

Title: Regarding Supreme Court's judgement on eligibility of convicted persons holding public offices.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, I rise to bring to the notice of the House a very important issue. There is a recent landmark judgement given by the Supreme Court, making a distinction between conviction and sentence, in a criminal court judgement. Speaking on behalf of the Division Bench, Justice K.T. Thomas had made it clear that even a suspension of sentence is not sufficient for persons to hold a public office, but there must be a complete exoneration by the Appellate Court. There must be suspension of not only the sentence, but also suspension of conviction. If there is no suspension of conviction, the accused person is not eligible to hold public office. I would therefore like to know from the Central Government whether they had examined this particular dictum now enunciated by the Supreme Court. It is a landmark judgement. Many people who are convicted are holding public office in India. The Supreme Court's judgement is crystal clear and it says that such persons are not eligible to hold office. ...(*Interruptions*)

Before concluding I must say one more word. Recently it was reported in papers that the Additional DGP of Punjab was convicted in a murder case. The suspension was revoked and he continued to be in service till the last day of the sentence. On that day, he was convicted to life imprisonment. That particular officer was allowed to hold office; and that is the situation.

Now, the Supreme Court had made it crystal clear that there is a distinction between sentence and conviction. Without suspension of conviction, nobody is allowed to hold any public office in India. I request the Central Government to look into the matter so that the decision of the Court is implemented.