

**GOVERNMENT OF INDIA  
LAW , JUSTICE AND COMPANY AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:7507

ANSWERED ON:16.05.2002

MANDATORY DISCLOSURE OF RECORDS AND ASSETS BY CANDIDATES

C. SREENVAASAN;M.H. AMBAREESH;M.V.V.S MURTHI;PUTTASWAMY GOWDA

**Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:**

- (a) whether the Supreme Court has directed for mandatory disclosure of records and assets by Candidates contesting Parliamentary or Assembly elections including furnishing of their criminal antecedents as reported in the Statesman of May 3, 2002;
- (b) if so, the details of direction given by the Supreme Court;
- (c) whether similar amendments had been proposed by the Election Commission in the Representation of the People Act;
- (d) if so, the details thereof;
- (e) whether any data has been prepared by the Central Government regarding criminal antecedents of candidates who have been elected to 13th Lok Sabha or the recently held Assembly elections in Uttar Pradesh, Uttaranchal and Punjab; and
- (f) if so, the action, the Government propose to take in this regard?

**Answer**

MINISTER OF LAW, JUSTICE & COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) and (b): The Supreme Court in its judgement dated 2.5.2002 in CA No. 7178 of 2001 - Union of India vs Association of Democratic Reforms and another and W.P.No. 294 of 2001 - Peoples' Union for Civil Liberties (PUCL) and another vs Union of India and another, has directed the Election Commission of India to call for information on affidavit by issuing necessary orders in exercise of its powers under article 324 of the Constitution requiring each candidate seeking election to Parliament or a State legislature to furnish in his nomination paper, information on following aspects in relation to his/her candidature:

- (i) whether the candidate is convicted / acquitted / discharged of any criminal offence in the past - if any; whether he/she has been punished with imprisonment or fine;
- (ii) prior to six months of filing of his/her nomination, to indicate whether the candidate is accused in any pending case, of any offence punishable with imprisonment for two years or more, and whether any charge is framed or cognizance is taken by the Court of law; if so, the details thereof;
- (iii) the assets (immovable, movable, bank balances, etc.) of a candidate and of his/her spouse and that of his/her dependents;
- (iv) liabilities, if any, particularly whether there are any dues which he/she owes particularly to any financial institution or Government; and
- (v) the educational qualifications of the candidate.

The Election Commission has been directed to draw up the norms and modalities to carry out and give effect to the aforesaid directions as early as possible and in any case within a period of two months.

(c) to (f): The requisite information is being collected and will be laid on the Table of the House.