

Election Commission of India

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/22/2020

Dated: 14th February, 2020

PRESS NOTE

Commission to implement the directions of Hon'ble Supreme Court concerning criminal antecedents of candidates by reiterating its existing instructions with suitable modifications.

Election Commission has consistently espoused rigorous and loftiest normative standards in public life. Hon'ble Supreme Court on 13 February, 2020 in Contempt Pet. (C) No. 2192 of 2018 of W.P. (C) No. 536 of 2011 invoking Article 129 and Article 142 of the Constitution of India directed as under,

“1) It shall be mandatory for political parties [at the Central and State election level] to upload on their website detailed information regarding individuals with pending criminal cases (including the nature of the offences, and relevant particulars such as whether charges have been framed, the concerned Court, the case number etc.) who have been selected as candidates, along with the reasons for such selection, as also as to why other individuals without criminal antecedents could not be selected as candidates.

2) The reasons as to selection shall be with reference to the qualifications, achievements and merit of the candidate concerned, and not mere “winnability” at the polls.

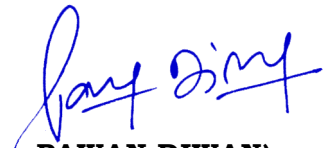
3) This information shall also be published in: (a) One local vernacular newspaper and one national newspaper; (b) On the official social media platforms of the political party, including Facebook & Twitter.

4) These details shall be published within 48 hours of the selection of the candidate or not less than two weeks before the first date for filing of nominations, whichever is earlier.

5) The political party concerned shall then submit a report of compliance with these directions with the Election Commission within 72 hours of the selection of the said candidate.

6) If a political party fails to submit such compliance report with the Election Commission, the Election Commission shall bring such non-compliance by the political party concerned to the notice of the Supreme Court as being in contempt of this Court's orders/directions."

Election Commission whole-heartedly welcomes this landmark order, which is bound to go a long way in setting new moral yardsticks for overall betterment of electoral democracy. Earlier, Commission on 10 October 2018 issued detailed instructions and guidelines along with amended form of affidavit for ensuring publicity of criminal antecedents by the candidates and the concerned political parties for the information of voters. This is being implemented in all the elections since November, 2018. Now, Commission proposes to reiterate these instructions with suitable modifications in order to implement the directions of Hon'ble Supreme Court in letter as well as in spirit.



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UNDER SECRETARY