

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

UNSTARRED QUESTION NO. 353

TO BE ANSWERED ON WEDNESDAY, 12th DECEMBER, 2018

BAN ON CRIMINALS CONTESTING ELECTIONS

†353. SHRI KAPIL MORESHWAR PATIL:

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

- (a) whether the Government proposes to take any step to check criminals from contesting election;
- (b) if so, the details and the present status thereof;
- (c) whether the Government has received proposals in this regard from various political parties; and
- (d) if so, the details thereof along with 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 of the Government.
