

LOK SABHA

**THE REPRESENTATION OF THE PEOPLE
(AMENDMENT) BILL, 1966**

Report of the Joint Committee

(Presented on the 1st November, 1966)



**LOK SABHA SECRETARIAT
NEW DELHI**

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**JOINT COMMITTEE ON THE REPRESENTATION OF THE
PEOPLE (AMENDMENT) BILL, 1966**

Composition of the Committee

Shri S. V. Krishnamoorthy Rao—Chairman.

MEMBERS

Lok Sabha

2. Shri Bhagwat Jha Azad
3. Shri N. C. Chatterjee
4. Shri Homi F. Daji
5. Shri N. Dandekar
6. Shri Shree Narayan Das
7. Shri A. K. Gopalan
8. Shri Hari Vishnu Kamath
9. H.H. Maharaja Karni Singhji of Bikaner
10. Shri Madhu Limaye
11. Shri Ghanshyamlal Oza
12. Shri Vishwa Nath Pandey
13. Shri C. R. Pattabhi Raman
14. Chowdhary Ram Sewak
15. Shri Shivram Rango Rane
16. Shri H. C. Linga Reddy
17. Shrimati Yashoda Reddy
18. Shri Sham Lal Saraf
19. Shri Era Sezhiyan
20. Shri T. H. Sonavane
21. Shri U. M. Trivedi
22. Shri Tula Ram
23. Shri Amar Nath Vidyalankar
24. Shri Radhe Lal Vyas

Rajya Sabha

25. Shri Chandra Shekhar
26. Shri R. S. Khandekar
27. Shri Chitta Baqu

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28. Shri S. S. Mariswamy
29. Shri Jagannath Prasad Pahadia
30. Shri R. T. Parthasarathy
31. Shri K. V. Raghunatha Reddy
32. Shri Biren Roy
33. Shri A. K. A. Abdul Samad
34. Shri Shraddhakar Supakar
35. Shrimati Tara R. Sathe
36. Shri G. S. Pathak

REPRESENTATIVES OF THE MINISTRY OF LAW

1. Shri S. P. Sen Varma, *Secretary, Legislative Department.*
2. Shri A. K. Srinivasamurthy, *Deputy Legislative Counsel.*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

REPORT OF THE JOINT COMMITTEE

1. The Chairman of the Joint Committee to which the Bill* further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951 was referred, having been authorised to submit the Report on their behalf, present their Report, with the Bill as amended by the Committee, annexed thereto.

2. The Bill was introduced in Lok Sabha on the 29th August, 1966. The motion for reference of the Bill to a Joint Committee of the Houses was moved in Lok Sabha by Shri G. S. Pathak, the Minister of Law, on the 1st September, 1966, and was discussed on the 1st, 2nd and 3rd September, 1966, and adopted on the 3rd September, 1966 (Appendix I).

3. Rajya Sabha discussed the motion on the 6th and 7th September, 1966 and concurred in the said motion on the 7th September, 1966 (Appendix II).

4. The message from Rajya Sabha was reported to Lok Sabha on the 7th September, 1966.

5. The Committee held seven sittings in all.

6. The Committee considered the Bill clause by clause at their first to sixth sittings held on the 10th to 14th and 17th October, 1966, respectively.

7. The Committee considered and adopted the Report on the 31st October, 1966.

8. The observations of the Committee with regard to the principal changes proposed in the Bill are detailed in succeeding paragraphs.

9. *Clause 4.*—The word “full” has been omitted from sub-section (1) of proposed section 8 of the 1950-Act, as it is redundant.

10. *Clause 9.*—The Committee feel that the electoral rolls should be revised, unless otherwise directed by the Election Commission for reasons to be recorded in writing, before each General Election and before each bye-election to Lok Sabha or a State Legislative Assembly.

Proposed sub-section (2) of section 21 of the 1950-Act has been amended accordingly.

*Published in the Gazette of India, Extraordinary, Part II, Section 2, dated the 20th August, 1966.

11. *Cluses 13 and 14.*—Consequent on the orders of the Delimitation Commission under the provisions of the Delimitation Commission Act, 1962, or under the provisions of the Government of the Union Territories Act, 1963, and the enactment of the Punjab Re-organisation Act, 1966, the First and Second Schedules to the 1950-Act have been substituted by Schedules which respectively indicate the allocation of seats in the House of the People and the total number of seats in the Legislative Assemblies, as on the 1st November, 1966 and subsequent thereto.

12. *Clause 20.*—The Committee consider that an opportunity of being heard should be given to the person before the Election Commission issues a certificate to the effect that the said person has been dismissed for corruption or disloyalty to the State for the purposes of sub-section (1) of proposed section 9 of the 1951-Act.

Sub-section (2) of proposed section 9 has been amended accordingly.

The Committee are also of the opinion that a person should incur disqualification when a contract with the appropriate Government etc., though entered in the name of other persons is actually for his benefit. The Committee also feel that contracts not only with the appropriate Government but also with companies or corporations in the capital of which the appropriate Government has 25 per cent or more share should disqualify a person. Likewise, the Committee also feel that not only contracts for the supply of goods to or execution of works but also contracts for performance of services undertaken by the appropriate Government should disqualify a person. As it is doubtful whether supply of goods will also include supply of animals, the word "animals" has also been added.

Proposed section 9A has been redrafted accordingly. The Committee have also omitted the word 'director' in the proposed section 10 of the 1951-Act, as it was not the intention to disqualify a director of a company in the capital of which the appropriate Government held share of 25 per cent or more, unless he is specifically disqualified under a particular law.

13. *Clause 27.*—The Committee feel that there should be no change in the period between the last date for the withdrawal of candidatures and the commencement of the poll; accordingly, sub-clause (c) of the clause has been omitted and sub-clause (d) has been re-lettered as sub-clause (c).

14. *Clause 34.*—The amendment made in the clause is of a drafting nature to make the intention clear.

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15. *Clause 38.*—The Committee are of the opinion that a High Court may, in the interests of justice or convenience, try an election petition, wholly or partly, at a place other than the seat of the High Court.

A new sub-section (3) has accordingly been added after sub-section (2) of the proposed section 80A of the 1951-Act.

16. *Clause 54.*—The Committee consider that the period of ban on holding election meetings should be reduced from forty-eight hours to forty-two hours ending with the hour fixed for the conclusion of the poll.

Proposed sub-section (1) of section 126 of the 1951-Act has been amended accordingly.

17. *Clause 57.*—The Committee feel that an offence under section 133 of the 1951-Act for illegal hiring or procuring of conveyances at elections should not be made a cognizable offence as it might result in unnecessary harassment of candidates.

Clause 57 has been redrafted omitting proposed sub-section (2) of section 133 of the 1951-Act.

18. *Clause 59.*—The Committee are of the view that there should be some stricter punishment for the Government servants for acting as election agent, polling agent or counting agent of a candidate at an election.

Proposed section 134A of the 1951-Act has, therefore, been amended to provide for punishment not only with fine but also with imprisonment for a term which may extend to three months or with both.

19. *Clause 62.*—An amendment has been made in clause 62 for retaining Chapter IV of Part VIII of the 1951-Act relating to the powers of Election Commission in connection with inquiries as to disqualification of members.

20. Consequential changes have been made in clauses 2, 4, 55 and 58 by suitably amending sub-section (5) of proposed section 3 and sub-section (3) of proposed section 7 of the 1950-Act and sections 129 and 134 of the 1951-Act, respectively.

21. The Committee recommend that the Bill as amended be passed.

S. V. KRISHNAMOORTHY RAO,
Chairman,
Joint Committee.

NEW DELHI;
The 31st October, 1966.

MINUTES OF DISSENT

1

The Bill has been brought forward, as stated in the Statement of Objects and Reasons, to give effect to some of the recommendations of the Report on the Third General Elections in India in the year 1962. But a thorough and comprehensive amendment of the 1951 Act is necessary in order to plug the loopholes which facilitate the corrupt practices in the election. The Bill, therefore, at the first instance, does not meet that much-felt need.

2. The Bill does not seek to so re-define and codify the corrupt practices in the light of experiences of past elections as to include all forms of corrupt practices allegedly indulged in by many candidates to win the election. The Bill further does not seek to put adequate curbs on the ever-increasing expenses for the election which preclude any scope of free and fair election. This trend, if not adequately combated, would ultimately turn the election into a mockery. This Bill, viewed in this background, is disappointing to a very large extent. The Bill, on the other hand, seeks to disqualify any person who has been sentenced to two years of imprisonment by any court of Law in India, for contesting in any election. In the context of increasing tendencies of the Government to resort to more and more undemocratic legislative measures to suppress the fast growing democratic movements in the country, this provision is likely to debar many political and Trade Union leaders from contesting in the elections in days to come.

3. This does not certainly augur well with a country which wants to strengthen the base of democracy.

Hence this note of dissent.

NEW DELHI;
The 31st October, 1965.

CHITTA BASU.

II

I feel that the Bill under consideration, though some of the amendments there are in the right direction, does not on the whole go far. It touches only the fringe of the problem, whereas the malady is deeper.

2. In a democracy, election is the device by which people are able to record their reactions to the political issues of the day. So it is imperative that this device should be able to give results as accurate, as reliable and as impartial, as it is possible for human ingenuity to make. If the device is defective and if the known defects are continued to be tolerated just because it is in the interests of a particular party or regime, then there is no escape from the slow decline of democracy and the rise of oligarchy or dictatorship in its place. If, in a grocery, the balance is defective and the weights are debased, then the weighing cannot be accurate and the buyer is cheated in the process. So also, in a democracy, if the mechanism of election is kept defective, then the voters who rely on such a process are cheated in the bargain.

3. The past three elections have exposed many defects and drawbacks in the mechanism of election in our country. Many a person was able to "win" the elections and enter the sacred halls of legislatures in a triumphant procession, even after open and deliberate flouting of the letter and the spirit of the election laws in force. On several instances, the enforcement of the law was weak; in some cases, the law has been ambiguous, in others silent; even where the statute is explicit the offenders have been able to overcome the scruples of law with the aid of money and the connivance of authority. Unless the defects in the law and the malpractices during the times of elections are thoroughly examined and effective solutions found candidly, the election may, in course of time, become a farce and a mockery of democracy and the membership of a legislature a market commodity put in auction for the highest bidder with money to lift it.

4. None can plead ignorance to the election malpractices; those in power probably know more about them. But so far no effective steps have been taken to remedy the situation, to free the elections from the known abuses and malpractices, some of which are listed below:—

(1) Capacity to spend fabulous amounts of money, white or black, has become the most favourable qualification for a candidate to enter the field of election, the chief culprit in this direction being

the ruling party itself. Huge spending presupposes huge collections. Naturally the party in power with the aid of numerous permits, licences, contracts, favours etc., is able to compel and to attract huge donations to its election funds. Elderly statesmen have condemned this practice; eminent judges have warned the country of the grave consequences. The Chief Justice of Bombay, Mr. M. C. Chagla, while delivering his learned judgement in the famous case *J. R. Koticha vs. Tata Iron & Steel Co. Ltd.* gave a forceful warning that "any attempt on the part of anyone to finance a political party is likely to contaminate the very springs of democracy." Unless the contaminating influence of big money is eliminated, the clear spring of democracy will be turned into a poisonous pool of corruption.

(2) The limits of election expenses are there set in the statute, but observed in breach by many. The Election Commission in their report on the Third General Elections have stated that "After the experience of the General Elections of 1962, the Commission reiterates its view that the legal provision relating to election expenses as they stand at present are of no use and call for drastic amendments or total repeal." The Report has further pointed out that the prescribed maxima have become "quite unreal and meaningless." It is beyond my understanding why such an "unreal and meaningless" provision should be maintained without being radically amended and effectively enforced. It makes the whole process of election and functioning of democracy unreal and meaningless.

(3) The use of Governmental machinery for the party ends, during and before the elections is widespread. The opposition parties have to contend not only with the ruling party but also with the huge administrative machinery whose strangle-hold on the rural people and poorer section can not be belittled. The distinction between the Government and the ruling party is obliterated and when the Ministers go on tour for election propaganda, they are always accompanied by high officials in the district. The Minister gives various promises and the officers standing by readily support them with assurances of early action. To ensure a free election, the Ministers should resign before the election or abstain from making official tours.

(4) Now I come to the most serious and fundamental defect in the basic system of voting and of counting in our elections. The present system of one constituency returning only one member does not indicate the real strength or proportion of distribution of various shades of political opinions in the constituency and in the country.

The present system enables a party with a minority of votes secure majority seats in the legislature. The following table gives the percentages of votes and seats secured by the Congress Party in the last three General Elections to the House of the People:—

Year of the General Election	Percentage of votes polled by the Congress to the total votes polled	Percentage of seats in the House of the People secured by the Congress Party
1952	45 per cent	75 per cent
1957	48 „	75 „
1962	45 „	73 „

With minority of votes polled, the Congress Party was able to secure consistently a very high percentage of seats. As long as the unit of election is a constituency returning a single member, it is impossible to reflect more than one shade of opinion from that constituency. In the present first-past-the-post system, it is possible for a party with 45 per cent of the votes to annex 75 per cent of the seats and it is equally possible for a party with 49 per cent of the votes to claim no seat at all. In the place of the present procedure of single member constituency, the system should be changed to one with multi-member constituencies with proportional representation way of voting and counting. This will allow representation in proportion to the distribution of public opinion on political parties and issues.

5. I am not unaware that these changes will be possible only if radical and extensive amendments are effected not only to the Representation of the People Acts, but also to the Constitution, the Companies Act, etc. But the need to make these extensive amendments is urgent.

6. Clause 5 of the Bill provides for designation or nomination of a District Election Officer. This is a welcome feature. But neither his work nor his status has been defined in the Bill. It is desirable that the District Election Officer should be able to command the respect and the confidence of the candidates and the people. To ensure this, a judicial officer of sufficient status should always be chosen for this post.

7. In clause 11 of the Bill amending section 24 of the 1950-Act, provision should have been made for an appeal to the Chief Election Commissioner from any order of the Chief Electoral Officer, under Sub-section (a). When the Chief Election Commissioner came to the sitting of the Committee on the 15th October, 1966 to explain certain functions of the Chief Electoral Officer, he narrated one instance wherein the Chief Electoral Officer in a State removed at one stroke more than 100 names from the electoral list and on an appeal, the Chief Election Commissioner had to intervene and restore all of them. This shows how essential is the right to appeal. The very provision of an appeal will act as a deterrent on the officers concerned.

8. Sub-clause 8(2) of clause 20, imposes a disqualification for five years on 'a person convicted by a court in India for any offence and sentenced to imprisonment for not less than two years'. This is very wide and sweeping. With the witch-hunting of opposition parties in times of any agitation which may have arisen entirely due to the misdeeds and misrule of the ruling party, with sweeping powers of the new Ordinances, being promulgated by the State Governments, a person may, even for a just criticism of political nature, be convicted for more than two years. A bad law may leave the courts helpless. There can be no two opinions that persons who indulge in violent acts and heinous crimes, who have been found guilty of deeds involving moral turpitude, should be disqualified even for longer periods than contemplated now. But to put a blanket disqualification on 'any offence' may prove to be Draconian in operation. It is thus very important to define the nature of the offences to be covered under this sub-clause.

9. The entire Chapter of 'Disqualifications' should have been considered with a wider perspective and no change should be provided to disqualify and to suppress the rights of the members of Opposition parties. Equally no chance should be given there for undesirable and anti-social elements to swamp the legislatures. When law-breakers enter a law-making body, they will become a law unto themselves and while they prosper, the entire edifice of democracy will crumble down.

NEW DELHI;
The 31st October, 1966.

ERA SEZHIYAN

III

1. I maintain that in spite of some improvements made by the Joint Committee on the Representation of the People (Amendment) Bill, 1966 there is still scope for improvement and I am, therefore, constrained to submit this Note of Dissent.

2. It is satisfying that the Government have, at last, accepted the suggestions made that the High Court should be authorised to try an election petition at a place other than the seat of High Court. It is absolutely essential that in a State like that of West Bengal, the High Court in the interest of justice should permit election petitions to be heard, say, at Darjeeling or at Kalimpong, or at some other suitable place in north Bengal where trial would occupy a long period and may involve the reception of evidence of witnesses on questions of fact. People have faith in the High Court and it is expected that the Judges of the High Court will be in a position to render satisfactory decisions in the election cases. But we know that the High Courts are over-worked and there is large accumulation of arrears in different High Courts. It is desirable that in the interest of speedy trial of election cases the High Court Judges should hold the trials at different places so as to reduce the cost of litigation as also to minimise the inconvenience of witnesses and litigants.

3. I am definitely of the view that the greatest impediment to free and fair election is the undesirable practice of Ministers moving about in constituencies making large promises and distributing favours just before the Election. As a matter of fact, all Opposition parties are placed to great disadvantage because of the system of Ministers touring about specially in rural areas and these pre-poll activities are detrimental to fair elections because the poorer sections are susceptible to Ministerial promises and pressures. Therefore, it is desirable that for at least two or three months before the Election, the Government should resign and there should be some care-taker Government installed just to carry on the administration. The President may be authorized to take suitable actions in this behalf. If necessary, the Constitution may be suitably amended for this purpose.

4. Provision should be made by the Election Commission and necessary directions should be issued by the Election Commission so as to secure polling booth in every village. It is also desirable that there should be a polling booth for 500 electors in urban areas as also in big villages. There is a lot of abuse with regard to the use

of vehicles specially on the part of the ruling party. The prohibition of use of vehicles is rendered nugatory by many devices. A larger number of polling booths will to a large extent make the use of vehicles unnecessary and at the same time permit greater exercise of franchise, specially in the rural areas.

New DELHI;
The 1st November, 1966.

N. C. CHATTERJEE

IV

We agree with the Report of the Committee subject to the following points of dissent:

1. Elections in India are becoming very costly and unless something drastic is done to reverse this position our democracy may very soon degenerate into an oligarchy of the nominees of the rich. With this view we suggest the following provisions be incorporated in the Amendment Bill:

- (a) A total ban on the use of vehicles on the election day except for the aged, the sick and the disabled and for candidate and election agents.
- (b) The maximum limit of expenses allowed to be incurred should also include amounts spent by friends, and political parties in furtherance of the candidature of the candidate concerned. At present the limit applies only to expenses by the candidate and not to the monies spent by friends and others. This lacuna should be plugged.
- (c) Postage should be given free to all candidates for posting at least one appeal to all the electors.
- (d) Voters identity cards with their electoral number and the place of polling shown on it should be distributed by the Government. This will obviate the candidates' expense for doing the same.
- (e) A replica of the ballot paper showing the names of candidates and their symbol should also be distributed by the Government to all elector and candidates and others should be barred from distributing any such ballot papers.

2. The law prohibits a person holding an office of profit or a contract under the Government from contesting the elections. We feel that the same principle be extended to such of the princes as draw the privy purse from the public treasury. Not to include privy purse as an office of profit is wrong in principle and unjust in practice, as a commoner seeking election against the prince with his money power and social status and privilege has to face an unequal contest. This will help the growth of healthy democracy and curb the influence of vested feudal interest from corroding the democratic structure.

3. We feel that in Chapter III clause 8(2) disqualification based on merely the length of sentence undergone is inequitable and unjust. In our view disqualification should attach only in cases of offences involving moral turpitude. The criminal law and the punishment provided therein also reflect the socio-economic structure of the society. It is regrettable that as at present one guilty of adulteration of foodstuff or medicine can get away with a short sentence or even only with fine. Not to disqualify such persons, and disqualify others for such offences as "instigating an illegal strike" is obviously unjust and undemocratic. We, therefore, feel that no disqualification should be attached unless the offence is one involving moral turpitude and antisocial offences though they carry minor sentences should attract disqualification. Similarly the disqualification should extend not beyond two years since the release of the persons concerned and not five years as at present.

4. The attempts to expedite the disposal of election petitions is very welcome, as at present in some cases, and particularly in cases of important personalities of the ruling party the election petition are known to drag on till the next elections. With this view it has been decided that the petition shall be tried by a Judge of the High Court. While welcoming this we would like to suggest and stress that to make the remedy available to the common man it should be incumbent on the Judge of the High Court to try the petition at the district place of the constituency concerned. If the petition is tried at the seat of the High Court in many cases the petitioner or the opponent will have to go to a distance of 700 to 800 miles to get justice. This may prove impossible for an ordinary man and thus deny him the relief to which he is entitled under the law.

NEW DELHI.
The 1st November, 1966.

HOMI F. DAJI
A. K. GOPALAN
MODHIT LIMAYE

▼

It is a matter for gratification that the Joint Committee has been able to make quite a few salutary changes in the Bill, which once again reinforces my conviction that a Parliamentary convention should be established so that all Bills, unless they are of a minor or routine character, should be referred to a Joint Committee.

2. Even so, I am of the view that there is still scope for further amending this important Bill. As, however, I do not wish to cumber this note with too many suggestions, I shall set forth only some salient points which should be incorporated in the measure.

3. I regret that in Chapter II, provision has not been made for specifically allocating two seats in Lok Sabha to the occupied territory of the State of Jammu and Kashmir, and keeping them vacant till such time as that is not liberated. If such an arrangement could be made long ago in regard to the Jammu and Kashmir Legislative Assembly, wherein 25 seats have been allocated but kept vacant, I see no reason why it cannot be made in the case of the House of the People.

4. Secondly, it should be possible in the case of the Legislative Assembly of the State of Nagaland, to extend the principle of direct election to the Tuensang district of that State.

5. Chapter III deals with disqualifications for membership. I believe that persons convicted of blackmarketing, hoarding, profiteering, or adulteration of foods and drugs—all antisocial crimes widely prevalent today—should be disqualified, whatever the sentence.

6. A person found guilty of a corrupt practice should incur disqualification for a longer period than six years.

7. The power conferred on the Election Commission to remove any disqualification or reduce the period of such disqualification should be suitably curbed, so as to provide that in no event should such disqualification be tampered with by the Commission before the following General Election. It is unfortunate that recently a member of Lok Sabha disqualified by an Election Tribunal, which was upheld by the High Court, was enabled by the Election Commission to contest a bye-election within six months of his having incurred the disqualification.

8. A promise or offer of a new undertaking or project within a constituency by a Minister or an officer of Government during the

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period from the first day of nomination to the day of polling should be deemed to be a corrupt practice.

9. The Rules made under section 28 of the Representation of the People Act, 1950 as well as those under section 169 of the Representation of the People Act, 1951, neither of which is being sought to be amended by the Bill—should be laid before each House of Parliament in this Session, and well before its close, so that Parliament can modify them if necessary. Otherwise Rules unscrutinized by Parliament will pass muster, and may become an unfair weapon in the hands of the Central Government who are only obliged to consult, but not to concur with the Election Commission while making rules for carrying out the provisions of the Act.

NEW DELHI;
The 1st November, 1966.

H. V. KAMATH

VI

The present system of election involves a good deal of expenditure which is unnecessary and can be cut down. The object of this Bill should be to increase the number of efficient and good candidates to contest the elections. That is only possible if the election expenditure, which actually in most cases is much more than the statutory limit, is cut down to the barest minimum and is within the easy reach of people of meagre means also. Under the present system of voting election expenses are high, as besides other things, a lot of money is wasted by the candidates in acquiring the vehicles to transport the voters to the polling booths. Though the Act now prohibits the use of vehicles for transporting voters to polling booths but this clause is more used in contravention than in observance.

2. Then the low percentage of voting during elections is attributed to the long distances, specially in rural and hilly areas, which the voters have to travel to reach the polling booths. It entails quite an expenditure for poor people and also loss of time. Therefore, many people preferred to abstain from exercising their franchise. To increase the percentage of voting, the best thing is to adopt the mobile polling booths to move from house to house to enable people to vote without any inconvenience.

3. It was for these reasons that an amendment was tabled but unfortunately in the absence of adequate support in the Committee, the amendment was rejected. In spite of this, we feel the Government and Parliament must give a fresh thought to this important aspect of our election system.

4. Then we know that a majority of our voters are illiterate and many of the candidates cash on that, especially the politicians in position by way of distributing small favours just before the elections. These gestures, though amount to corrupt practices, cannot be challenged before the Tribunal and hence the Opposition candidates are placed in a disadvantageous position. Therefore, for the conduct of impartial elections, we feel it is necessary for the Government to resign from office three months before the elections and allow the President of the Union to take over the administration. If necessary, the Constitution can be amended for the purpose.

NEW DELHI;
The 1st November, 1966.

S. S. MARISWAMY
A. K. A. ABDUL SAMAD

VII

I agree with the Report of the Committee with the following observations:—

2. The Sovereign Democratic Republic of India was constituted after the break from the foreign rule and the abolition of the predatory feudal States. The Rulers of Indian States and the foreign rulers made their exist from the Indian administrative scene. But the privileges of the Rulers are preserved in the form of their privy purses and their enormous personal wealth and to that extent their capacity to vitiate our democratic way of life remains un-impaired.

3. To keep the democratic stream clean it is essential that the rulers receiving privy purses from the Consolidated Fund must be disqualified from seeking elections to Parliament and the State Legislatures. The racial and parochial bondage in the erstwhile Indian States assumed a menacing proportion in the form of blind adherence by the electorate to their ex-rulers when they offered themselves for election, since they still carry an aura of their erstwhile traditional authority which paralyses the free exercise of democratic right to vote.

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4. The common man feels handicapped in the extreme to enter the arena of elections in this unequal contest.

5. An appeal to the electorate on the merits of the social, economic and political philosophies otherwise competing for attainment of the objectives, set before this republic by this Indian Constitution, thus becomes impossible.

6. I am therefore, strongly of the opinion that an additional section be added to the provisions for disqualification in the Representation of the People Act, 1951 to the effect that a ruler or an ex-ruler entitled to receive the Privy Purse or any sum in lieu thereof out of the Consolidated Fund of India be disqualified from contesting elections.

NEW DELHI;
The 1st November, 1966.

CHANDRA SHEKHAR

Bill No. 58-B of 1966

**THE REPRESENTATION OF THE PEOPLE
(AMENDMENT) BILL, 1966**

(AS REPORTED BY THE JOINT COMMITTEE)

[Words side-lined or underlined indicate the amendments suggested by the Committee; asterisks indicate omissions]

▲

BILL

further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Representation of the People (Amendment) Act, 1966.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act.

Short
title and
com-
mence-
ment.