

**Bill No. LXIX of 2016**

THE CONSTITUTION (AMENDMENT) BILL, 2016

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BILL

*further to amend the Constitution of India.*

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2016.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification  
5 in the Official Gazette, appoint.

2. In article 324 of the Constitution, after clause (6), the following clause shall be inserted, namely:—

Amendment of article 324.

“(7) The Election Commission shall not allot any symbol to National Party,  
10 State Party or otherwise, any symbol which represents National flower, National Animal or bird or any symbol, which is connected with religious belief of any community, under any Order issued by the Commission.”.

## STATEMENT OF OBJECTS AND REASONS

Allotment of symbols is done under the Election Symbols (Reservation and Allotment) Order 1968, and the Election Commission is deemed to have such powers under article 324 of the Constitution of India. In fact, strangely, even substantive matters like deciding matters related to a split in political parties, is also decided under the said Order, namely, para 15 of the Order.

However, allotment of symbols is an equally important aspect related to elections. But, it is unfortunate that religious symbols and symbol symbolises national flower, are allotted to a National Parties.

There is a need to review the allotment and the Commission should be free and fair in dealing with the matters. Considering that India is a highly religious minded country and its people are religious to core, Commission, in all fairness, should not give any scope for the misuse of the symbol.

Further, the symbol is not only used and misused as a religious symbol, but, it was also adopted as a logo of BRICS Summit 2016 held in Goa, recently. By convention, during each summit different logo is adopted. Procedure adopted in choosing the symbol was that applications or suggestions were invited from the members of public, and, one of the applicants submitted a proposal of lotus, which was accepted by the relevant authorities of the summit, which included Brazil, Russia, India, China and South Africa (BRICS).

In fact, one of the election symbols of the host country, could not have been the logo of an International Summit. In Goa, the State, which is going to the polls soon, Lotus was prominently displayed in every nook and corner of the State.

Hence this bill.

SHANTARAM NAIK

RAJYA SABHA

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*(Shri Shantaram Naik, M.P.)*