

## BAHUJAN VISION

### BULLETIN

*A Vision To Succeed in Ambedkarism In 21st Century*

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## Minimum Government, Maximum Monopoly



Exclusion of SCs, DTs/NTs, RMs from the 'Decision Making', Cabinet and its Committees Pre-eminent in Modi Government. This may lead to Maximum Mis-Governance and Misery.

The 16<sup>th</sup> Loksabha due to the demerits of our **first-past the post system (FPP)** has given BJP a clear majority (blind majority) of 282 MP seats inspite of polling only 31% votes. A bonus seats of 114 have been got instead of 168, which it could have been in a **Proportional Representation System (PR)** [See, 'Petition' of API for more details]. Led NDA got 336 seats in an House of 543. In the swearing in ceremony 23 Cabinet Ministers took Oath along with the PM Mr. Narendra Modi. The Indian Express (Nagpur dated 27.5.2014 and subsequently) published their details along with the Portfolios assigned. An interesting point is that it also published their caste/community along with other relevant details. A look at the portfolios and castes/communities to which they have been assigned gives a clear reflection of caste-class monopoly of the BJP and its allies. They are (see table on next page)

In the above cabinet there are no Buddhists, Jains, Christians. DTs/NTs (excluding Munde), SCs and STs are highly under represented; so are the Muslims. The 15% traivarnikas are over represented to the tune of half of the Cabinet Ministers (47%), considering that Mr. Modi's caste is Mod Gachi, now in OBC List but culturally it is a Vaishya community.

#### **Total Exclusion from Cabinet Committees :**

Subsequently on June 19<sup>th</sup> PM reconstituted Cabinet Committees (CCS) and scrapped 3 CCs on Prices, UIAI and WTO related matters. These matters were transferred under **Cabinet Committee on Economic Affairs (CCEA)**.

The CCEA will now deal with all the 6 points of the CC on Prices [viz. general price situation, export of essential and agricultural commodities, making PDS more efficient & effective and measures regarding Essential

	Name of Minister/Age	Caste/Comunity	Portfolio
1.	Rajnath Singh (62)	Rajput i.e. b2	Home Affirs
2.	Arun Jaitely (61)	brahmin i.e. b1	Finance, Corporate Affairs, Defence
3.	Nitin Gadkari (57)	brahmin i.e. b1	Road Transport and High Ways; Shipping
4.	Sushma Swaraj (62)	brahmin i.e. b1	External Affairs and Overseas Indian Affairs.
5.	Venkaiah Naidu (64)	Kamma i.e. b2	Urban Development, Housing and Urban Poverty Alleviations, Parliamentary Affairs.
6.	Ravi S. Prasad (59)	Kayastha	Communications and IT; Law and Justice
7.	Dr. Harsh Vardhan (59)	Bania i.e. b2	Health and Family Welfare
8.	Ramvilas Paswan (67)	Dussad (SC)	Consumer Affairs, Food and Public Distribution.
9.	Gopinath Munde (65) (Late)	Vanjara (OBC)	Rural Development, Panchayati Raj, Drinking Water & Sanitation.
10.	H. N. Ananthkumar (54)	brahmin i.e. b1	Chemicals and Fertilizers
11.	Uma Bharti (55)	Lodhi (OBC)	Water Resources, River Development and Ganga Rejuvenaion.
12.	P. A. Gajapati Raju (62)	Kshatriya i.e. b2	Civil Aviation.
13.	Maneka Gandhi (57)	Sikh (but General Cat.)	Women and Child Development.
14.	Kalaraj Misra (72)	brahmin i.e. b1	Micro, Small and Medicum Enterprises
15.	Anant G. Geete (63)	OBC	Heavy Industries and Public Enterprises.
16.	Harsimrat Bada (47)	Sikh (OBC)	Food Processing Industries.
17.	Narendra S. Tomar (56)	Jat (OBC)	Mines, Steel, Labour and Employment
18.	Jaul Oran (53)	ST	Tribal Affairs
19.	Radha Mohan Singh (66)	Rajput i.e. b2	Agriculture
20.	Thawar C Gehlot (66)	SC	Social Justice and Empowerment
21.	Smriti Irani (38)	Khatri i.e. b3	Huamn Resource Development
22.	Najma Heptulla (74)	Muslim (but so called upper caste)	Minority Affairs
23.	D. V. Sadanand Gowda (61)	Vokallga (OBC)	Railways

A castewise/community wise analysis of the above thows before us a very communal picture of the power portfolios .

1.	So-called brahmins (b1) -	5	Cabinet Minister i.e. 31% (total traivarnikas 11 i.e. 47% of Ministers, whereas their population is merely 15-18% today)
2.	So-called baniyas (b3) -	3	Cabinet Minister i.e. 13%
3.	So-called Kshatriyas (b2) -	3	Cabinet Minister i.e. 13%
4.	Kayastas -	1	Cabinet Minister i.e. 4.3%
5.	OBCs -	5	Cabinet Minister i.e. 21% (their population is 52% today)
6.	SCs -	2	Cabinet Minister i.e. 8.6%
7.	ST -	1	Cabinet Minister i.e. 4.3%
8.	Sikhs -	2	Cabinet Minister i.e. 8.6%
9.	Muslims -	1	Cabinet Minister i.e. 4.3% (their population is 13.4% today)

Commodities Act]. It will in addition also deal with the matters of all the 3 CCs scrapped. Mr. Paswan who is Minister of Food and Public Distribution, Consumer Affairs and most of the matters mentioned above are dealt by his Ministry has been kept out of the CCEA. Mrs. Badal and Mr. Raju are the only 2 NDA allies who have been taken on board in CCEA, but Mrs. Swaraj also finds her place in it along with **CC on Parliamentary Affairs** and **CC on Security**.

**Appointments Committee of the Cabinet** will be looked after by PM and Rajnath Singh.

Mr. Modi has already excluded his ministers from having any say in Senior level appointments in their Ministries, thus strengthening the bureaucratic rule over political executive monitored by the PMO directly.

The Allies find their

place only in the **CC on Political Affairs**.

The crux of these crucial appointments [and exclusions] from these highly empowered Cabinet Committees which is some times referred to as '**Chicken Cabinet**' is that only 5 persons will have a final say in the decision making of many a crucial security, economic, foreign & domestic affairs. They are PM Modi, HM Rajnath Singh, MEA Sushma Swaraj, FM Arun Jaitely and Venkaiyath Naidu. The principle of "Collective Responsibility" U/ Articles 73, 74 & 75 of Cabinet under our Constitution is now confined to the 'Chicken Cabinet' of *traivarnikas* by this communal arrangement of the Cabinet. Neither the general elections to 16th Loksabha were free of *caste, cash & communalism* nor the present arrangement of Govt. seems so.

**Ministers of State : The same story**

Accordingly 21 Ministers of State have been appointed. Their caste Community wise details are : **MOS with Independent Charge**.

1. V. K. Singh (Rajput i.e. b2).
2. Rao Inderjit Singh (Ahir, OBC),
3. Santosh Gangwar (Kshatriya i.e. b2),
4. Shripad Naik (Blandari, OBC)
5. Dharmendra Pradhan (OBC)
6. Sarbananda Sorwal (ST)
7. Prakesh Jawadekar (brahmin i.e. b1)
8. Piyush Goyal (Marwari i.e. b3)
9. Dr. Jitendra Singh (Rajput i.e. b2)
9. Nirmal Sitharman (brahmin i.e. b1).

**Other MOS :**

10. Manoj Sinha (bhumiar brahmin i.e. b1)
11. Upendra Kushwaha (Koeri, OBC)
12. G. M. Siddeswara (Lingayat)
13. P. Radhakrishnan (Nadar)
14. Mansukhbhai Vasava (Bhil ST)
15. Nihalchand (Meghawal, SC)
16. Krishnan Pal Gujar

A caste wise/community wise analysis of the MOS gives us the following picture.

1.	So-called brahmins	-	3	i.e. 14.3% of Ministers (33.33 from traivarnika communities)
2.	So-called Kshatriya	-	3	i.e. 14.3% of Ministers
3.	So-called Vaishyas	-	1	i.e. 4.7% of Ministers
4.	OBCs	-	8	i.e. 38% of Ministers
5.	SCs	-	1	i.e. 4.7% of Ministers
6.	STs	-	4	i.e. 19% of Ministers
7.	Buddhists	-	1	i.e. 4.7% of Ministers

(Gujjar, OBC), 7. Sanjeev Balyan (Jat, OBC) 18. Kiren Rijju (Buddhist) 19. Vishnu Dev Sai (ST) 20. Sudarshan Bhagat (ST) 21. Rao Saheb Danve (Maratha).

In MOS also the SCs, DTs/NTs, Muslims, Christians, Jains etc. are excluded. Here one significant point to be noted is that SCs constitute around 16.5% population of the country, Muslims (13.4%) and all RMs (18.6%). The DTs/NTs around 10-12% of the population (including SC, ST & OBC lists). A birds eye view of the MOS with independent charge will reflect that almost 55% of MOS with Independent charge are from *traivarnikas* i.e. b3s. The preponderant percentage of MOS [without independent charge] given to STs & OBCs remain of very little use in view of the concentration of decision making in the Cabinet Committees (CCS) designed by the Modi Government as discussed above.

### Minimum Government, Maximum Mis-Governance :

The one months BJP led NDA Government of Mr. Modi has been full of negatives

[with a few positives also]. The issues of '**cultural coercions**' like revocation of Art. 370; imposition of 'Hindi' on non-Hindi States; no sex education in schools; interference of executive in judiciary; Governors resignations, have been raked up. The unprecedented price like of 14.2% and 6.5% in passenger and freight fares of railways on the pretext of recovering losses of 900 corers per month or 27,000 corers per annum and continued increase in diesel & petrol prices are bound to increase the inflation, which is already to high (12%+ in CPI) for various *goods*. The *services* inflation Index is not at all calculated in India. With most of the developed & developing economies having inflation below 4%, this figure of India is very high which will further increase the '**inequalities of wealth**' in India, as the *not so wealthy* save less and earn lesser interest on their savings, whereas the *wealthy* can invest in financial assets and real estate there by mitigating inflation. Inflation is also an unjust tool of 'caste capitalism' to transfer the wealth from the *poor* to *rich* and manage fiscal deficit by printing notes/

currency without increasing the Tax-GDP ratio, which is barely 15% in India incomparision to over 25% in most developed countries or developing ones.

If I quote *Thomas Piketty* who has authored a landmark book *Capitalism in 21<sup>st</sup> Century* (Harvard Business Publication, US), the reduction in '**inequality of wealth & income**' is the most important issue of 'social justice' and 'political economy' today. India with its enormous '*social-economic inequalities based on caste*' due to 'caste capitalism' manufactured by brahmanism requires a 'radical road' to do so. Can Modi's 'maximum governance' reduce them? The policy intent & implementation do not suggest so. Only 'Policy of Ambedkarism' can do so.

We shall wait for the first budget of Modi Government for analysing the **socio-economic policies**. But certainly, the 'Acchedian' are not here with Hindu, Hindi, Hindustan's 'metal-material mis-interest' of RSS & BJP.

Vijay Mankar, National Organiser, AIMBSCS

# Arundhati Roy's Intrigue of Annihilation of Caste Lacks Invigoration, Imagination and Integrity to Do So. - Vijay Mankar

We however appreciate the honesty & urgency with which she has introduced "the Annotated Critical Edition of Annihilation of Caste" edited by S. Anand - Thanks to Arundhati & Anand !



**Annihilation of Caste - The Annotated Critical Edition of Dr. B. R. Ambedkar** edited & annotated by S. Anand of Navayana Publication (26<sup>th</sup> January 2014, ISBN 978818959637, New Delhi) deserves appreciation as an innovative effort to rekindle the efforts on the most important "national issue" of *annihilation of caste* as expounded by the only authority on the subject Dr. B. R. Ambedkar. Dheemanti Arundhati Roy has contributed her *introduction* under title "The Doctor and the Saint". In her 162 pages lengthy introduction [along with notes & bibliography] Arundhati has tried to reflect upon the problem of *annihilation of caste* for which she requires a sincere applause for restarting the discourse in national context [and in particular leftist/progressive movements]. She has

dealt at large, the Gandhi-Ambedkar schism & scorn and disproves *Gandhi* to be a saint. She is also critical of Dr. Ambedkar on the adivasi problem without recognising the fact that He was the first in India to demand universal franchise, constitutional safeguards for them before the Simon Commission and Round Table Conferences; and finally settled the V & VI Schedule in the Constitution. For this He was paid gratitude thrice by none other than Jaipal Singh. For the land, water & forest rights the 'state' as a form of society was to guarantee indigenous rights and be a change agent of Adivasi development. He however wanted to guarantee the 'economic and social rights' of *all minorities* as fundamental rights in the Constitution itself (See BAWS Vol. 2 and States and Minorities, BAWS, Vol. 1).

Roy has also exposed the brahmanical leftists S. A. Dange and E.M.S. Nanbodripad for their antiquated views upholding caste, culture & religion and equally disowned Vivekanand and other Hindu nationalists like Moonje, Golwalkar etc. I myself being an author on *Poona-Pact : Historical Harms by Gandhi, Gandhism and Congress - an*



*inquiry* (2<sup>nd</sup> edition, 2013CE, ISBN 978-81-907085-9-3, Blue World Series, Nagpur, India) has already highlighted the un-saintly hypocrisy and immoral conduct of *Gandhi* against the Dalits, Adivasis and humanity at large. Therefore I would refrain from discussing the issue twice; but for congratulating Arundhati for arriving at a right conclusion on Gandhi and Gandhism [though the leftists as a movement do not proclaim so even today]. What is however "conspicuously missing" which disheartens us the *Ambedkarites* is that Arundhati has once again ignored two very significant aspects on the issue of *Annihilation of caste* viz.

- 1) origin of caste, and
- 2) annihilation of caste - its way; itself.
- 3) She also failed to comprehend [like all Marxists] that "**Ambedkarism**" is a

Philosophy & Policy for the 'reconstruction of world'; for a Modern World, a New World.

### The Studious Silence :

By doing so she defaulted with her 'studious silence' leaving the 'problem' where it is. Most [anti-social] sociologists and scholars have been guilty of the same mistake by ignoring these two fundamental aspects which are "central" for *annihilation of caste*, as enunciated by Dr. Ambedkar - *the revolutionary*. Whereas a scholarly understanding of the 'problem' is necessary, the 'solution' requires nothing less than a revolution - an Ambedkarite Revolution. "This to my mind *Arundhati* most conveniently overlooks, while recognising the present challenges of caste/ varna, capitalism & brahmanism. She also fails to recognize that today in India capitalism has been metamorphosed to 'caste capitalism' due to brahmanism, were the 'factors of production' [land, labour, capital, entrepreneurship, technology & human capital] and 'factors of distribution' [state & market] are being outrageously controlled by the *traivarnikas* after the introduction of policies of economic reforms by Manmohan-Montek since 1991.

She ends up on optimistic note, however when Roy says :

Can caste be annihilated?

Not unless we show the courage to rearrange the stars in our firmament. Not unless those who call themselves revolutionary develop a radical critique of brahmanism. Not unless those who understand brahmanism sharpen their

critique of capitalism.

And not unless we read Babasaheb Ambedkar. If not inside our classrooms, then outside them. Until then we will remain what he called the "sick men" and women of Hindustan, who seem to have no desire to get well.

Fortunately for the "sick men" and "women" of Hindustan, "Ambedkarism" is the *medicine* 'Ambedkarite Movement' the *hospital* and 'Ambedkarites' - the *doctors*. The *sick* will never come to the *doctor* [due to the 'notion' of caste & (a)dharma] but the doctors dwell upon the patients for *deconstructing* Hindustan and *reconstructing* PraBuddha Bharat - an Enlightened & Humanitarian India with an 'ideal society' without caste-class, or any discrimination of gender, race etc. Such a society [not community] shall be a *democratic humane society* - which is moral, modern, just & egalitarian. Where *individual* is the 'end' and *associated life* in a 'free social order' is based on equality, liberty, fraternity & justice.

*Arundhati* can be forgiven for her insufficient reading of Dr. Ambedkar; the literature which is spread in 22 volumes of BAWs, 12 volumes of CAD, 4 volumes of Committees of Constitution making; the periodicals from MukhNayak to PraBuddha Bharat and various Biographies of prime significance. But its our duty to throw light on the same and lead the path.

### Caste : Problem and Solution

Dr. Ambedkar is the [only] intellectual of India who has dwelled upon the problem



& solution of caste, is very clear on the two aspects of 'origin' & 'annihilation of caste' and the caste-class system as such.

The '**origin**' of caste to Him was the religion of the shastras [from vedas to balambhatti i.e. Hinduism], and its '**annihilation**' requires a '**notional change**', '**structural change**' and '**gunbheda destruction**'. Whereas the '**notional change**' requires conversion and discarding/renouncing Hinduism, and "embracing" the Buddha's Dhamma with 22 Precepts/ Vows and 3 Jewels; the '**structural change**' requires Constitutional Democracy with 'State Socialism' and becoming a 'governing class' [here Dr. Ambedkar was also dealing the problem of capitalism along with caste-class system] or realizing the eight Democracies as enunciated by Him [i.e. social, economic, political, constitutional, parliamentary, labour, intellectual & moral democracy]. This '**structural change**' shall abolish all 'caste based socio-economic inequalities' in *Siksha-Sashan-Sampatti* between the Bahujans & traivarnikas. Whereas the 'notional change' will bring a change in "mental world" [along

with 'gunbheda destruction'] the 'structural change' a change in 'material world.' The '**gunbheda destruction**' [the destruction of inferior/superior personalities & qualities] is to *come by the* 'culture of mind' of Dhamma and achievements & excellences in Higher Education & Professions. These three changes will lead to a New India - a PraBuddha Bharat. A **PraBuddha Rashtra** with an 'equal socio-political community' and a 'humanitarian & enlightened culture' of Dhamma, where we Bhartiyas become PraBuddha Jans and a feeling of oneness, of Kith and Kin shall develop in a *democratic humane society*.

*Annihilation of caste* therefore is the *deconstruction* of Indian social system based on (a)dharma's inequalities and *reconstruction* of an Indian Society based on E-L-F-J for the creation of a New India i.e. PraBuddha Bharat. It involves the *reconstruction* of both 'mental & material world' alike.

All of the above 3 changes in the 'caste-class system' as sanctified by Hinduism, require the path of **Educate ! Agitate !! Organize !!! i.e. Ideology ! Movement !! Organisation !!!** leading to a successful "**Ambedkarite Revolution**" and creation of an Enlightened India. *Arundhati* it seems has most conveniently chosen [not] to walk on the way of *annihilation of caste*, as shown by Babasaheb Ambedkar, by omitting these most significant 'solutions'. The *Marxists* must recognize this 'reality' and the conspicuous absence of any solution on caste, culture,

community & religion in *Marxism*.

Today Ambedkarism is the 'Universal Ideology', a 'Philosophy' for the *reconstruction of world* and it is not the communist movement but the "Ambedkarite Movement" which is an answer to the problem of caste & capitalism; both in India and the world. (See Ambedkarism in the era of globalization and beyond; *Preface* to Dr. B. R. Ambedkar - a Chronology; *Introduction* to National Plan To Succeed In Ambedkarism and AIMBSCS; Speeches of National Organiser, 2 Vols. (Hindi), and *Articles* on Ambedkarism published by the author in Bahujan Vision Bulletin [www.bahujanvision.com](http://www.bahujanvision.com), for details.)

For the benefit of the readers and those who aspire to *annihilate the caste*, I reproduce a short point summary of the views of Dr. Ambedkar on caste; its origin, consequences, and annihilation; from different sources (in *particular* BAWs Vol. 1,3,5,7,9, 11, 17 & 18).

### **CONCLUSION FOR UNDERSTANDING AND ACTION.**

#### **II Caste**

- 1) Creation of castes means the superimposition of endogamy on exogamy.
- 2) Caste is an enclosed class.
- 3) Caste is a notion.
- 4) Caste is an insulting identity.
- 5) Caste is brahmanism incarnate.
- 6) Caste has prevented Hindus to become a society.
- 7) Caste has killed public spirit, public charity and made public opinion impossible.
- 8) Anything build on the foundation of caste will

never be a whole.

- 9) Caste is the natural outcome of certain religious beliefs which have the sanction of the shastras.
  - 10) Caste is born in religion which has consecrated it and made it sacred.
  - 11) Caste-Class system can be understood by the fact that '*trivarnika*' in conflict within themselves are caste conscious. But if the conflict is with the *Avarnas* and *Shudras* they are class conscious.
  - 12) A Hindu is caste conscious. He is also class conscious [caste-class system].
  - 13) Caste-System is positively anti-social where as class system is only non-social.
  - 14) A Hindu is as much born into caste as he is born in Hinduism. A Hindu believes that caste is eternal and true. To the Hindu caste is sacred and caste is eternal.
  - 15) Caste is one and an essential and integral part of Hinduism. Caste and Hinduism are inseparable. Their is no Hinduism without caste.
  - 16) A caste may be defined as a social grouping having a belief in Hindu Religion and bounded by certain regulations as to (i) marriage (ii) food (iii) occupation and a (iv) common name.
- #### **III Other Details**
- 1) Brahmins are the originators of this "unnatural institution" and maintained it through unnatural means and recognised by the dharmashtras i.e. Hindu

- religion.
- 2) Brahmins created non-Brahmin caste.
  - 3) Political constitution must take note of Social Organisation.
  - 4) You cannot bring economic reform without first bringing about a reform of the social order.
  - 5) Men constitute a society because they have things which they possess in common.
  - 6) Brahmins will never consent to lead a movement the ultimate result of which is to destroy the power and prestige of the Brahman caste.
  - 7) Slavery is hundred times better than untouchability. In slavery there is room for education, virtue, happiness, culture of wealth. In untouchability there is none. Slavery and serfdom had no foundation in religion. Whereas untouchability is primarily based on religion.
  - 8) Untouchability is only an extension of caste system. The two stand together and fall together.
  - 9) Untouchability will vanish only when the Hindus will change their mentality.
  - 10) Bhagvat Gita has given a fresh lease of life to the varna system by basing it upon innate qualities.
  - 11) Unless casteless and classless society is created, there will be no progress in India.

### III) **Annihilation of Caste**

- 1) To agitate for and to organise inter-caste dinners and marriages is

like forced feeding brought about by artificial means. The real remedy is to destroy the belief in the sanctity of shastras. Destruction of caste means a "notional change".

- 2) You must destroy the Religion of the Shastras and the Smritis. Nothing else will.
- 3) You must give a new doctrinal basis to your Religion in consonance with Liberty, Equality and Fraternity, in short with Democracy. It means a complete change in outlook and in attitude towards men and thing = Conversion = A New Life = Caste must cease to be 'operative' before the new can begin to enliven and to pulsate.
- 4) The *Gunbeda* [differences in qualities, persona & skills] between different castes if reduced will help destroy *jatibedh* (casteism).
- 5) If you give 'education' to the lowest strata of Indian Society the caste system will be blown up.
- 6) The breach in the caste system also requires 'structural changes' in the caste-class system. Such a structural change can be brought about by Education, Ownership of resources like land, companies; Reservation in key posts along with acquiring political power by the Shudras + Ati Shudras of yesterday i.e. Mulnivasi Bahujan Samaj.
- 7) Untouchability will vanish only when the

whole of the HSO particularly the caste system will be dissolved.

- 8) When we embrace Buddhism we lose caste. Because there is no caste in Buddha's Sangha. All are equal.
- 9) To 'Annihilate the caste' we should discard Hinduism and embrace Buddhism.
- 10) The 3 Theories/Ways of Ambedkarism to Annihilate Caste are :
  - (i) Notional Change (₡Z(gH\$ n[adV℄).
  - (ii) Structural Change (i` dñWm n[adV℄)
  - (iii) Gunbeda Destruction (JW^k\$ n[adV℄).
 The first is most significant & fundamental. The other two equally important.

(ref. NPTSIA, Chapter I)

The above must suffice the present purpose of the *understanding* of caste and its *annihilation*. Any detailed explanation and expounding of the path/way leading to the *annihilation* is ready to be debated & deliberated by 'Sangh' [AIMBSCS].

Thank you Arundhati & Anand for starting the debate ! Lets take it ahead to its logical conclusion !!

Jai Bhim ! Jai PraBuddha Bharat !! Jai PraBuddha Vishwa !!!

**Abbreviations**  
 AIMBSCS - All India Mulnivasi Bahujan Samaj Central Sangh  
 BAWs - Dr. Babasaheb Ambedkar Writings & Speeches  
 CAD - Constituent Assembly Debates  
 E-L-F-J - Equality-Liberty, Fraternity, Justice  
 HSO - Hindu Social Order  
 NPTSIA - National Plan To Succeed In Ambedkarism

**Vijay Mankar, National Organiser, AIMBSCS**



JaiBhim ! Jai PraBuddha  
Bharat !!  
Jai PraBuddha Vishwa !!!



## AMBEDKARITE PARTY OF INDIA - API

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website : www.ambedkaritepartyofindia.org  
facebook : Ambedkarite Party of India



Ref. No. /API/CIES-ER/Pet./1

Dt. 01.06.2014CE  
(BE 2557, AE 123)

To,

Chief Election Commissioner  
Election Commission of India  
Nirvachan Sadan, Ashoka Road,  
New Delhi- 110001

To,

Minister,  
Ministry of Law & Justice,  
Shastri Bhawan, Dr. Rajendra Prasad Road,  
New Delhi - 110001

**Sub. :** Petition regarding Change in Indian Electoral System and Necessary Electoral Reforms for Making our Parliamentary Democracy truly Representative, Participatory and Just..

### Charter of Rights and Duties

Sir,

1. We the People of India, and a Political Party registered under section 29A of Representation of Peoples Act 1951 hereby **Petition** the 'Indian State' in accordance with The Constitution of India and Human Rights Conventions & Covenants recognized therein, for change in Indian 'Electoral System' and necessary 'Electoral Reforms' for making our Parliamentary Democracy truly representative and participatory and realizing the essence of Democracy 'One Man One Value'; to a mere 'One Man One Vote', as under :

**A] Changing the Electoral System - a must for making our Democracy representative, participatory & just :**

**2. Changing First Past the Post System to Proportional Representation System and Increasing Number of MPs & MLAs :**

It is pertinent to note that the right to adult suffrage which is a constitutional right under article 326 guarantees 'one man one vote (GN).' This 'one man one vote' requires an 'electoral system' which can realise '*one man one vote, one vote one value*' and install a truly representative government of 'We the People' of India. But the First Past the Post System (**FPPS**) with a single member constituency (**SMC**) and simple plurality vote (**SPV**) as introduced by Constitutional 7<sup>th</sup> Amendment Act, 1956 and an subsequent amendment to RPA 1951 w.e.f. 1-3-1956 has indeed made our Democracy non-representative. It has been installing both a minority government and victory of candidates with minority votes (i.e. less than 50%). It is also disproportionately giving seats to parties in proportion to the votes polled. The best example are General Elections to the House of People 2014; wherein the BJP secured 52% of seats with just 31% voteshare, a bonus of 113 seats (it should have won only 168 seats in a PR system). Whereas the INC got only 44 seats with 19.3% voteshare, a loss of 60 seats. The BSP could not secure a single seat inspite of getting 4.1% voteshare, whereas the AITC got 34 seats with a mere 3.8% voteshare i.e. 21 seats more. The AIADMK with only 3.3% voteshare won 37 seats i.e. 19 seats more. TDP with 2.5% voteshare won

16 seats whereas the YSRCP with the same fraction less percentage of voteshare won only 9 seats. Other examples are : CPM (3.2% voteshare, 9 seats), CPI (0.8% voteshare, 1 seat), AAP (2% voteshare, 4 seats), SHS (1.9% voteshare, 18 seats); DMK (1.7 % voteshare, 0 seats), BJD (1.6% voteshare, 20 seats); NCP (1.6% voteshare, 6 seats), RJD (1.3% voteshare, 4 seats). TRS (1.2% voteshare, 11 seats); JDU (1.1% voteshare, 2 seats); SAD (0.7% voteshare, 5 seats); LJP (0.4% voteshare, 6 seats); JMM & JVM (0.3% voteshare, 0 seats).

A state wise breakup of the vote share that a Party polled and won the seats, skews the disproportionate *victory* or *loss* of seats. Further a good number of candidates who won have less than 35-40% vote share in their respective constituencies. The composition of 16<sup>th</sup> Loksabha with a party getting 282 seats with only 31% votes and NDA 335 seats with only 39% votes i.e. (113 & 123 seats bonus) and no party getting even 10% of seats on its own inspite of securing 19.3% voteshare is sheerly due to of our FPP, which is not at all practised in modern democracies; as it distorts the representation of opinion & people and enables a few parties/alliances with concentrated vote share to ripe disproportionate dividends, disabling the majority people and other parties with dispersed votes. An analysis of our FPP with SMC & SPV in the past 5 to 6 General Elections will establish the great discrepancy.

By 1957 the "electoral constituencies" of India were converted into 'single member constituencies' with a 'simple plurality vote system' under FPP, inspite the fact that The Constitution of India in its **Articles 81, 170** nowhere envisages it.

The Constitution of India which came into force on 26 January 1950 read :

Art. 81 (1) (a) Subject to the provisions of clause (2) and of articles 82 and 331, the House of the People shall consist of not more than five hundred members directly elected by the voters in the states.

(2) The representation in the House of the People of the territories comprised within the territory of India but not included within any state shall be such as Parliament by law provide.

Immediately within 6 years *by* Constitution (Seventh Amendment) Act, 1956 a change was made and Art. 81 thereafter provides.

81(1) Subject to the provisions of Article 333, the House of the People shall consist of

(a) not more than [five hundred and thirty members] chosen by direct election from territorial constituencies in the states, and

(b) not more than [twenty members] to represent the Union territories, chosen in such manner as Parliament may by law provide.

Accordingly the Parliament of India enacted **The Representation of The Peoples Act, 1950** (43 of 1950) and an amendment to the Act w.e.f. 1-3-1956 provided :

2(f) "Parliamentary constituency" means a constituency provided [by law] for the purpose of elections to the House of the People.

4.(3) Every parliamentary constituency referred to in sub-section (2) shall be a single-member constituency.

## **2. (a) Enlarged Joint Electorates - Electoral System made more Unrepresentative:**

Further, the joint electorates under FPP have been made more enlarged and more unrepresentative by putting a 'ceiling' on the increase on the number of MPs & MLAs by 84<sup>th</sup> Constitutional Amendment Act, 2001. This has incorporated a rider in Articles 81(2) (3) and 170 (2) that the *ratio between the number of the seats to population* shall [not] be changed upto the census beyond 2026CE i.e. only after the census of 2031.

In a small constituency of 6-8 lakh for Parliament and 2-3 lakh for Assemblies the social minorities (i.e. SCs, STs, DTs/NTs, MBCs, Buddhists, Muslims, Women etc.) shall have a better chance to win. It will also reduce the election expenditure. But this is not easily possible in large constituencies. But by FPP, with SPV and a ceiling upto 2031 the "present single member constituencies" are made more "enlarged and unrepresentative electorates" making the true representation of SCs, STs, DTs/NTs, MBCs impossible. Today India's 'electoral system' is the *most* non-representative in the world with an average of 1 MP over 20 lakh people. The **Table 2** gives a comparison with that of China, America & UK.

### The Whip System :

Further the 'whip system' was inducted into the Constitution by 52<sup>nd</sup> Amendment Act 1985 by *Rajiv Gandhi's* Government, which enjoyed a 2/3<sup>rd</sup> majority in Parliament. The Articles 102(2) and 191(2) have been amended, and it is provided that a MP/MLA can be disqualified from the membership of the House for not voting [abstaining or voting contrary] to the 'whip' issued by the political party to which he/she belongs. Such an anti-democratic provision nowhere exists in the world. We know that 'whip system' do exist in parliamentary practises all over the world [but] nowhere the elected representatives of the people are compelled by legislative enactment to be disqualified from their membership of House. At best these elected representatives who disobey the whips of the parties are disqualified from the membership of their parties but not from the seat of Parliament [or Assemblies]. There is a precedence to this effect in the UK parliamentary system. But here in India the incorporation of 10<sup>th</sup> Schedule by the 52<sup>nd</sup> Amendment Act 1985, brought by the *Rajiv Gandhi* Govt. of Congress in spite of having over 2/3<sup>rd</sup> majority in the Parliament shows that they wanted to bind the elected representatives who will neither open their mouth in the Parliament [and Assemblies] on the problems of *the People* nor dare to vote on legislations [or move legislations] benefitting them. All the above has made the Constitution [not] being implemented in its true 'letter & spirit'. The provisions of 'Welfare State' [Part IV]; Fundamental Rights [Part III]; Reservations [Articles 16(4), 335] and Special Protections for Tribals [V & VI Schedule] remain non-implemented comprehensively. Many other *status quoist* policies like 'new economic policy' [LPG] to pre-empt reservation of SCs, STs, OBCs and create instead '**caste capitalism**' are today in place. This all has been a result of this 'whip system' which totally disenfranchised the *People* from deciding the legislations & policies in our democracy.

Thus the present electorate has been made 'an enlarged and totally non-representative electorate', where only the 15% hereditary elites will have a say over the People and it would be an infamy to call it the biggest Parliamentary Democracy of the world.

The same provisions of 'whip' were made for representation in State Assemblies U/S 170. Thus in 1956 the electoral system of India was adopted as a "**single member constituency**" with FPP. It is pertinent to note here that Dr. B. R. Ambedkar, then a MP in Rajya Sabha has opined in '*Thoughts on Linguistic States*', on 22 December 1955 an alternative to separate electorates. He proposed "**plural member constituencies (2 or 3) with cumulative voting**". (pp. 169-70, BAWS Vol. 1)

This is what He suggested :

"Separate electorates or reservation of seats must not be restored to. It would be enough to have plural member constituencies (of two or three) with cumulative voting in place of the system of single-member constituency embodied in the present constitution. This will allay the fears with the minorities have about linguistic states." (*ibid*).

It seems due to his ill health he could not participate in the proceeding in the Council of States, properly in 1955-56 depriving the People of India his eminence & expertise in this matter. Earlier speaking on the Representation of The People (No. 2) Bill on 9 May 1951 Dr. B. R. Ambedkar reiterated his thoughts on the "distributive voting." (*P. D. Vol. 2, Part II, 9<sup>th</sup> May 1951, pp. 8348-70; pp. 521-3, BAWS Vol. 15*)

Due to the adoption of FPP electoral system the 'electorates' have been made more non-representative with the fact that any candidate getting *even a single vote more* than the second candidate is declared winner. For example in a constituency of 1500,000 voters; 10,00,000 cast vote and three candidates poll votes in order of ascendance 2,60,000, 2,90,000 and 3,00,000 rest 1,50,000. The one getting just 10,000 votes more than the 2<sup>nd</sup> is declared winner where as he got only 30% votes casted (or 20% of total voters). Whereas the 2<sup>nd</sup> & 3<sup>rd</sup> candidates though polling a sizeable number of 5,50,000 votes i.e. 55% go unrepresented.

In this FPP with SMC & SPV a candidate getting *minority votes* gets elected and majority votes go unrepresented. This is the reason that apart from UK and handful of other countries most of the other countries have adopted some sort of Proportional Representation System (**PR**). Even UK is contemplating to change it [but] we in India continue to adopt this amidst unabashedness so the true representatives do not get elected and a party with *minority votes*,

form a *minority government* but rules the *majority*. A comparative analysis of around 100 countries in the following **Table 1** shall give a better understanding of the same.

**Table 1**  
**Type of Electoral Systems Across The World To Elect The Peoples Representatives**

No.	Country	Proportional Representation Electoral system (PR)	First Past The Post Electoral System (FPP)
1.	Albania	PR (60% seats)	FPP with double ballot (40% seats)
2.	Andora	PR & FPP	FPP with PR
3.	Angola	PR	-
4.	Argentina	PR	-
5.	Armenia	PR & FPP	FPP & PR
6.	Australia	-	FPP with Majority Vote (MVS)
7.	Austria	PR	-
8.	Azerbaijan	PR (20% seats)	FPP (80% seats)
9.	Bahamas	-	FPP
10.	Bahrain	-	FPP with Plurality Vote System (PVS)
11.	Bangladesh	-	FPP with Single Member Constituency (SMC)
12.	Belgium	PR & FPP	FPP
13.	Belize	-	FPP
14.	Bolivia	PR (50%) seats	FPP (50% seats) & FPP
15.	Bosnia and	PR with FPP	FPP with separate electorate Herze Govina
16.	Botswana	-	FPP
17.	Brazil	PR	-
18.	Bulgaria	PR	-
19.	Cambodia	PR	-
20.	Cameroon	-	FPP
21.	Canada	-	FPP (debating to shift to PR)
22.	Cape verde	PR	-
23.	Chile	PR	-
24.	Colombia	PR	-
25.	Comoros	PR	-
26.	Costa Rica	PR	-
27.	Cyprus	PR	-
28.	Czech Republic	PR	-
29.	Denmark	PR	-
30.	Ethiopia	PR	-
31.	Finland	PR	-
32.	France	-	FPP with double ballot system
33.	Georgia	PR (64% seats)	FPP (36% seats)

34.	Germany	PR with PVS	-
35.	Greece	PR (52% seats)	FPP (48%)
36.	Iceland	PR	-
37.	Indonesia	PR	-
38.	India	-	FPP with SPV and Single Member Constituency(SMC)
39.	Iraq	PR	-
40.	Ireland	PR with MMC	-
41.	Israel	PR	-
42.	Italy	PR (25% seats)	FPP (75% seats)
43.	Jamacia	-	FPP with SMC
44.	Japan	PR (35% seats)	FPP (65% seats)
45.	Jordon	PR & reservation of seats	-
46.	Kazakistan	- victory	FPP with 52% votes for
47.	South Korea	PR (25%)	FPP (75%)
48.	Kyrgyzstan	-	FPP with SMC
49.	Latvia	PR	-
50.	Lesotho	PR (35% seats)	FPP (65% seats)
51.	Liechtenstein	PR	-
52.	Luxembourg	PR	-
53.	Macedonia	PR	-
54.	Malawi	-	FPP with SMC
55.	Malaysia	-	FPP with SMC and reserved seats along with SPV
56.	Malta	PR	-
57.	Mexico	PR	-
58.	Moldova	PR	-
59.	Mocambique	PR	-
60.	Namibia	PR	-
61.	Netherlands	PR	-
62.	New Zeland	PR with MMC and reservation of seatsfor indigenous people	-
63.	Nicargua	PR	-
64.	Norway	PR & FPP	FPP with MMC
65.	Palau	-	FPP with simple majority
66.	Palestinian	-	FPP with simple majority Authority and reservation of seats
67.	Peru	PR	-
68.	Philippines	-	FPP with plurality of votes
69.	Poland	PR & FPP reserved seats	FPP with SMC and

70.	Portugal	PR & FPP	-
71.	Romania	PR	-
72.	Saint Vincent And The Grenedines	-	FPP with PV and SMC
73.	Serbia and Mountenegro	PR	-
74.	Singapore	-	FPP with PVS
75.	Slovenia	PR	-
76.	South Africa	PR	-
77.	Spain	PR	-
78.	Srilanka	PR with PVS	-
79.	Suriname	PR	-
80.	Sweden	PR	-
81.	Switzerland	PR	-
82.	Taiwan	PR with reserved	- seats for aboriginals
83.	Thailand	-	FPP with MMC
84.	Togo	PR	-
85.	Trinnadad and Tobago	-	FPP with SMC & SPV
86.	Tunisia	PR	-
87.	Turkey	PR	-
88.	Turkmenistan	-	FPP with 51% majority vote
89.	Uganda	PR	-
90.	Ukraine	PR (50% seats)	FPP (50% seats)
91.	United Kingdom	PR (Scotland & Welsh)	FPP (Scotland, Welsh and Westminster MPs) debating to switch over to RP
92.	Notthern Ireland	PR & FPP	FPR with SMC
93.	USA	-	FPP
94.	Uruguay	PR	-
95.	Uzbekistan	-	FPP with 51% votes for victory
96.	Venezuela	PR (40% seats) and PVS	FPP (60% seats) with SMC
97.	Vietnam	-	FPP with MMC
98.	Zimbawe	PR with reservation of seats for ethnic & regional minorities	-

(Schlager & Weisblatt, 2007)

**Abbreviations :**

MMC - Multi Member Constitutency

MVS - Majority Vote System

PVS - Plural Vote System

SMC - Single Member Constituency

SPV - Simple Plurality vote

**Note :** I have taken data only for representatives as elected and not for the head of states. Whether the country is democratic/autocratic has also not been accounted for.

### Table 2 Analysis :

As analysis of the above "electoral system" of the about 100 countries of the world gives us the following facts :

1. **43** number of countries have **only PR system.**
2. **21** number of countries have **only FPP system.**
3. **17** number of countries have only a **mix of PR & FPP system.**
4. **8** number of countries have only FPP with single member constituencies, and SPV a kin to **India.**
5. **8** number of countries have only FPP with multi-member constituencies, majority vote and PVS *unlike* India.

So it is amply clear that whereas **60 countries** have a **PR** electoral system (**43 + 17 = 60**), only 21 have **FPP**. Out of these only **8** had an FPP electoral system with single member constituencies and simple plurality vote *akin* to India. Rest of the countries having a FPP system have either multi-member constituencies with a double ballot or a plurality vote system, or majority vote system of 51% for getting a representative elected.

What an agony, that India has the only non-representative electoral system of FPP with single member constituencies and simple vote system in the company of former colonial or newly independent states like; **Bangladesh, Jamaica, Malawi, Malaysia, Palu, Palestinian Authority, Saint Vincent And The Grenedines, Trinidad and Tobago.**

Does it suits the "largest democratic country" of the world to be in the company of these lesser democratic once, by her non-representative electoral system of FPP, which is a colonial legacy. But this colonial legacy is [not] '*forced*' by the Britishers [but] '*chosen*' by the hereditary governing class through their tyrannical political majority for retaining a rule of *minority* (15%) over the *majority* (85%) people. Indeed this results not in a political majority but communal majority.

FPP - Only Gold Medalist Stands on the Podium of Parliament.

All in all it can be said that the PR system guarantees a better & inclusive representation to all opinions, interests and persons for the functioning of democracy, that the FPP fails to do. To cite an example that in track athletic race of 100m and 10,000m, the athletics loosing either by a fraction of a second or a margin of couple of minutes are guaranteed a silver and bronze medal respectively. *Why?* Because it goes with the acknowledgment of their honest efforts. All the three medalist [gold, silver & bronze] stand on the podium. But in an FPP with SMC & SPV a candidate looses to the "winner-take-all" even if he/she receives 1 or 2 votes less than the first, irrespective of the fact that the first candidate might have received 3,00,000 votes the second 2,99,999 votes and the third candidate 2,80,000 votes. Whereas the 1<sup>st</sup> candidate is elected as winner and stands on the podium of Parliament; the representatives of lakhs of people polling more votes that the 1<sup>st</sup> (2,99,999 + 2,80,000 = 5,79,999) are pushed of the podium. They are denied have an honour to stand on the pedestal of silver and bronze. In this way the representatives of crores of people who indeed obtain more votes than those party candidates, who are declared elected are "excluded" from entering the Parliament resulting in a minority government. This results in a government *for* the people but not a government *by* and *of* the people as pronounced by Dr. B. R. Ambedkar.

This all makes our 'Parliamentary Democracy' stifled, with crippled minds & interests, who shine [but] unlike gold in the absence of silver and bronze. Not only so but the alchemy of silver and bronze becoming gold is put to an end for ever. Whereas over 60-70% votes have no say in the formation of government and decision making of governance, a sizeable many of these 60-70% get not even a 'voice & vote' in the Parliament. *Not only a fair representation but even a fair opinion is denied.*

Thus the Indian version of FPP with SPW & SMC leads to the most un-representative electoral system of the world and makes our 'Parliamentary Democracy' a mortgage to *communal majority* of a *social minority*. This is nothing but a 'travesty of democracy', a 'mockery of the people'; a 'denial of democracy' for which it stands.

**2(b)** This FPP therefore requires to be adequately substituted with a PR system to guarantee representation to even smaller parties and minority groups and indeed a 'true representation' to people and their parties in all "justice & fairness."

Without a 'just & fair' representation a representative Democracy cannot function *and* least lead our republic for the realization of Constitutional principles of justice, liberty, equality, fraternity is a premise which no one can afford to over look. Lest avoid our own peril as a great people & nation in making !

The future of our 'Parliamentary Democracy' will become brighter & better by an introduction of PR System and other changes in electoral system for ensuring a 'just & fair' representation. **PR system** [Party List with 75% seats and 25% FPP with MMC] must therefore be introduced in India. The Party polling as much percentage of votes must get the same percentage of MPs/MLAs in the House. Reserved seats for SCs/STs, must continue and reservation must be extended to DTs/NTs and women as well.

### **3. Right to Vote be Explicitly made a Fundamental Right and Vote Confirmation Slip to be Generated From EVM :**

The Conduct of Election Rules, 1961, rules Part IV Chapter II of 49A to 49X, read under section 61A of RPA 1951 provisions deal with 'Voting By Electronic Voting Machines.' But the EVM nowhere gives the voter a confirmation of his/her vote being registered against the candidate they are voting for. This is nothing but a blatant violation of Articles 326, 19(a) (a) (c) of The Constitution of India, and Article 25 of International Covenant on Civil and Political Rights, 1966 (ICCPR, 1966) as guaranteed by The Protection of Human Rights Act 1993.

The 'right to vote' which is Constitutional Right U/A 326 of our Constitution becomes a fundamental and human right in view of Article 19 (a) (c) and ICCPR, 1966. The 'right to vote' must guarantee every citizen of India a 'free expression of his/her will' through a secret ballot. The present mechanism of electronic voting machine without voter veritable paper audit (VVPAAI) violates this free expression of will of a citizen by denying the 'right to information' to know whether his/her vote has been "registered and counted" in favour of whom they have voted. The citizens, or the candidates who are contesting elections also do not have this 'right to information' to guarantee the 'free expression of will' of the People in absence of any information pertaining to the design, operation and manipulation or tampering of the EVM.

It is pertinent to note here than USA and the European countries who invented & innovated upon the electronic voting devices do not use them completely without any vote confirmation slip. We in India have been blindly and secretly doing so in absence of any right to information regarding the same. Of late many scientists and political parties have proved beyond doubt that the EVMs can be 'tampered' and elections can be electronically 'rigged' without capturing any booth. This is nothing but corrupt practice and an electoral offence. An explicit amendment be therefore made in sections 135, 135A and Chapter III, Part VII of RPA, 1951 to this effect.

**3 (a)** Any electronic tampering of EVMs be made an electoral offence.

**3(b)** Also EVMs must be compulsorily provided with vote confirmation slips duly signed/ thumbed by the voter, which in turn be collected in a ballot box duly numbered against EVMs. At the time of counting of votes the votes be tallied from both the EVMs and these vote confirmation slips for guaranteeing 'free, expression of will of the citizens' and 'right to information.' In case of any discrepancy between the two the votes of VVPAAI be accounted for.

**3(c)** '**Right to Vote**' be made a fundamental right by amending Part III Articles 19(a) & 326 of The Constitution of India.

Non-registration of any voters in Voters List be made a punishable misconduct on part of the officials. Similarly any denial of 'right to vote' in absence of irregularities in the voters list be made liable for a 'repoll' on those polling booths.

**3(d)** At every district headquarter (and Tahsil/Taluka) place a separate electoral office with dedicated officers and staff duly trained be created all over the country.

**3(e)** **Voter Slip** be supplied by ECI to every voter at his/her residence at least 3 days before the

date of polling. Every single political party be disallowed from supplying such slips with their symbols & photographs.

**E-citizen centres** be installed at every polling station at least one day before the polling day by the ECI.

**3(f)** All local bodies be disallowed from charging any *fee* on the installation of booths by political parties outside the 100 meters limit on the day of polling.

**4. Proportionally Increasing Number of MPs/MLAs in Accordance with Population For a True Representation :**

Popular Government is both 'representation of opinion and people' argued *Dr. B. R. Ambedkar* before Southbrough Committee in 1919. Any popular government in a democracy cannot be truly representative without the people actually electing their representatives facilitated by a correct 'electoral system' is a premise no fair mind can override.

Looking at the representatives of Indian Democracy in comparison to other countries, the following picture emerges :

Country	Population	Representatives			Ratio of Representatives to People elected in Lower House
		Lower House	Upper House	Total	
China	aprox. 135 crs.	2900	-	2900	over 1:4 lakh
India	aprox. 125 crs.	543	250	793	over 1:20 lakh
America	aprox. 31 crs.	435	100	535	over 1 : 6 lakh
UK	aprox. 6 crs.	659	700	1359	over 1 : 90 thousand

**Note :** The above chart proves that India is the most non-representative electoral system both due to FPP system and a limitation imposed by 84<sup>th</sup> Amendment 2001.

**4.(a)** In view of the above there is an urgent need to increase the number of our MP's & MLAs for not only guaranteeing a true & real representation to the people; but also to reduce the expenses per constituency; enabling all good citizens to contest elections in more reasonable electorates of 5-6 lakh people with a geography of 40-45 kms. Our women shall also be enabled to contest for House of People in such a smaller electorate of lesser people and small geography.

The increase in number of our MP's & MLA's "three times" of the present numbers (i.e. around 1630 MPs and 13,500 MLAs) shall enable a better legislative functioning by bringing more good citizens to our House of People and Legislative Assemblies. Their conduct in the House can be regulated by amendment to rules of House of People and creating office of the Parliamentary Commissioner.

**4.(b)** The 84<sup>th</sup> Amendment Act, 2001 which has been amended Articles 81 (2) (3) and 170 (3) against the letter & spirit of our Constitution must be further amended to make the number of our representatives proportionate to that our population.

The seats in the 'Council of States' can also be increased commensurately by amending 4<sup>th</sup> schedule. An additional MPs for states with low population can be given as a weightage for better population policy. Reorganisation of states of India be made into "**smaller states**" for a balanced representation in both the houses in proportion to the population, and an administrative & financial viability of states is the sound remedy. This indeed shall fulfil the will of people.

**5. State Electoral Funding as a Means for 'Free & Fair' Elections by enabling all Citizens an Equal Footing In Parliamentary Democracy and Eliminating Illicit Money from Politics:** India is a multi-party Parliamentary Democracy. Funding of elections is a *sine-quo-non* for

free & fair elections and a just & true representation of the representatives of the people. Democracy (peoples rule) can easily be contrived into Plutocracy (rule of money) converting the essence of 'one man one vote, one vote one value' into 'one man one vote, one rupee one vote'. This is very much evident from the crorepati MPs which has turned over 425 in number, when 75.6% of Indian population earn a meagre \$ 2 per day or Rs. 45,260 per annum. Thus those people, communities & parties which can command control over financial resources will have the leverage to fight & win elections; depriving the poor & resourceless country men. This shall make our Parliamentary Democracy not a popular government but a rule of the 'hereditary ruling class' and make the majority people 'hereditary subject class' as Dr. Ambedkar opined. This results only in a government for the people but not by & of the people is a premise we must neglect only at our peril.

Secondly as per reasonable estimates the total expenditure of 2014 General Elections to the House of People touched 30,000 crore rupees; whereas those of Presidential Elections of US were 40,000 crore rupees. The GDP of USA is 14 times that of India but our election expenditure is nearing that of USA. This of course does not includes the expenditure in Assembly & Local Self-Bodies elections which comes out to be some where around 1.5 lakh crore rupees in 5 years. A lot of illicit funding & black money gets involved in the elections facilitating not only the rich but also the corrupt to govern in the name of popular government. This has all made our 'political economy' illicit and a black economy upto 45-50% as per the report of *Global Financial Integrity* 2009.

Thirdly any election being funded by 'big money' claims its stake in governance, which influences decisions not only of the executive but also the legislature in the interest of the rich. Thus is born *dollarocracy* in place of *democracy*, that ultimately affects the sovereignty & republic of 'We the People' that which is mandated by our Constitution.

In view of the above problems which are undermining our democracy; time has come to go beyond limitation of expenditure for the candidates which is becoming farcial in view of no limits on the expenditure of the political parties and illicit avenues of spending both in cash & kind resulting in influencing the voters, which are corrupt practices U/S 123 of RPA 1951. '**State Electoral Funding**' is the only solution for this. Everything else will result in a game of unequals between the haves & have-nots. Between the aamadmi & khasadmi; khas remaining khas, aam forced to live as aam.

**5(a)** State Electoral Funding charging a sum on the Consolidated Fund of India and giving it directly to the candidates of registered political parties (both recognised & unrecognised) be done. A sum of Rs. 50 per vote shall put a liability of 4250 crore rupees for the General Elections to the House of People and an equal amount for the Legislative Assemblies considering that there are 80.5 crore voters in India today. An amount of 8500 crore rupees once in five years will be just 0.010% of our GDP for five years at todays estimate. To this a certain amount of expenditure for each political party with a ceiling of Rs. 5 to 10 for total voters i.e. 425 to 850 crore rupees can be permitted. This expenditure can be done by the respective political parties by raising their own funds. This formula of State Electoral Funding and Voluntary Efforts by Political parties will ensure both level playing field and opportunity/stimulus for voluntary efforts of the citizenry.

**5(b)** The amount however must be directly deposited in the candidates bank accounts on the day of finalisation of nomination in proportion to the number of votes that the party received in the last elections. For example an X Party received 30% votes it must get 30% amount the Party receiving 5% votes 5% amount and so on. Those parties which received less that 2% of votes or are contesting for the first time must also be given a minimum standard amount for contesting elections; say 5-6 lakh rupees.

The amount of Rs. 50 per vote will remain constant for number of voters constituency wise. Suppose a revised small electorate as suggested in **pt. 2** constituency is having 6 lakh voters it will have a state electoral funding of 6,00,000 x Rs. 50 = 3 crore rupees. This formula may well keep the highest vote seeker close to the limit of present day 70 lakh rupees, with a level playing field for even the beginner.

**5(c)** All election expenses over & above Rs. 1000 must be made by cheque. This shall ensure proper use of money by the candidates and also bring back 12-15% of Rs. 8500 crore as taxes back

to the Central & State Governments. Or a ceiling of 70 lakh rupees irrespective of percentage of votes polled can be put for this purpose.

Any expenditure over & above the stipulated amount either in cash or kind by the candidate or party or sympathizers of the candidate shall lead to debarring of the candidates from contesting any elections upto 5 years. An amendment U/S 10A to RPA 1951 be made to this effect.

Even if a party spends over and above Rs. 425-850 crores on any general elections by any means it must be subjected to punishment of lesser amount of State Electoral Funding to the tune of reduced percentage of 30% to their candidates and reduction in expenditure upto 50% for the parties in next consecutive elections.

All the above measures shall not only ensure 'free & fair elections'; a level playing field; eliminate most of black & illicit money from political system but also ensure quality candidates to contest without fear or favour. This shall enable good citizenry to become peoples representatives and make our multiparty Parliamentary Democracy truly democratic unlike what it is today; a '**flawed democracy**' and **ranked 38<sup>th</sup>** as per The Economist Intelligence Unit [[www.eiu.com](http://www.eiu.com)]. Some political scientists have even poorly ranked Indian Democracy at a poor **72<sup>nd</sup> rank** out of 104 countries in Democracy Ranking 2012 with a score of 50.1 on a scale of 25-100 (see Campbell Darid Vienna, <http://www.uni-klu.ac.at/wiho/>).

#### **6. Making Media a 4<sup>th</sup> Pillar of Democracy rather than 1<sup>st</sup> pillar of plutocracy and brahmanocracy-Representation in Media both of Persons and Parties a Must :**

Media is considered as the 4<sup>th</sup> Pillar of Democracy all over the world. It is suppose to represent the people; highlight their problems & solutions. It creates necessary checks & balances in democracy on the legislature, executive & judiciary and the people by and large. It guides democracy by the method of debate, discussions, dialogue, public opinion and more so by cultivating public conscience. All of these constitute the essence of a democratic society. But of late 'big money' and 'corporate stakes' in media ownership has undermined all these fundamentals which has denigrated the Indian media by & large to the 1<sup>st</sup> pillar of plutocracy & brahmanocracy; by which we mean the denial of equality, liberty, fraternity, justice & humanism. These are the essential principles on which any democracy rests. Plutocracy & brahmanocracy with media (print, electronic) being usurped by the interest of hereditary ruling class makes it dysfunctional to perform, her role of 4<sup>th</sup> pillar of democracy, is a fundamental premise we cannot and must not ignore.

The 2014 Parliamentary elections have witnessed enormous use of TRP timings of electronic media, with every second of news channels being hijacked by a few political parties by paying 'big money' directly or otherwise, or by managing media interests. Added to these were the unauthentic opinion polls; comments on the outcome of elections on the day of pollings from 7<sup>th</sup> April and ongoing campaign by paid news. Even on the day of polling with the coverage of prominent leaders & parties, the violation continued uninterrupted and unchecked; unabated.

The news papers were full of advertisement of few political parties even on the day of polling, appealing citizens to vote. Is this not a violation of section 126 of RPA 1951? We have not come across a single news whereby the ECI has acted upon any electronic or print media for the violation of section 126 even during 48 hours before the time of polling (barring issuing notices to channels for broadcasting exit polls).

The '**Code of Conduct For Television Broadcasters In connection With Elections**' issued by the ECI is only ceremonial, blatantly to be violated. The Don'ts are *done* and Do's *never done*. Such is the obduracy of these media houses, their correspondents, reporters and editors that they have not given coverage even to "official" press conferences and press releases of API and other registered parties, inspite covering them. If the views of Presidents, General Secretaries and Star Campaigners of the registered political parties, who pledge an allegiance to The Constitution of India and abide by the democratic principles & practices for enriching our democracy are *excluded* socio-politically by a few interest groups, should the Parliament and ECI be mute spectators. This is turning our democracy into demagogy & dollarocracy; wherein the demagogues & dollar riches have the say about their opinions & personalities, forcefully excluding good citizenry who diligently

abide by the ECI guidelines . Time has therefore arrived to take action for Media regulation.

**6(a) 1.** The RPA, 1951 be amended for providing a statutory basis putting a duty upon the media to cover in a balanced & fair manner the representatives authorised by every political party in electronic & print media from the day of notification of election till the formation of new government. The model code of conduct for television broadcasters be backed statutorily in RPA, 1951 for providing an administrative regulation, and penal & pecuniary punishments.

**6(a) 2.** Any campaign in last 48 hours in any form of advertisements, paid news or covering polls in a way to influence voters for benefiting any party or candidate be made a punishable offence U/S 126 of RPA, 1951. The punishment be both penal & pecuniary, providing imprisonment of any such person (candidate, office bearers of party or media personnel) and levying a fine proportional to the money paid/earned. The media licenses may also be suspended for a specific period for violation of any such offence.

**6.(a) 3.** All opinion polls exit polls in any form be banned from 3 months before the date of notification till the date of counting. Any polls before/after this must strictly display the sample size, methodology, source of finance and % error in projection. An amendment in RPA, 1951 be made for this.

**6.(a) 4.** All *money* received by the media either by candidates, their agents, well wishers or parties in respect of elections by the media owners be made public by ECI under RTI Act 2005 and section 76, 77, 78 of Act 1951 be amended to this effect.

**6.(a) 5.** All the above provisions be also made applicable to internet and mobiles.

**7. Whip System be dispensed of Anti-Defection Law to be Applicable Only for Defection from Parties and not Legislative Business :**

The 52<sup>nd</sup> Amendment Act, 1986 amended Articles 102 (a) and 191 by introducing sub-clauses 102 (2) and 191 (2) in The Constitution of India. Thus 10<sup>th</sup> Schedule was incorporated in our Constitution. This stands in total contravention with Articles 81 and 170 of our Constitution. The Peoples Representatives are elected by the citizens from territorial constituencies under our constitution. In that sense they are "Peoples" representatives and not parties representatives. But our 10<sup>th</sup> Schedule para 2(1) (b) disqualifies any elected member of the House just for not voting according to the 'whip' issued by the party. These two provisions stand in total contravention to Articles 81, 170 and also 19(1) (a) (c), (2) making our peoples representatives virtually a '*bondsmen*' of political parties and their bosses. They are deprived from expressing their free will and will of the people who have elected them. The parties on the other hand have not been binded in any form under this Schedule for the implementation of their 'aims & objects' or promises declared in their 'manifestos'. This also violates the FRs & HRs of Peoples representatives.

**7(a).** Their is therefore an urgent need to amend 10<sup>th</sup> Schedule and repeal paras 2 (1) (b). Other provisions may continue for stability of our democratic polity.

In case of voting against the party 'whip' by the member of House he/she may continue to be a member of the House. The party may be free to take action against her/him as per their constitution. If the party disqualifies her/him from its primary membership only then the member must be disqualified U/P 2(1) (a) of X Schedule.

**8. Policy Documents, Manifestos be Mandatorily Supported by Report Cards Well in Advance :**

The political parties in view of their aim & objects or even otherwise declare their manifestos as a promise to the citizens/electorate. But their is no binding upon them to fulfil the major promises as declared in the manifestos. The Hon'ble Supreme Court in its judgment dt. 5.7.2013 in SLP (c) No. 21455 of 2008 has directed the ECI to frame guidelines with regard to the contents of election manifestos in consultation with all the recognized political parties.

In this regard it is stated that the ECI has not bothered to take opinions of all registered parties, irrespective of the percentage of votes they command. Let us be candid to accept that '*intellect is not a monopoly of few*' and even unrecognised political parties possess the necessary 'vision' and 'outlook' upon the people & country.

As a responsible political party API opines the following on this issue.

**8. (a)** The Policy Documents or Manifestos or Pledge Papers must cherish the ideals, principles & provisions as enshrined in our constitution. These documents must reflect all the above in a true letter & spirit.

**(b)** The Directive Principles of State Policy (Part IV); Fundamental Rights (Part III); Human Rights (as ratified & acceded to by Indian State in UNGA); Parliamentary Democracy; Independence & Accountability of Judiciary, ECI, CAG; Federalism; Special Provisions Relating To Certain Classes (Part XVI); The Scheduled And Tribal Areas (Part X); The Panchayats & Municipalities (Part IX & IXA respectively) and other provisions heretofore must be explicitly reflected in the documents of political parties.

**(c).** All such **Policy Documents/Manifestos/Pledge Papers** must have same sort of binding in the Constitutions of Political Parties and be supported by '**Report Cards.**'

Both the 'Documents' and 'Report Cards' be jointly released before the date of finalization of nominations for 1<sup>st</sup> phase of polls.

These must be submitted to the ECI and be reflected on the websites both of the parties and ECI. Other means to make them public by all possible avenues be adopted.

Media must be "regulated" to discuss & debate the main issues of these documents in a free & fair manner. Not only the Documents or Cards of National/State Parties but all Registered Parties be extended fair attention, for a better information to the electorate, so they can make a proper choice of their suffrage.

**9. Proper Delimitation a must for Most Representative, Realistic Relaxed Electorate:**

Delimitation of Constituencies is very significant for making the constituency properly representative & realistic. Not only the geography, administrative & public conscience and facilities of communication but addressing the socio-political aspects of discrimination & deprivations are the essential criterion for fulfilling the golden principles of equality, liberty, fraternity and justice. So are the realization of FRs of Right to Equality (Art. 14), Equality of Opportunity (Art. 16), Prohibition of Discrimination (Art. 15); Abolition of Untouchability (Art. 17) and Right to Life (Art. 21) and Right to Liberty (Art. 19). Without the recognising of the essential FRs & HRs any 'delimitation' may actually end up "limiting" the 'liberties & rights' of people and deprive them from performing their 'duties' of citizenship that our Constitution mandates, by discouraging good citizens to become representatives. A new outlook and conceptualisation to the issue of Delimitation under the Delimitation Act, 2002 therefore becomes absolutely necessary in view of the same for creating the 'right electorate' which is not only truly representative but just & equitable.

We therefore propose the following views upon this :

**9(a)1.** The Parliamentary & Assembly Constituencies must be so constituted that it falls within a district or that nearest to it. Geographical and conveniences of communications like hills, rivers, roads, bridges, telecommunications be also kept into consideration.

**9(b)(i).** The SCs seats though may be distributed in different parts of the state be located in areas where their proportion the total population is comparatively large i.e. 25-35% or more. This is critical for getting SC votes weightage to enable them elect their true representatives. Reserving constituencies with less than 25-30% of SC/ST population in different geographies serve no real purpose to send the true representatives of SCs/STs. Not geography but demography must be the guiding criteria in this regard.

While delimiting general seats, the SC or ST seats must not be radically altered to their disadvantage.

**9 (b) (ii)** Similarly while delimiting SC seats, the DT/NT & Muslim population proportion, where ever higher i.e. 20-30% must also be kept in mind; for enabling DTs/NTs & Muslims to contest. The constituencies can be delimited accordingly. DTs/NTs must be extended political reservation as suggested by Renake Commission.

**9 (b) (iii)** Reducing the size of electorate by increasing the number of MPs & MLAs as suggested in **pt. 2 & 4** is however the best remedy for a proper delimitation, in absence of which it is becoming

nothing but the 'limitation' of the liberties & rights of the people.

Provisions to this effect be added with a new amendment to Delimitation Act, 2002 in view of the fresh statistics of Census 2011.

This must also contain a section in RPA, 1951 and Census Act 1948 binding upon the Delimitation Commission, Registrar General & Census Commissioner to declare & consider the SC/ST, DT/NT & Muslim population well before the 1<sup>st</sup> General Elections (either to the House of People for Legislative Assemblies of the State) immediately after the completion of census.

The number of SC/ST, DT/NT, Muslim population must be immediately declared along with the national population immediately after the census. The socio-economic indicators must also follow at the earliest.

**10. Recognition Criterion for Becoming a State or National Party be 4% of the Votes casted from 4 States :**

An amendment to The Election Symbols (Reservation and Allotment) Order, 1968 be made in para 6A & 6B for relaxing the criterion for becoming a state or national party to 4% instead of 6% brought in December 2000. The criterion of 4 MPs in addition to 6% votes from 4 states, and or 2% of MPs from 3 states be delinked from the percentage of votes, considering that a Party may get 4% (or even 6%) votes from 4 states but not necessarily the required MPs due to FPP. By the way 4% votes from 4 states will convert to 3% of total votes casted and can be converted to 3% seats under the PR System (i.e. 17 seats out of 543). The introduction of **PR system** is therefore only the sound remedy for getting the electorate representative in proportion to their votes.

The same criterion as suggested above be delinked for 2 MLA seats or 3% MLAs for Legislative Assemblies.

The criterion of 6% votes from 4 states and 4 MPs or 2% of MPs from 3 states for the House of People and 6% votes, and 2 MLAs or 3% MLAs in a state under FPP is an unjust criterion. This positively discourages the newly registered political parties with small expenditures and expansion from becoming a state & national party and playing a meaningful role in our Parliamentary Democracy and therefore the criteria of 4% votes as suggested above be resorted to for strengthening our multi-party Parliamentary Democracy.

**10. (a) Symbol - Reservation & Allotment :**

A Political Party (registered but unrecognised) be allotted a symbol of her choice or from available free symbols "**permanently**" under Election Symbols (Reservation and Allotment) Order, 1968 for the Country/States as the Party so desires provided it gives a standing undertaking to contest 10% seats for the House of People/Legislative Assemblies.

The Party need not be asked to apply for the same for every General Election, unless it fails to contest the stipulated 10% seats in any of the General Elections.

The essence of this is to ensure a "**permanent symbol**" for an unrecognized Political Party to, at par with the State/National Parties. This has become absolutely necessary to enable these parties to communicate with the electorate, as the voter identifies the Parties/Candidates by means of 'election symbol' and more so at the time of casting his/her vote. In absence of a permanent symbol throughout the country/state the unrecognized parties face the disadvantage, disability & also the dilemma of getting the same 'election symbol' for every general elections. This discourages them from adequate propagation of the principles, policies & programmes of their party with the help of 'propaganda materials' depicting the election symbol. The electorate remains unformed and unidentified with the Party.

The present procedure under order 1968 is unjust & discriminatory far the unrecognized political parties, disabling then for achieving the status of state/national parties by the natural electoral process.

An amendment to order 1968 be therefore made urgently by the ECI.

**11. No Right to Reject and Recall :**

Right to Reject or Recall particular candidates are all features of electoral polity which are practised in democratic societies with 90% literacy and a welfare state. They are not practised

in FPP, but in a mix of PR & FPP or only PR system and are essentially features of participatory democracy. In the *caste patriarchal feudal social system* of India affected by casteism & communalism it will certainly be misused as a weapon to exclude & eliminate SC, ST, DT/NT, Buddhist, Muslim, Jain, Christian and even women candidates from General Constituencies. Even from reserved constituencies the SC/ST candidates from the political parties other than the influential parties will be eliminated by this negative rights to reject & recall.

Any effort to bring right to reject or recall without abolishing caste discrimination shall be a violation of FRs & HRs under the Constitution of India and ICERD, 1966; ICCPR 1966; CEDAW, 1979 that the Indian State has ratified & acceded to. Again without a PR system; increasing our MPs/MLAs; State Electoral Funding, and regulation of Media it will not strengthen our Democracy but orchestrate *brahmanocracy & plutocracy*. As a matter of constitutionality these rights cannot be made without making 'right to suffrage' a FR and cent percent registration of all citizens as voters.

The right to reject and recall may well become tyranny of *racism & radicalism* leading to the grammar of anarchy. Hence it cannot be thought of in India without a real change in our electoral system as petitioned above, and its functioning for at least 2 decades, along with *annihilation of caste* as extolled by Dr. B. R. Ambedkar. The right to substantial equality must be first realised as a precondition to any such wish.

#### **B] Other Necessary Electoral Reforms :**

##### **1. Expenditure - It's Income, Source & Say :**

The limit of expenditure for candidates under sections 76, 77 & 78 and related sections of RPA, 1951 is not sufficient. The expenditures of political parties constituency wise as suggested in **pt. no. 4. (a) & 5** must be made by an amendment to sections 77 & 78 in Act 1951 therein. The 'source' of income must be clearly stated in the election accounts, that must be tallied with the source of income of the candidates and/or collection by receipts or donations if any.

The expenditure of filling nominations with rallies and show of strength (like roadshows, hoardings, arrangements for workers etc.) must be added to the 'expenditure' of the candidate.

##### **2. Dispensing of with Local Fees/Charges by Local Self Bodies on the Installation of Booths on the Day of Polling :**

The local self bodies like Municipal Corporations, Municipalities, Nagarparishads, Zilla parishads & Panchayat Samitis, charge the candidates for installing of legitimate booths outside 100 mtrs. of the polling stations on the day of polling. This discourages the candidates with low expenditure from putting up their booths for guiding the voters. These bodies must be directed to relax those fees/charges or only the guidance booths of ECI must be installed; disallowing all candidates & parties from putting up their booths for a 'free & fair elections' and 'level playing field' between candidates of all economic & social backgrounds.

State Electoral Funding may however be the only permanent solution for all such discriminatory & differential practices in our Parliamentary Democracy is a premise we can ignore only at our own peril.

##### **3. Distribution of Nomination Forms without Demanding Advance Nomination Fees :**

Distribution of 'nomination forms' must be evenly distributed to all candidates without demanding advance nomination fees, as it discourages candidates from poor backgrounds from filling nominations at the outset. The *fees* must be taken only at the time of depositing nomination papers.

Such examples have happened in the states of Chhatisgarh & Madhya Pradesh and care must be taken to disallow such practices.

##### **4. Evoking Religion & God, by Visiting Temples, Masjids, Vihars, Gurudwaras to Influence Voters Must be Specifically Treated as an Offence :**

RPA, 1951 in section 123 define corrupt practices 123 (2) (ii), (3), 3(A) deal with the offences relating to religion, race, caste, community or language etc. Instances in various general elections and elections 2014 in particular have seen leaders, star campaigners of various political parties visiting places of worship, evoking religious symbolism of Hinduism, Islam, Sikhism. The media has been in the forefront to broadcast and reinforce these religious symbolism in the name of

culture, community, god, soul, liberation etc. Such religious symbolism was used more overtly by the BJP and covertly by other parties like AAP, INC etc., but we have not seen a single directive from ECI in this regard; which to us is a blatant violation of section 123 of RPA, 1951 and Model Code of Conduct. Whereas our Constitution in its Preamble upholds the principle of 'secularism' i.e. state has no religion, the socio-political life is highly influenced by religion. This also goes against the Fundamental Duties as enshrined in Article 51A (h) that speaks of 'development of scientific temper, humanism and spirit of inquiry and reform.'

**4(a)** As such it is suggested that any religious symbolism like visiting places of worship; evoking god, soul, next birth, another world, astrology, moksha, rajyabishek, pujas etc. and the coverage & reinforcement of it by media be made an explicit offence within the meaning of section 123(2), (3) 3(A) of RPA, 1951. The ECI by its officers upto district level must be more proactive in issuance of directives and registration of FIRs if necessary from the date of notification till it remains in force.

All persons & parties; candidates, election agents, leaders, star campaigners however have the freedom of conscience and free profession, practice and propagation of religion that they are equally entitled even during period of notification in effect. But any use of religion, divine displeasure of spirituality for the purpose of directly or indirectly influencing any elector or electors must be treated as an offense and acted upon.

**5. Allotment of Places & Permissions for Campaign Without Favour :**

The election campaign by the means of meetings, rallies is necessary for educating the electorate about the principle, policies, programmes, governance, issues, problems & solutions. Free & fair permission of grounds or public places to all the candidates and parties is therefore necessary. Sections 20, 20A, 20B, 21, 22, 23, 24 of RPA, 1951 define duties & powers of district election officers, observers, returning officer for the conduct of elections. Model Code of Conduct in pt. VII (ii) & (iii) explicitly direct about the above issues. But it has been experienced that the returning officers and observers do not act pro-actively in a free & fair manner for the lesser influential parties & candidates. Sometimes they indirectly favour some of the prominent parties & candidates; so much so that public places, rest houses or government accommodations are disallowed to others.

Also the 'Z Security' arrangement for VIPs are made 3 days in advance, therefore disallowing that public place to other candidates/parties, 3 days in advance.

Same candidates/parties book various public places for all the 14 days of campaign period or proceeding that, including private vehicles without using them, merely for denying election propaganda to others but the observers/returning officers do not take any step upon such foul tactics.

**5(a)** In view of the above specific responsibilities must be fixed on the returning officers/observers under the Act 1951 for the compliance of the same; the willful neglect of which must be accompanied with disciplinary proceedings and fine on the public servants.

**6. Corrupt Practises - Responsibilities of Officers U/S 20-24 of RPA, 1951 and other Public Servants :**

The powers of the returning officers & observers must be clearly defined U/S 20-24. They must be fully empowered to take preventive actions upon '**corrupt practices**' U/S 123, 124 and Electoral Offences U/S 125-136, and initiate filling of FIRs for the same *suo-moto*; without necessarily waiting for any complaint. Provisions of the same may be enacted in RPA, 1951 by taking examples from IT Act, Customs Act, EPF & MP Act, which empower officers implementing the provisions of these Acts to act *suo-moto* (or on the basis of any complaint) for the enforcement of the Act. These powers encompass; powers of search & seizure, attachment, recovery, quasi-judicial proceedings etc. The returning officers & observers must be empowered specifically under the RPA, 1951 with such powers for preventing the corrupt practises and ensuring free & fair polls.

**7. Powers of ECI :**

ECI is a Constitutional Body U/A 324 of The Constitution of India. Accordingly the ECI has been empowered under various sections of RPA, 1951 for the superintendence, direction and control of the electoral rolls and the conduct of all elections. It is however required to be empowered

explicitly under RPA, 1951 for action on electoral offences, corrupt practices, and disqualification of the candidates providing wrong information in nomination papers; filling wrong expenses & incomes by parties, candidates, persons etc. For quick redressal some of the violations of Model Code of Conduct, repolling on booths and election expenditure/income etc. be decided by *quasi-judicial proceedings* with an appeal to an Election Tribunal, and High Courts by bringing suitable amendments to RPA, 1951.

A just & fair empowerment of ECI with due checks & balances shall strengthen our institutions of democracy and in particular ECI which is the citadel for conducting free & fair polls.

In view of the above FRs & HRs under The Constitution of India [and HRs therein] and RPA, 1951 We **Petition** the 'Indian State' for bringing necessary changes in our electoral system and carry ahead electoral reforms for the "realization" of FRs & HRs of the People of India and Parliamentary Democracy as enshrined in our Constitution.

Action taken in this regard may kindly be intimated at the earliest.

### **Abbreviations**

API -	Ambedkarite Party of India	ICESCR -	International Covenant of Economic, Social & Cultural Rights 1966
BAWS -	Dr. Babasaheb Ambedkar Writings & Speeches	IT -	Income Tax
CAG -	Controller & Auditor General	MBCs -	Most Backward Classes
CEDAW-	Convention for Elimination of Discrimination Against Women, 1979	MLAs -	Member of Legislative Assembly
DTs -	Denotified Tribes	MPs -	Member of Parliament
ECI -	Election Commission of India	NTs -	Nomadic Tribes
EPF&MP-	Employees Provident Fund & Miscellaneous Provision Act, 1952	OBCs -	Other Backward Classes
EVMs -	Electronic Voting Machines	P.D. -	Parliamentary Debates
FPPs/FPP-	First Past the Post System	PR -	Proportional Representation System
FRs -	Fundamental Rights	RPA -	Representation of Peoples Act, 1951
GDP -	Gross Domestic Product	RTI -	Right to Information Act, 2005
GN -	Gender Neutral	SCs -	Scheduled Castes
HRs -	Human Rights	SMC -	Single Member Constituency
ICERD -	International Convention Elimination of All Form of Racial Discrimination, 1966	SPV -	Simple Plurality Vote
ICCPR -	International Covenant of Civil & Political Rights, 1966	STs -	Scheduled Tribes
		UNGA -	United National General Assembly
		U/S -	Under Section
		VVPAI -	Voter veritable Paper Audit.

Candidly

Sd/-

Vijay Mankar

National President, API

Copy to :

- 1) Presidents/Secretaries of All Political Parties registered with ECI - for consideration & necessary action at their end in interest of our Democracy & Nation.
- 2) NHRC, NSSC, NCST, NCBC, NMC, NCW - for pursuing the matter with GOI for the realization of FRs/HRs of 'We the People' and strengthening our Parliamentary Democracy for fulfilling the letter & spirit of our Constitution.
- 3) All Respected MPs/MLAs for expressing the will of the People and realizing our Democracy.

Sd/-

Vijay Mankar

National President, API

From the files of 'Secretariate  
of Ambedkarism'

Ref. No./API

Dt. 20.06.2014

RIGHT TO INFORMATION ACT, 2005  
FORM - A

Application for information u/s. 6(1) of the Act

To,

The Secretary,  
Ministry of Law & Justice  
Shastri Bhavan,  
New Delhi- 110001

1. Name of the applicant : Vishal E. Humne  
Address : 26, Ehoslewadi, Near Awalebabu Square, Lashkaribagh, Nagpur - 440017
2. Particulars of Information Solicited :  
A] Kindly Provide the information pertaining to 'Action Taken' on Petition of API Ref. No. API/CIES-ER/Pet./1 Dt. 01.06.2014 on Subject **Petition regarding Change in Indian Electoral System and Necessary Electoral Reforms for Making our Parliamentary Democracy truly Representative, Participatory and Just** submitted under 'Charter of Rights and Duties' by Vijay Mankar, National President, API.  
Please send it by R.L.A.D.

Place : Nagpur  
Date : 20/06/2014

Sd/-

(Vishal E. Humne)

Full Name and Signature of the Applicant

**Note :** Same RTI has been addressed to ECI, NCSC, NCST, NWC, NCBC, NHRC, SC/ST Parliamentary Committee, POI, PMO etc.

**Expansion of Sangh...**

Contd.. from Pg. 28

Camps, Meetings, Programmes, Literature of BWS & Manavtavadi Media Centre.

- 2) **Geographical Expansion** - by 'Sangh Formation' in every single Block & Ward of 500 Districts of 20 States of India.
- 3) **Organisational Expansion** - by expanding the activities of all Wings & Organs of Sangh in all aspects of human life, Like Tribals, DTs/NTs, OBCs, Minorities, Women,

Youths & Students, Educational, Labour, Political etc.

Creation of 20,000 *Organisers* and 50 Lakh *Cadres* a must.

- 4) **Cultural Expansion** - by enlivening & enrooting the Buddhist-Ambedkarite Humanitarian Culture & Civilization i.e. realizing the 'PraBuddha Rashtra'.
- 5) **Political Expansion** - through API and fighting every single election from Panchayat to Parliament.
- 6) **Economic Expansion** - by

collecting 'dana/donations' from the People and contributing ones own fortunes for the success of Ambedkarism.

We will have to do '4 Major Actions' and buildup the 'Sangh' accordingly. Hope you will selflessly & valorously pursue to path of success !

**Vandan PraBuddha Rashtra | Samtavadi Rashtra Manavtavadi Rashtra ||**

JaiBhim ! Jai PraBuddha Bharat !!

Vijay Mankar, National Organiser, 'Sangh' AIMBSCS



Himalayas to Hindmahasagar - Thar reg to Khadi of Bengal, PraBuddha Rashtra has none. All the Indigenous *languages* are the mother of languages of Rashtra. This *Rashtra* is pre-vedic and dawns from the human civilization of Nag Sindhu Sabhayata.

From the builders of this Nag Sindhu Sabhayata (i.e. Civilization of Mohanjadaro-Harrapa. the pre-vedic Bharat) the **Nagas** to '*We the People*' our Motherland 'PraBuddha Rashtra' is the "mother" of all PraBuddha Bhartiyas and PraBuddha Jans, and calls all to become so. All the sons & daughters of "our motherland" are *PraBuddhajans*. The *people* who cherish the 'ideal' of PraBuddha Rashtra. Those who do not are *foreign elements* in our Rashtra. Whereas the *tricolour* is the flag of Bharat Rajya, *blue, panchasheel & saffron* of the monks the '**Flags**' of *Rashtra*. The 'flags' are living 'ideals' of the great humanitarian principles & values for which the heros of our Rashtra have live & died.

Thus the PraBuddha Bharat - Rashtra is a People of 'equal socio-political community' enrooted in the 'humanitarian & enlightened culture' of Dhamma of we Bhartiyas. In this PraBuddha Rashtra their is the feeling of oneness, of Kith & Kin. From the Great Nagas to Greatest Buddha & Babasaheb are the ideals of this Rashtra who have made our Bharat Mata, PaBuddha. '**Sangh**' is the "**family**" to make this reality. Let we the

Organisers of 'Sangh' understand this. Constitution, Dhamma & Ambedkarism are the three foundational achievements on which we have to realize our Bharat i.e. India PraBuddha Bharat - Rashtra. With the Nagas, **Buddha** [His Sangh] & **Babasaheb** there are hundreds & thousands of Great Men, Saints & Heros of our PraBuddha Rashtra from *Sishunag, Mahavir, Ashoka, ChandraGupta, Milind, Kanishka, Harshwardhan; Saints Kabir, Ravidas, Tukaram, Thrivallur, Namdeo, Gurunanak, Nandnar, Chokhamela, Ghasidas, Gadgebaba; Shivaji, Jijamata, Ahilyabai Holkar; Phooley & Savitri, Iyotee Thass, Ayyankali, Narayanguru, Periyar, Shahu Maharaj, Birsa Munda, Rambai, Annabhau Sathe, Achutanand, Harichand & Guruchand Thakur;* freedom heros; social revolutionaries and all those who are working for our Great & Noble Rashtra are our *real heros*.

### **The Work To Be Done :**

The Organisers of 'Sangh' must first become Humanbeings with Life of an 'Ambedkarite'. Who is an Ambedkarite?

An Ambedkarite is one who is Humanitarian (*Manavtavadi*).

An Ambedkarite is one who is Revolutionary (*Krantikari*).

An Ambedkarite is one who is Rational (*Buddhivadi*).

An Ambedkarite is one who is Scientific (*Vijnanvadi*).

An Ambedkarite is one who is Sacrificing (*Tyagvadi*).

An Ambedkarite is one who is Arduous (*Karmavadi*).

An Ambedkarite is one who is

Democratic (*Loktantravadi*).

An Ambedkarite is one who is Global (*Vishwavadi*). In short an Ambedkarite is a Human being who *comprehends Ambedkarism lives it and makes it successful* in his life.

Such a 'Life' requires the attainment of "Culture of Mind" as foretold by Babasaheb & Buddha. Without attaining to such a *culture of mind* and "Ambedkarism" becoming the *life-blood* we cannot glitter & shine like sun. We cannot become an ideal, a source of inspiration for fellow humanbeings without becoming and being so. Being is Becoming ! We can be so : the ideal of humanity.

But for this we will have to pursue "great efforts & great sacrifices". There are **5 foundations/virtues** of "**human life**" that we will have to buildup in us. They are :

- 1) Ideological & Philosophical Foundation.
- 2) Moral & Intellectual Foundation.
- 3) Social & Cultural Foundation.
- 4) Physical & Economic Foundation.
- 5) Scientific & Technological Foundation.

With 'Hope & Vision' we will have to 'Act Arduously' in accordance with the National Plan, and Model of AIMBSCS which have been designed to make Ambedkarism successful.

### **The Expansions to be Made :**

- 1) **Ideological Expansion** - through Training, Cadre  
(*Contd..on page 26*)

# 'Sangh' Creates Organ for Teachers & Students. FETSDE Launched.

**Nagpur (Capital of Movement)** - Sangh [AIMBSCS] has launched on 'Organ' under its Wing 'Centre for Democracy and Education.' **Federation of Enlightened Teachers & Students for Democracy and Education [FETSDE]** has been launched from Rajarshi Shahu Maharaj Jayanti on 26<sup>th</sup> June 2014CE at Nagpur.

FETSDE will work in the field of education for Teachers & Students; make them PraBuddha for the creation of PraBuddha Rashtra.

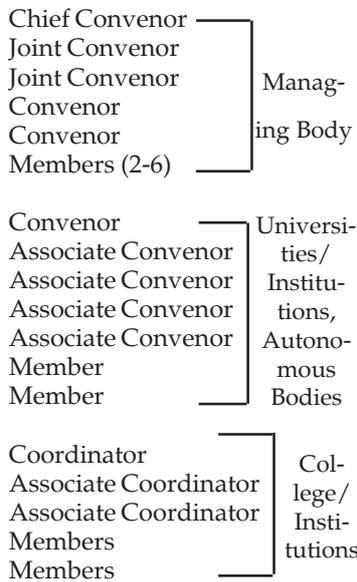
The following are the **Aims & Objects** of FETSDE.

1. To uphold & realize the principles & provisions as enshrined in The Constitution of India and Human Rights.
2. To reconstruct the Indian society & nation based on Ambedkarism. For this to create 'ideal individuals' who attain to the 'culture of mind.'
3. To uphold & fulfill the 'National Aim', 'National Policy' & 'National System' of Education as declared in 'Dr. B. R. Ambedkar Plan of Individual, Society, State & Nation [DAPIS2N]' and further work for the implementation of 'Policy of Ambedkarism' for the creation of an Enlightened India (PraBuddha Bharat) and Enlightened Nation (PraBuddha Rashtra).
4. To strive for the 'dignity and descent life' of all the teaching, non-teaching & students community and work for building

educational institutions as 'social institutions' for the creation of a good citizenry, and an 'ideal democratic humanitarian society' with social efficiency & excellence.

5. To be in associated life with the 'Central Organisation' Sangh' [AIMBSCS] and its Wings & Institutions.
- 5(a) To work for the success of Ambedkarism as enshrined in 'National Plan To Succeed In Ambedkarism [NPTSIA]' i.e. Constitution of Movement.

The Organisational Setup will be



Note : National Organiser 'Sangh' [AIMBSCS] will be Organisational Head for all purposes. The

Managing Body must comprise of Organisers, Cadres of AIMBSCS. Convenors and Coordinators must also be Organisers or Cadres of AIMBSCS.

For all Constitutional, legal & administrative purposes it shall be under, PCDHR. With the creation of FETSDE, 'Sangh' has taken a major step to make Ambedkarism the *life-blood* of youths, students and teachers and realize 'PraBuddha Bharat & Rashtra.'

All the 'State Sanghs' have to expand FETSDE in the Universities and Colleges of their States & Districts in a *big way*. This shall ensure the cultivation of Ambedkarism in the young generation and also tackle the mental pollution of youths & students by brahmanism and their organizations. We have to '**Act "Practically"**' by RTI, **Petition, Writ Petition, Janandolan** and **Ambedkarite Politics** [from Students council to Legislative Council] while 'cultivation of mind' by "**Philosophy**" of "Ambedkarism" for the creation of 'ideal individuals' and a 'democratic humane society' so "**PraBuddha Rashtra**" can be realized.

Hope it will 'cultivate the mind' of young & old alike.

Vijay Mankar, National Organiser, AIMBSCS



JaiBhim ! Jai PraBuddha Bharat !!  
Jai PraBuddha Vishwa !!!

## APIs Electoral Performance

### Votes secured By API Candidates In General Elections to the House of People (Loksabha)

(बहुसंख्यक सदन के निर्वाचन में ए.पी.एम. के उम्मीदवारों द्वारा प्राप्त की गई कुल वोटों का विवरण)

#### Maharashtra

5	Buldhana	-	Dh. Ravindra D. Bhojane	2448
7	Amravati	-	Dheemati Jyoti D. Kakne (Makode)	3724
9	Ramtek	-	Dheemati Vidya K. Bhimte	3634
10	Nagpur	-	Dh. Dr. Pradeep R. Nagrale	1366
11	Bhandara-Gondia	-	Dh. Raman M. Bansod	1429
12	Gadchiroli-Chimur	-	Dh. Deorao Nannaware	6606
13	Chandrapur	-	Dh. Nandkishor G. Rangari	4850
18	Jalna	-	Dh. Vitthal S. Shelke	4587
24	Kalyan	-	Dh. Sudhakar N. Shinde	726
25	Thane	-	Dh. Rajendra D. Gajbhiyee	905
26	Mumbai North	-	Dh. Arjun B. Arde	1650
30	Mumbai-South Central	-	Dh. Sanghapal H. Gadekar	919
39	Beed	-	Dh. Rahul P. Kamble	1733
41	Latur	-	Dh. Bharat M. Kadam	2769

**37,346**

(0.1% Votes)

#### Chhatisgarh

1	Sarguja	-	Dheemati Rama Sapna Olko	11458
2	Rajgarh	-	Dh. Ramnarayan Ayyam	8747
3	Janjgir-Champa	-	Dh. Satyendra K. Bhandari	6275
4	Korba	-	Dh. Chandrabhushan P. Kanvar	5238
5	Bilaspur	-	Dh. Ramphal Mandrey	4294
6	Rajnandgaon	-	Dh. Narendra Bansod	11704
7	Durg	-	Dheemati Sheema Rahangdale	5904
8	Raipur	-	Dh. Anil Umre	2726
10	Bastar	-	Dh. Arjunsingh Thakur	8966
11	Kanker	-	Dh. Malikram Thakur	8963

**74,275**

(0.7% Votes)

#### Odhisa

9	Dhenkanal	-	Dh. Kalakar Naik	8712
10	Bolangir	-	Dh. Achuta Nag	14626
11	Kalahandi	-	Dh. Chabililal Nial	8299
21	Koraput	-	Dh. Banmali Mazi	14854

**46,491**

(0.2% Votes)

#### MadhyaPradesh

13	Jabalpur	-	Dh. Manikhal Gotia	4261
14	Mandla	-	Dh. Indersingh Uikey	11930
16	Chhindwara	-	Dh. Ramesh Baburao Patil	2872

**19,063**

#### Rajasthan

7	Jaipur	-	Dh. Rajulal Bairwa	1899
8	Alwar	-	Dh. Dashratkumar R. Hinunia	3612
12	Jaipur rural	-	Dh. Tekchand Sonwal	3047

**8,558**

**We thank all Citizen/Voters for the same !**



**Total Votes Polled**

**1,85,733**

Vijay Mankar  
National President, API



## API's Electoral Campaign - Some Pictures of People and Dh. Vijay Mankar NP, API

