

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

LOK SABHA

UNSTARRED QUESTION NO. 760

TO BE ANSWERED ON WEDNESDAY, 07TH FEBRUARY, 2018

CRIMINALS CONTESTING ELECTIONS

760. SHRIMATI RITI PATHAK:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government proposes to take any step to prevent the dreaded criminals from contesting elections;
- (b) if so, the details and the present status thereof;
- (c) whether the Government has received any proposal in this regard from various stakeholders; and
- (d) if so, the details thereof and the action taken thereon?

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P.P.CHAUDHARY)**

(a) and (b): As per section 8 of the Representation of the People Act, 1951, a person convicted of offences specified therein shall be disqualified for membership of the legislatures from the date of such conviction and shall continue to be disqualified for a further period of six years since his release.

(c) and (d): The issue of electoral reform in its entirety was referred to the Law Commission of India in the year 2013. After consultation with various stake-holders, the Law Commission submitted its 244th report containing recommendation that a person shall be disqualified for membership of legislatures upon framing of charges against him for specified offences, subject to certain other conditions. The recommendations of the Law Commission are under examination.
