candidates, that they are whenever true, are Government considering completely removing the upper limit of election expenses for Assembly and Parliamentary seats?

SHRI GOVINDA MENON: That is one way of doing it, but it has not been considered.

श्री मुहम्मद इस्माइल : मैं यह पूछना चाहता हूँ कि जो पुलिस और मिलिटरी के वोट रेकार्ड करने का तरीका है इसमें जहाँ तक मेरा एक्सपीरिंस है वह यह है कि उसमें आफिसर लोग इंटरवीन करते हैं जिस की वजह से फ्री वोट देने में पुलिस और मिलिटरी के लोगों को डिफिकल्टी होती है। तो क्या इसमें कोई चेंज लाने के लिए वह सोच रहे हैं क्योंकि मेरा एक्सपीरिंस है, मेरी कांस्ट्रूयेंसी में पुलिस की बैरक है, वहाँ पर हमें एलाऊ नहीं किया गया और वहाँ आफिसर्स जो हैं उन्होंने ही तमान उन को एक्सप्लेन कर दिया और उन के सामने वोट दिया गया उसको कहते हैं कि वह सीक्रेट है। तो वहाँ आफिसर्स के इन्फ्लूंस के अंडर में सब कुछ होता है। इस लिए इसमें कोई चेंज लाने के लिए मंत्री महोदय कुछ सोच रहे हैं या नहीं, यह मैं पूछना चाहता हूँ।

SHRI GOVINDA MENON: Postal votes in any election form only a very negligible fraction of the total number of votes polled. I have received no complaint whatsoever regarding the absence of secrecy in the matter of postal voting by the military and police personnel.

SHRI INDERJIT GUPTA: On a point of order. That was not his question. Perhaps he did not understand it. His question is that the candidate is not permitted to approach those voters. Voting in the time of postal ballot may be secret or not, but is the law going to allow specifically the candidate to approach these police personnel and military personnel who are our voters? We are not allowed to go near them.

SHRI GOVINDA MENON: There is no prohibition in the law.

SHRI INDERJIT GUPTA: There is prohibition, we are not allowed.

श्री शशिभूषण बाजपेयी : मैं यह जानना चाहता हूँ कि धर्म के नाम पर, सम्प्रदाय के नाम पर और गाय के नाम पर लोगों को बहका कर जो वोट लिए जाते हैं उनको रोकने के लिए आप क्या कर रहे हैं ?

श्री अटल बिहारी बाजपेयी : बैलों के नाम पर यह वोट ले सकते हैं।

श्री श्रीचंद गोयल : अध्यक्ष महोदय, मैं मंत्री महोदय से...

श्री शिव चरण लाल : अध्यक्ष महोदय, आप हमें सवाल पूछने का मौका नहीं देंगे ? मैं कितनी बार से उठ रहा हूँ।...

अध्यक्ष महोदय : आप भी उठ रहे हैं, सब लोग उठ रहे हैं। एक एक आदमी को मैं बुला सकता हूँ। सब लोग उठते हैं न ? आप अकेले ही नहीं उठ रहे हैं। तो मैं क्या करूँ ?

श्री श्रीचंद गोयल : मैं दो बातें जानना चाहूँगा। जब एक माननीय सदस्य ने यह पूछा कि कुछ मतदाताओं को जबर्दस्ती रोका जाता है ताकि वह अपना मतदान न कर सकें तो मंत्री महोदय ने उसके उत्तर में कहा कि जो रिश्तत देने वाले लोग हैं वह करप्ट प्रैक्टिस में आते हैं, वह करप्ट प्रैक्टिस है लेकिन जहाँ तक क्रिमिनल इंटीमिडेशन का ताल्लुक है वह करप्ट प्रैक्टिस नहीं है तो वह इस बुराई को रोकने के लिये क्रिमिनल इंटीमिडेशन को करप्ट प्रैक्टिस की धारा में शामिल करने के लिए तैयार हैं ? दूसरे, कुछ हाई कोर्ट्स के फैसले आये हैं कि जो धनवान अपने रिश्तेदारों या दोस्तों के जरिए धन का इस्तेमाल करते हैं उसके ऊपर कोई मर्यादा नहीं है, कोई पाबन्दी नहीं है, तो हाईकोर्ट ने कहा कि यह अपील पार्लियामेंट में होनी चाहिए न कि हाईकोर्ट में, तो क्या वह इस में भी कोई तब्दीली करना चाहते हैं कि जो धनवान प्रत्याशी अपने रिश्तेदारों या मित्रों के धन

से एलेक्शन जीतते हैं उन पर रोक लगे या वह भी खर्च रिटर्न में शामिल करना पड़े ?

SHRI GOVINDA MENON : Forcible prevention of any group of voters from coming and exercising their franchise is a breach of the law, and if that has happened and affected the result of the election the election will be set aside.

श्री शिवचरण लाल : मंत्री महोदय कुछ ऐसी भी व्यवस्था करेंगे जिसमें मुझ जैसे आदमी जो 200, 300 रुपये की साइकिल से चला करते हैं और ऐसे भी चुनाव लड़ने वाले व्यक्ति हैं जो सरकारी कार और जीपों का प्रयोग करते हैं और लाखों रुपया खर्च करते हैं, तो इस पर भी कोई प्रतिबन्ध आप लगाने जा रहे हैं कि सरकारी जीपों व कारों का इस्तेमाल नहो और पैसे की भी कोई सीमा निर्धारित की जाय और बैलों के नाम पर जो यह वोट मांग-मांग कर किसी व्यक्ति विशेष के हाथ मजबूत करने के लिए षडयंत्र रचा जाता है, उस पर भी कोई प्रतिबन्ध लगाने जा रहे हैं ?

SHRI GOVINDA MENON : Use of Government vehicles for election purposes is an offence. Even today, under the law it is an offence.

SHRI S. S. KOTHARI : Election petitions have been filed rather lightly and it causes great harassment.... (Interruptions).

श्री रामावतार शास्त्री : **

MR. SPEAKER : Nobody will get a second opportunity. (Interruptions). Order, order. Nothing will be taken down.

SHRI RAMAVATAR SHASTRI : rose**

MR. SPEAKER : Order, order. Nothing will be taken down. Please sit down.