

Gill for removal of lacunae in poll law

Tribune News Service
CHANDIGARH, March 26 — Certain lacunae in the limit on poll expenditure of candidates make a mockery of the whole system, said Dr Manohar Singh Gill, the Chief Election Commissioner, in an interview to TNS here today.

The Election Commission has written to the Prime Ministers in the past that Section 77 of the People's Representation Act had a "backdoor". It says that the money that could be spent on a candidate from the political parties funds and by his friends was unlimited. Thus as a candidate can show that his party has been spend-

ing money, the whole exercise of control on expenditure proves futile.

The loophole has also been taken notice off by the Supreme Court and is at the top of the agenda of the Election Commission to be submitted to the Prime Minister, Dr Gill said.

Answering a question on a former speaker Mr P.A. Sangma's suggestion that the power to implement the anti-defection law should be given to the EC, Dr Gill said if Parliament asked us "all that I can say is that the law will be implemented without any delay". The law needs resolute implementation, which until now has re-

mained 'lardy'.

The clouding of the political scenario due to 'lardy' implementation of the anti-defection law is well known, he said. Parliament in the past had given powers under various sections to the EC, particularly Sections 8 and 10-A. Under powers issued to deal with cases of irregularities of candidates by seeking votes in the name of religion and caste, the EC has barred several candidates from contesting for six years. "Very few people are aware of this fact", he said.

The existing provisions of the People's Representation Act dealing with criminal elements in elections needs to be "tightened, simplified and strengthened". Section 8 of the act specifies that certain offences in which you get a first stage conviction of offence to the level as specified, you are disqualified from contesting for six years. The provisions are clearly spelt out in three clauses. The EC has already made proposals in this regard, Dr Gill said.

"People are worried about the criminal elements in politics. Even the press and commission is. It is for the government to decide what is to be done. The pressure has to be kept up", Dr Gill said.

The CEC said criminalisation was largely an area-specific problem. Had it been rampant throughout India the election results would have been 'different'. Such practices are more prevalent in a few states, which I would not like to name, where there is low literacy, little economic progress and negligible social engineering", he said.

Responding to his statement during the elections that he was satisfied with the elections despite reports of violence, Dr Gill said he did not defend any form of violence in a civilised society. "All that I was saying was while there were 273 deaths in 1991 there were only 65 this year. Of the total, 35 died in attacks by social outfits in Bihar, Orissa and Andhra Pradesh. These incidents are more closely related to the question of social justice than to elections and are for the political parties to address. One must also appreciate the fact that elections in most parts of the country were peaceful", he said.

Postal ballots as provided for in the original law for the Army and paramilitary forces, had failed. These

two segments constitute about 15-20 lakh voters, and are the most patriotic but sadly cannot vote due to existing loopholes, Dr Gill said. He said he had had discussions with the Army chief on allowing defence personnel to send authority letters in the name of their sons, wives, mothers or fathers to cast their vote on their behalf. However, this is only possible with a comprehensive change in the law.

Answering a question on if the masses were getting disillusioned with frequent polls, Dr Gill said the turnout suggested otherwise. A study revealed that the on an average there was a polling of 58 per cent in the parliamentary elections for the past 50 years. This year it was 62.2 per cent.

The election procedure of India is among the most detailed in the world, he said. The commission has discussions with political parties in the light of past experience and suggestions for improvement are made from time to time, he added.

When questioned about alleged irregularities in Faridkot and other places, Dr Gill said: "This is not the forum for discussing individual cases."

CORRIGENDUM

The date of opening of the work appearing at Sr. No. 4 of tender advertisement published on 12-3-98 may be read as 4-4-98 instead of 28-3-98.

All other terms and conditions will remain unchanged.

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MANAGING DIRECTOR

Haryana h 'wet' su

From Our Correspondent
PANCHKULA, March 26 — There has been an overwhelming rush for membership of Gymkhana Club as the state goes "wet" from April 1. Applications for new membership had been lukewarm throughout the "prohibition" period.

The managers of the Gymkhana Club, Mr S.L. Barnotra said after the government's decision to lift prohibition over 700 application forms for membership had been sold.

He said in the new membership drive, which is on till March 31, over 200 members have been enrolled so far. The membership fee for different categories of members has been hiked between Rs 500 and Rs 5000. Locals hotels which had to close their bars in the wake of prohibition two years ago are now refurbishing them with hoteliers hopeful of making up for losses