

Press Release

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Himachal Pradesh Assembly Election 2017

Analysis of Sitting MLAs Against Whom Charges Have Been Framed by The Court for Offences Falling Under Section 8(1)
(2) & (3) of The R.P Act,1951

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Summary and Highlights

Association for Democratic Reforms (ADR) and Himachal Pradesh Election Watch have analysed the affidavits of 68 sitting MLAs from Himachal Pradesh Assembly 2017. Out of these 68 MLAs, there are 6 MLAs (9%) against whom charges have been framed by the court for offences falling under Section 8(1) (2) & (3) of the R.P Act, 1951. This report analyses:

1. The number of MLAs with criminal cases which fall under Section 8(1) of the RP Act who will be disqualified, if convicted
2. The number of MLAs with criminal cases which fall under Section 8(2) of the RP Act and who will be disqualified, if they are convicted with a punishment of not less than 6 months,
3. The number of MLAs with criminal cases which fall under Section 8(3) of the RP Act who will be disqualified, if they are convicted with a punishment of not less than 2 years.

About Section 8(1), (2) & (3) of RP Act, 1951:

Section 8 of the Representation of People Act, 1951 lays down disqualifications for persons being chosen as, and for being, a 'Member of either House of Parliament' as well as a 'Member of the Legislative Assembly or Legislative Council' of the State. Sub-sections (1), (2) and (3) of Section 8 of the Act provide that a person convicted of an offence mentioned in any of these sub-sections shall stand disqualified from the date of conviction and shall continue to be disqualified for a further period of six years since his/her release.

The offences listed under Section 8 (1), (2) & (3) are serious/grave/heinous in nature and cover offences under Indian Penal Code, 1860 (IPC) such as murder, rape, dacoity, robbery, kidnapping, crimes against women, bribery, undue influence, enmity between different groups on ground of religion, race, language, place of birth. It also covers offences relating to corruption and money laundering, offences relating to production/manufacturing/cultivation, possession, sale, purchasing, transport, storage, and/or consumption of any narcotic drug or psychotropic substance, offences relating to FERA, 1973, offences relating to hoarding and profiteering, adulteration of food and drugs, dowry etc. In addition, Section 8 also covers all the offences where a person is convicted and sentenced to imprisonment for not less than two years.

Party Wise MLAs who have declared criminal cases where the charges have been framed under Section 8(1) (2) & (3) of the R.P Act,1951

- There are a total of **6 MLAs** who have declared criminal cases where the charges have been framed under Section 8(1) (2) & (3) of the R.P Act,1951
- All 6 MLAs are from BJP.

Analysis of Pending Criminal Cases of MLAs who have declared criminal cases where the charges have been framed under Section 8(1) (2) & (3) of the R.P Act,1951

As per details of criminal cases declared in the self sworn affidavits submitted by the MLAs while contesting Himachal Pradesh assembly elections in 2017 and bye-elections held thereafter, pendency in respect of criminal cases where charges have been framed under Sec 8 (1), (2), (3) is shown below. However, it may be pointed out that the status of these cases may have undergone a change over the years for some MLAs. The exact current status will be known only in respect of MLAs who decide to re-contest in the Himachal Pradesh Assembly elections 2022, after they file their nomination papers.

- The average number of years that criminal cases against **6 MLAs** have been pending is **5 years**.
- **2 MLAs** have a total of **2** criminal cases pending against them for five years or more.

Criminal cases pending for the period:

11 Years	7 Years	4 Years	3 Years	1 Years
<ul style="list-style-type: none"> Forgery of valuable security, will, etc., Forgery for purpose of cheating, Cheating and dishonestly inducing delivery of property, Using as genuine a forged document or electronic record : Dr. Rajeev Bindal of BJP from Nahan constituency 	<ul style="list-style-type: none"> House-trespass after preparation for hurt, assault or wrongful restraint, Punishment for Rioting: Surender Shourie of BJP from Banjar constituency. 	<ul style="list-style-type: none"> House-trespass after preparation for hurt, assault or wrongful restraint, Voluntarily causing hurt to deter public servant from his duty, Punishment for criminal intimidation, Punishment for Rioting, Assault or criminal force to deter public servant from discharge of his duty: Rakesh Pathania of BJP from Nurpur constituency. Mischief by injury to works of irrigation or by wrongfully diverting water, Mischief causing damage to the amount of fifty rupees, Punishment for Rioting, Punishment of abetment if the act abetted is committed in consequence, and where no express provision is made for its punishment: Hans Raj of BJP from Churah constituency. 	<ul style="list-style-type: none"> Punishment for Rioting: Jia Lal of BJP from Bharmour constituency. 	<ul style="list-style-type: none"> Punishment for Rioting: Govind Singh Thakur of BJP from Manali constituency

Full list of sitting MLAs against whom charges have been framed by the court for offences falling under Section 8(1) (2) & (3) of the R.P Act, 1951 (as per affidavits submitted in 2017)

S. No.	MLA Name	Constituency	Party	Criminal cases pending for the longest period (of only MLAs against whom charges have been framed by the court for offences falling under Section 8(1) (2) & (3) of the R.P Act,1951)	Details of IPC/Acts which might lead to disqualification of MLA	Election Year	Case/FIR Year	No. of Years for which Cases are Pending
1	Dr. Rajeev Bindal	Nahan	BJP	IPC Sections - 420, 467, 468, 471, 120B , Other Details - Section 13(2) of P.C. Act., FIR No. 4/2006 dated 02/12/2006 registered at Police Station SV & ACB Solan, H.P., Cognizance Court Ld. Special Judge/Session Judge, Solan, H.P. Case No. 8-S/7/2013, Cognizance Date 20.08.2013, Court which framed the charges Ld. Special Judge/Session Judge, Solan H.P., Framed date 02.03.2015	1 charge related to Forgery of valuable security, will, etc. (IPC Section-467) 1 charge related to Forgery for purpose of cheating (IPC Section-468) 1 charge related to Cheating and dishonestly inducing delivery of property (IPC Section-420) 1 charge related to Using as genuine a forged document or electronic record (IPC Section-471) 1 charge related to Punishment of criminal conspiracy (IPC Section-120B)	2017	2006	11
2	Surender Shourie	Banjar	BJP	IPC Sections - 452,147,149 , Other Details - Section 3 of PDPP Act, FIR No. 99/2010, Dated 15/10/2010, P.S.-Banjar, District-Kullu H.P., Next Date of hearing Has Been fixed on 07.11.2017, Court taking Cognizance- CJM L&S at Kullu, Court which framed charge- CJM L&S at Kullu, Date of charge framed- 24.09.2015	1 charge related to House-trespass after preparation for hurt, assault or wrongful restraint (IPC Section-452) 1 charge related to Punishment for Rioting (IPC Section-147)	2017	2010	7
3	Rakesh Pathania	Nurpur	BJP	IPC Sections - 452, 147, 149, 353, 332, 506 , Other Details - Section 3 of PDP Act, Criminal Case No. 53-II/13, FIR No. 110/2013, Police Station-Nurupur, Distt.- Kangra, State- Himachal Pradesh, Court taking Cognizance- Judicial Magistrate Ist Class Nurpur, Court No. II, Dist. Kangra HP, Date of Cognizance- 01.10.2013, Court which framed charge- Additional CJM Nurpur and now case has	1 charge related to House-trespass after preparation for hurt, assault or wrongful restraint (IPC Section-452) 1 charge related to Voluntarily causing hurt to deter public servant from his duty (IPC Section-332) 1 charge related to Punishment for criminal intimidation (IPC Section-506)	2017	2013	4

Data in this Kit is presented in good faith, with an intention to inform voters. MLAs affidavit with nomination papers is the source of this analysis. Website:- www.adrindia.org, www.myneta.info

S. No.	MLA Name	Constituency	Party	Criminal cases pending for the longest period (of only MLAs against whom charges have been framed by the court for offences falling under Section 8(1) (2) & (3) of the R.P Act,1951)	Details of IPC/Acts which might lead to disqualification of MLA	Election Year	Case/FIR Year	No. of Years for which Cases are Pending
				been transferred to the Court of Judicial Magistrate Ist Class Nurupur, Court No. II, Dist. Kangra HP, Date of charge framed- 06.10.2015	1 charge related to Punishment for Rioting (IPC Section-147) 1 charge related to Assault or criminal force to deter public servant from discharge of his duty (IPC Section-353)			
4	Hans Raj	Churah	BJP	IPC Sections - 415 , 147, 149, 109 , 186, 427, 430 , 441 , 143 , Other Details - No.146108, P.S.-Tissa, Court Name-Hon. JMFC, Chamba, No.1073/13, Date of Order-29/08/2014	1 charge related to Mischief by injury to works of irrigation or by wrongfully diverting water (IPC Section-430) 1 charge related to Mischief causing damage to the amount of fifty rupees (IPC Section-427) 1 charge related to Punishment for Rioting (IPC Section-147) 1 charge related to Punishment of abetment if the act abetted is committed in consequence, and where no express provision is made for its punishment (IPC Section-109)	2017	2013	4
5	Jia Lal	Bharmour	BJP	IPC Sections - 186, 147, 336, 341 , Other Details - FIR No. 14/2014, P.S. Sadar Chamba Dist. H.P., Case No. 85/2014, Court Taken Charges Framed : Ld. C.J.M Chamba Dist. Chamba H.P. Date of Charges Framed : 20/03/2017	1 charge related to Punishment for Rioting (IPC Section-147)	2017	2014	3
6	Govind Singh Thakur	Manali	BJP	IPC Sections - 147,149 , Other Details - Case No 77/2016, FIR No 83/2016, PS Mandi District Kullu HP, Court Taking Cognizance-JMIC Manali District Kullu HP Date of Cognizance-16.12.2016, Court Which Framed Charge-Ld. JMFC Manali District Kullu HP, Date of Charge Framed-17.04.2017	1 charge related to Punishment for Rioting (IPC Section-147)	2017	2016	1

Table: Full list of sitting MLAs against whom charges have been framed by the court for offences falling under Section 8(1) (2) & (3) of the R.P Act, 1951

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Observations by ADR:

- I. On 10th August, 2021¹ the Supreme Court of India penalised 10 political parties that had contested the Bihar Assembly Elections, 2020 for not complying with the Supreme Court's orders dated 13th February, 2020 and 25th September, 2018 that had directed political parties **to publish and list out reasons on their website including their social media platforms for nominating candidates with criminal background within 72 hours of the selection of such candidates**. Taking a lenient approach, the penalty of Rs 1 lakh and Rs 5 lakh was imposed because the political parties had failed to follow the SC directions inspite of the repeated reminders from the SC and other main stakeholders. Infact, with their sole agenda of winning elections, political parties had purposely fielded such tainted candidates with criminal background and overlooked the critical credentials necessitated in a participatory democracy such as **merit, integrity, honesty, qualifications** and **achievements**.
- II. The order dated 10th August, 2021 clearly indicates that neither the 'Legislature nor the 'political parties will ever take any concrete steps in the directions to eliminate the 'Muscle-Power' from the Indian Political System. The Supreme Court in its order dated 10th August, 2021 had sadly observed, **"This Court, time and again, has appealed to the law-makers of the Country to rise to the occasion and take steps for bringing out necessary amendments so that the involvement of persons with criminal antecedents in polity is prohibited. All these appeals have fallen on the deaf ears. The political parties refuse to wake up from deep slumber..."**
- III. In order to curb increasing criminality in politics, the Supreme Court has, lately given six orders; 10th March, 2014² (**Trial within one year**); ; 27th August, 2014³ (**Prerogative of Prime Ministers and Chief Ministers of the State to not appoint ministers in their cabinet with criminal background**); 1st November, 2017⁴ (**Special 11 fast-track courts**); 25th September, 2018⁵ (**Publication of criminal cases**); 13th February, 2020⁶ (**Reasons for giving tickets to candidates with criminal background**), 10th August, 2021 (**Penalty to Political Parties for not complying with SC orders**). Unfortunately, none of these orders have been able to dissuade parties from giving tickets to candidates with criminal background. In 2018, the Supreme Court had said, **"The nation eagerly waits for such legislation, for the society has a legitimate expectation to be governed by proper constitutional governance. The voters cry for systematic sustenance of constitutionalism. The country feels agonized when money and muscle power become the supreme power."**

¹ https://adrindia.org/sites/default/files/SC_Judgment_Brajesh_Singh_Vs_Sunil_Arora_and_Ors.pdf

² https://adrindia.org/sites/default/files/Supreme_Court_10-03-2014_daily_order_in_PFI_vs_UOI_0.pdf

³ https://adrindia.org/sites/default/files/Manoj_Narula_vs._UOI.pdf

⁴ https://adrindia.org/sites/default/files/Order_dated_01_-_Nov_-_2017_Ashwini_Upadhaya_case.pdf

⁵ https://adrindia.org/sites/default/files/judgment_on_de-criminalization_25-Sep-2018.pdf

⁶ https://adrindia.org/sites/default/files/Supreme_Court_judgement_dated_13th_Feb_2020_in_Contempt_petition_No_2192_of_2018.pdf

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- IV. This void in law is detrimental to the public interest. Only stringent action and measures are required to be taken by judiciary.** Mere warnings or levying miniscule penalty will certainly not help in eradicating criminal elements from elections. It is a known fact that reforms cannot be left to the wisdom of our leaders and political parties. Therefore, it is the need of the hour that the Supreme Court steps in the area left purposely vacant by our law makers and comes up with directions by debarring the entry of such elements from our electoral and political process.
- V.** It is high time that the courts dispense with the belief that ‘disqualification of candidates with criminal background is outside the scope of their powers.’ **The ‘separation of powers’ doctrine has a concomitant doctrine called ‘checks and balances.** While each pillar of the Federal Structure is independent in the exercise of its functions, however, if any one pillar does not do what it is supposed to do or does something wrong, the other two pillars are expected to step in to correct the distortions arising out of the inability or unwillingness of the one pillar to perform its responsibility as indicated in the constitution. **The implication is that while the authority of each pillar is independent, it is not absolute. It is subject to be ‘checked’ and ‘balanced’ by the other two pillars.**

Recommendations by ADR

Good governance is only in the hands of good men. There is no dearth of solutions to curb the ever-growing problem of criminality in politics. **What is required is the courage and will to do the same.** Only **honest, fair, credible, capable and men of character and integrity,** should contest elections and be the key policy makers.

It is on record that various recommendations given by several committees dated as back as 1999 are lying in the back burner. **ADR strongly feels that** if (a) **there is a gap, vacuum, void, or infirmity in legislation,** (b) **the Legislature and the Executive have not had the time or inclination to fill the gap or correct the infirmity, and most importantly,** (c) **public interest is suffering,** then the Judiciary not only has the right but it is also its duty, to fill the gap and correct the infirmity.

ADR, therefore, strongly feels and endorses following recommendations that need to be acted upon immediately **without causing anymore delay and damage to our Participatory democracy and Rule of Law.**

- I. Disqualification on ‘charges framed by the court’:** Problem of criminalization can be tackled if candidates with criminal background are outrightly banned from entering the electoral process based on both stage and degree of crime. This can be achieved by **disqualifying candidates from**

contesting elections to the public offices against whom 'charges have been framed by court' for having committed serious criminal offences punishable by imprisonment of at least 5 years, and the case is filed at least 6 months prior to the election in question.

- II. **Permanent disqualification in heinous offences:** It is inexcusable and repugnant to have Law -makers convicted of heinous crimes making policies for us and this nation. *There should be a permanent disqualification of candidates convicted for heinous crimes like murder, rape, smuggling, dacoity, kidnapping, robbery etc.*
- III. **Criteria for selection of candidates:** There should be a strict criterion for selection of candidates by political parties. As per the *Supreme Court judgment* dated *13th February, 2020*, political parties are already required to give *reasons for selection* of candidates and *why other individuals without criminal antecedents could not be selected as candidates*. As per the judgment 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.
- IV. **Officer bearers of a Political Party to file annual information on criminal antecedents:** Political party should *annually file the information on criminal antecedents of their Office Bearers* such as President, Secretary, General Secretary, Chairperson, Convenor, Treasurer etc and make such records available to the public, *including NIL records*.
- V. **Fast tracking of cases for MLAs/MPs:** All pending cases against MPs and MLAs should be fast tracked and brought to conclusion *within a period of one year as mandated by the Supreme Court orders dated 10th March, 2014 and 1st November, 2017*. This will also help in ensuring that the arbitrary and unbridled power given under Section 321 of the Cr.P.C is not misused by the governments of the day by ordering withdrawal of cases pending against powerful politicians, ministers and other rich and powerful people.
- VI. **List of political parties to be prepared and shared by ECI:** Election Commission of India is expected to implement the 25th September, 2018, 13th February, 2020 and 10th August, 2021 SC orders in its letter and spirit by listing out names of such tainted candidates selected by the political parties along with such reasons for such selection. *This list needs to be religiously prepared and submitted to the Supreme Court after every election and the same should be uploaded on ECI's website for public inspection.* .
- VII. **De-recognition of political parties:** *Failure to abide by the Supreme Court directions dated 25th September, 2018, 13th February, 2020 and 10th August, 2021 should be treated as a serious breach under Paragraph 16A of the Election Symbols (Reservation and Allotment) Order, 1968*. Paragraph 16A gives power to the Commission to suspend or withdraw recognition of a recognised political party for its failure to observe Model Code of Conduct or follow lawful directions and instructions of the Commission. Therefore, *the Election Commission of India should invoke its powers*

under Paragraph 16A read with Article 324 of the Constitution and suspend or withdraw recognition of a recognized political party for its incessant failure and disobedience of the SC directions.

- VIII. **Prior announcement of candidates contesting elections:** *List of candidates* contesting elections should be **announced at least 3 months prior to elections** and they should be required **to submit affidavits stating specific reasons for changing/joining a particular party and approximate amount to be spent by them in the next elections and of the source thereof.** All this information should be placed in the public domain.
- IX. **Parties must face consequences for breach:** Political Parties must realize that the appeal to select honest, credible candidates by various stakeholders; citizens, judiciary, constitutional bodies is **mandatory and therefore the compliance is not optional.** Parties should be held accountable for brazenly defying the Supreme Court's orders dated 25th September, 2018, 13th February, 2020 and 10th August, 2021. **There should be a heavy financial penalty levied** on them for **making insufficient disclosures, invalid and common reasons, selection of candidates based on winnability, failing to submit the Compliance Report on time** etc. **Officer in-charge of a political party pertaining to submission of a compliance report should also be held accountable for such a breach.**
- X. **Introduce provisions for inner-party democracy within political parties:** In spite of being one of the largest democracies in the world, our political parties which run this democracy are painfully undemocratic in their functioning. Political parties have miserably failed in their 'Code of conduct' and self-initiated reforms for themselves. Therefore, mandatory provisions should be made to **introduce inner-party democracy, transparent decision-making, ticket distribution, elections of office bearers, financial transparency and stronger organisational discipline** within the political parties. This should include **mandatory secret ballot voting for all elections for all inner party posts and selection of candidates, as suggested by the 170th Law Commission Report.**
- XI. **More power to NOTA:** The Supreme Court judgment dated 23rd September, 2013 on provision of NOTA buttons on the EVMs needs to be implemented in its letter and spirit by ensuring a) **if NOTA gets more votes than any of the candidates, none of the candidates should be declared elected, and a fresh election should be held;** b) **in the fresh election, none of the candidates in the earlier election, in which NOTA got the highest number of votes, should be allowed to contest.**
- XII. **Declare Political parties as Public Authorities:** Bringing parties under RTI law will not only empower the citizens to question, audit, review, examine, and assess information like inner party elections, criteria for ticket distribution but it will also allow people to seek definite and direct answers from the office bearers for the kind of candidates being fielded by our political parties. **Therefore, it is high time that the Supreme Court of India takes note of this current predicament and upholds and implements the 3rd June, 2013 CIC order by bringing the parties under the ambit of RTI Act.**

- XIII. A comprehensive law to regulate political parties' affairs:** Political parties are the ultimate repository and guardian of our whole constitutional, democratic, social-economic set up but *we don't have a single comprehensive law entirely dealing with political parties. In absence of a comprehensive law, citizens cannot question, appraise and audit the functioning of political class and politicians.* Therefore, there is a dire need for a comprehensive legislation *regulating the functioning of political parties, recognition of their party constitution, election at various levels of party organs, conditions for registration and de-registration, compulsory maintenance of accounts, women representation at organisational positions,* as recommended in the '170th Law Commission Report, Part III, Chapter I' and Chapter 8 of the NCRW report.
- XIV. False affidavit should lead to immediate disqualification:** Furnishing of false information in the affidavits by candidates should not be taken lightly by the ECI. *It is after all, the first and foremost step in the direction of 'free and fair elections.'* Section 125A of the RP Act,1951 has not been able to deter candidates from furnishing wrong/incorrect information as it only leads to a six months imprisonment or fine or both, and therefore doesn't attract disqualification. *There should be an immediate disqualification of candidates who furnish mis-information, no information false, information in the election affidavit.*
- XV. First -past -the -post, "50% + 1 of the registered votes cast":** As per the recommendations given by various committees, Law Commission and NCRWC, *'no candidate should be declared elected unless he or she secures more than 50% of the votes cast'*. In the case when no candidate gets the required number of votes, *there should be a runoff between the top two candidates getting maximum votes.* It is worth noting that 50%+1 of the votes cast is an easier requirement for being declared elected, a more stringent requirement, and the ideal to ensure appropriate and proper representation.
- XVI. Annual Report by MPs and MLAs -** Elected MPs and MLAs should be required to submit an *'Annual Report' to their constituency giving details of their accomplishments for previous year and the plan for the next year.* This report should be made available at the Lok Sabha/Rajya Sabha/ State Assembly website and on the Election Commission's website.

Full details of declared criminal cases of MLAs who have declared criminal cases where the charges have been framed under Section 8(1) (2) & (3) of the R.P Act,1951(as per affidavits submitted in 2017)

S.No.	MLA Information	Details of IPC/Acts which might lead to disqualification of MLA
1	<p> Name:Surender Shourie District:Kullu Constituency: Banjar Party:BJP Cases (Charges Framed) </p> <ol style="list-style-type: none"> 1. IPC Sections - 452,147,149 , Other Details - Section 3 of PDPP Act, FIR No. 99/2010, Dated 15/10/2010, P.S.-Banjar, District-Kullu H.P., Next Date of hearing Has Been fixed on 07.11.2017, Court taking Cognizance- CJM L&S at Kullu, Court which framed charge- CJM L&S at Kullu, Date of charge framed- 24.09.2015 	<p> 1 charge related to House-trespass after preparation for hurt, assault or wrongful restraint (IPC Section-452) 1 charge related to Punishment for Rioting (IPC Section-147) </p>
2	<p> Name:Jia Lal District:Chamba Constituency: Bharmour Party:BJP Cases (Charges Framed) </p> <ol style="list-style-type: none"> 1. IPC Sections - 341, 143, 147, 149 , Other Details - FIR No. 23/16, P.S. Bharmour, Chamba, State Versus Jia Lal and Other, Case No. 23/2016, Court Taken Charges Framed : LD. C.J.M Chamba Dist. Chamba H.P. Date of Charges Framed : 16/05/2017 2. IPC Sections - 186, 147, 336, 341 , Other Details - FIR No. 14/2014, P.S. Sadar Chamba Dist. H.P., Case No. 85/2014, Court Taken Charges Framed : Ld. C.J.M Chamba Dist. Chamba H.P. Date of Charges Framed : 20/03/2017 	<p>2 charges related to Punishment for Rioting (IPC Section-147)</p>
3	<p> Name:Rakesh Pathania District:Kangra </p>	<p>1 charge related to House-trespass after preparation for hurt, assault or wrongful restraint (IPC Section-452)</p>

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S.No.	MLA Information	Details of IPC/Acts which might lead to disqualification of MLA
	<p>Constituency: Nurpur Party:BJP Cases (Charges Framed)</p> <ol style="list-style-type: none"> 1. IPC Sections - 452, 147, 149, 353, 332, 506 , Other Details - Section 3 of PDP Act, Criminal Case No. 53-II/13, FIR No. 110/2013, Police Station- Nurupur, Distt.- Kangra, State- Himachal Pradesh, Court taking Cognizance- Judicial Magistrate Ist Class Nurpur, Court No. II, Dist. Kangra HP, Date of Cognizance- 01.10.2013, Court which framed charge- Additional CJM Nurpur and now case has been transferred to the Court of Judicial Magistrate Ist Class Nurupur, Court No. II, Dist. Kangra HP, Date of charge framed- 06.10.2015 	<p>1 charge related to Voluntarily causing hurt to deter public servant from his duty (IPC Section-332) 1 charge related to Punishment for criminal intimidation (IPC Section-506) 1 charge related to Punishment for Rioting (IPC Section-147) 1 charge related to Assault or criminal force to deter public servant from discharge of his duty (IPC Section-353)</p>
4	<p>Name:Dr. Rajeev Bindal District:Sirmour Constituency: Nahan Party:BJP Cases (Charges Framed)</p> <ol style="list-style-type: none"> 1. IPC Sections - 420, 467, 468, 471, 120B , Other Details - Section 13(2) of P.C. Act., FIR No. 4/2006 dated 02/12/2006 registered at Police Station SV & ACB Solan, H.P., Cognizance Court Ld. Special Judge/Session Judge, Solan, H.P. Case No. 8-S/7/2013, Cognizance Date 20.08.2013, Court which framed the charges Ld. Special Judge/Session Judge, Solan H.P., Framed date 02.03.2015 	<p>1 charge related to Forgery of valuable security, will, etc. (IPC Section-467) 1 charge related to Forgery for purpose of cheating (IPC Section-468) 1 charge related to Cheating and dishonestly inducing delivery of property (IPC Section-420) 1 charge related to Using as genuine a forged document or electronic record (IPC Section-471) 1 charge related to Punishment of criminal conspiracy (IPC Section-120B)</p>
5	<p>Name:Govind Singh Thakur District:Kullu Constituency: Manali Party:BJP Cases (Charges Framed)</p>	<p>1 charge related to Punishment for Rioting (IPC Section-147)</p>

S.No.	MLA Information	Details of IPC/Acts which might lead to disqualification of MLA
	<ol style="list-style-type: none"> 1. IPC Sections - 143, 341, 149 , Other Details - Case No 48/2014, FIR No 90/2014, PS Manali, District Kullu HP, Court Taking Cognizance- Ld. JMIC Manali District Kullu HP, Date of Cognizance- 13.11.2014, Court Which Framed Charge- Ld. JMIC Manali, District Kullu HP, Date of Charge Framed-04.05.2015 2. IPC Sections - 147,149 , Other Details - Case No 77/2016, FIR No 83/2016, PS Mandi District Kullu HP, Court Taking Cognizance-JMIC Manali District Kullu HP Date of Cognizance-16.12.2016, Court Which Framed Charge-Ld. JMIC Manali District Kullu HP, Date of Charge Framed-17.04.2017 	
6	<p> Name:Hans Raj District:Chamba Constituency: Churah Party:BJP Cases (Charges Framed) </p> <ol style="list-style-type: none"> 1. IPC Sections - 415, 147, 149, 109, 186, 427, 430, 441, 143 , Other Details - No.146108, P.S.-Tissa, Court Name-Hon. JMFC, Chamba, No.1073/13, Date of Order-29/08/2014 2. IPC Sections - 336, 186 , Other Details - No.14/14, P.S.-Tissa, Court Name-CJM Chamba, No.85/2014, Date of Order-20/3/2017 	<p>1 charge related to Mischief by injury to works of irrigation or by wrongfully diverting water (IPC Section-430)</p> <p>1 charge related to Mischief causing damage to the amount of fifty rupees (IPC Section-427)</p> <p>1 charge related to Punishment for Rioting (IPC Section-147)</p> <p>1 charge related to Punishment of abetment if the act abetted is committed in consequence, and where no express provision is made for its punishment (IPC Section-109)</p>

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